

**Publication stage Response form - Part B**  
**Please use a separate Part B form for each representation**

Name or Organisation :	Ryedale Liberals 3.2 Appendix 3	
<i>Please mark with an x as appropriate</i>		
• To which part of the Minerals and Waste Joint Plan does this representation relate?		
Paragraph No./ Site Allocation Reference No.	Policy No. M16bii second comment 3846/0976/M16/LC.U.DTC	Policies Map
2. Do you consider the Minerals and Waste Joint Plan is :		
2.(1) Legally compliant	Yes	No
2.(2) Sound		
(2a) Which Element of soundness does your representation relate to? (please only mark with an x one element of soundness per response form).		
<i>Positively Prepared</i>	No	<i>Justified No</i>
<i>Effective No</i>	<i>Consistent with National Policy No</i>	
2 (3) Complies with the Duty to co-operate	Yes	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

If we were to fully accept your point about not applying to an individual application, can you please demonstrate the evidence that in cumulative terms, enhancement of the environment would occur.

Lack of harm, even if it could be demonstrated, does not 'enhance the environment through the use of the development.' This is the definition of 'positive planning'. Positive planning is a requirement of the NPPF.

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

box if necessary)

(continue on a separate sheet/expand

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage further submissions will be only at the request of the Inspector, based on matters and issues he/she identifies for examination.**

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

**Yes, I wish to participate at the oral examination**

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

As the response does not answer our point we feel there needs to be discussion at the EiP.

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

**All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.**

Signature: John Clark	Date: 11 Feb 2018

Hard copy to follow with signatures and to confirm yes/no correctly identified.