



County Offices  
Newland  
Lincoln  
LN1 1YL

7 May 2015

**Council Annual General Meeting**

A meeting of the Council will be held on **Friday, 15 May 2015 in the Council Chamber, County Offices, Newland, Lincoln LN1 1YL, commencing at 10.30 am** for the transaction of the business set out on the attached Agenda. The attendance of all Councillors is requested.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Tony McArdle', written over a horizontal line.

Tony McArdle  
Chief Executive

**Membership of the Council**  
**(76 Members of the Council)**

Councillors W J Aron (Chairman), W S Webb (Vice-Chairman), B Adams, M G Allan, A M Austin, Mrs V C Ayling, J W Beaver, Mrs P A Bradwell, D Brailsford, C J T H Brewis, A Bridges, Mrs J Brockway, M Brookes, K J Clarke, C J Davie, R G Davies, P M Dilks, S R Dodds, G J Ellis, R G Fairman, I G Fleetwood, R L Foulkes, A G Hagues, M J Hill OBE (Leader of the Council), J D Hough, D C Hoyes MBE, D M Hunter-Clarke, R J Hunter-Clarke, N I Jackson, A J Jesson, M S Jones, B W Keimach, Ms T Keywood-Wainwright, S F Kinch, R C Kirk, C E D Mair, C E H Marfleet, J R Marriott, R A H McAuley, D McNally, D C Morgan, N M Murray, Mrs A M Newton, P J O'Connor, Mrs M J Overton MBE, C R Oxby, C Pain, S L W Palmer, R B Parker, N H Pepper, R J Phillips, Mrs H N J Powell, Miss E L Ransome, Miss F E E Ransome, Mrs S Ransome, Mrs S Rawlins, Mrs J M Renshaw, R A Renshaw, Mrs A E Reynolds, P A Robinson, Mrs L A Rollings, R A Shore, Mrs N J Smith, Mrs E J Sneath, C L Strange, Mrs C A Talbot, T M Trollope-Bellew, A H Turner MBE JP, S M Tweedale, P Wood, Mrs S Woolley, L Wooten, R Wooten, C N Worth, Mrs S M Wray and B Young

+ 1 vacancy



**COUNCIL AGENDA  
FRIDAY, 15 MAY 2015**

<b>Item</b>	<b>Title</b>	<b>Pages</b>
1	To elect the Chairman of the County Council for the ensuing year	
2	To elect the Vice-Chairman of the County Council for the ensuing year	
3	Apologies for Absence	
4	Declarations of Councillors' Interests	
5	Minutes of the meeting of the Council held on 20 February 2015	5 - 28
6	Submission of Petitions	
7	Chairman to signify the appointment of Chairman's Chaplain	
8	Chairman's Announcements	
9	The Leader to report on Executive Portfolios and appointments to the Executive and appointments of Executive Support Councillors	
10	Statements/Announcements by the Leader (Circulated as a separate document) and Members of the Executive	29 - 60
11	Questions to the Chairman, the Leader, Executive Councillors, Chairmen of Committees and Sub-Committees	
12	Committee Structure, Political balance on committees and sub-committees and allocation of places to political groups	61 - 64
13	Appointment of Chairmen and Vice-Chairmen of Committees and Sub-Committees (Except the Lincolnshire Health and Wellbeing Board and the Health Scrutiny Committee for Lincolnshire and the Bourne Town Hall Trust Management Committee)	65 - 66
14	Overview and Scrutiny Annual Report 2014-15	67 - 90
15	Calendar of Meetings 2015/16	91 - 94
16	Appointment to Outside Bodies	95 - 98
17	Amendments to the Council's Constitution Arising from Legislative Changes	99 - 172
18	Monitoring Officer's Annual Report 2014-15	173 - 180

<b>19</b>	<b>Minerals and Waste Plan Core Strategy and Development Management Policies Development Plan Document: Submission Draft</b>	181 - 676
<b>20</b>	<b>To receive the Minutes of the Council's Committees as follows:</b>	
<b>20a</b>	<b>Audit Committee - 26 January 2015</b>	677 - 692
<b>20b</b>	<b>Audit Committee - 30 March 2015 (Draft)</b>	693 - 706
<b>20c</b>	<b>Planning and Regulation - 16 February 2015</b>	707 - 712
<b>20d</b>	<b>Planning and Regulation - 16 March 2015</b>	713 - 718
<b>20e</b>	<b>Planning and Regulation - 13 April 2015</b>	719 - 724
<b>21</b>	<b>Motions for Debate (if any)</b>	

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**Please note:** for more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting

- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details set out above.

**Please note:** This meeting will be broadcast live on the internet and access can be sought by accessing <http://www.lincolnshire.public-i.tv>

All papers for council meetings are available on:  
[www.lincolnshire.gov.uk/committeerecords](http://www.lincolnshire.gov.uk/committeerecords)



**COUNCIL  
20 FEBRUARY 2015**

**PRESENT: COUNCILLOR W J ARON (CHAIRMAN)**

Councillors W S Webb (Vice-Chairman), B Adams, M G Allan, A M Austin, Mrs P A Bradwell, D Brailsford, A Bridges, Mrs J Brockway, M Brookes, J P Churchill, K J Clarke, C J Davie, R G Davies, P M Dilks, S R Dodds, G J Ellis, R G Fairman, I G Fleetwood, R L Foulkes, M J Hill OBE, J D Hough, D C Hoyes MBE, D M Hunter-Clarke, R J Hunter-Clarke, N I Jackson, A J Jesson, M S Jones, B W Keimach, Ms T Keywood-Wainwright, R C Kirk, C E D Mair, C E H Marfleet, J R Marriott, R A H McAuley, D McNally, D C Morgan, N M Murray, Mrs A M Newton, P J O'Connor, Mrs M J Overton MBE, C R Oxby, C Pain, S L W Palmer, R B Parker, N H Pepper, R J Phillips, Mrs H N J Powell, Miss E L Ransome, Mrs S Ransome, Mrs S Rawlins, Mrs J M Renshaw, R A Renshaw, Mrs A E Reynolds, P A Robinson, Mrs L A Rollings, R A Shore, Mrs N J Smith, Mrs E J Sneath, C L Strange, Mrs C A Talbot, T M Trollope-Bellew, A H Turner MBE JP, S M Tweedale, P Wood, Mrs S Woolley, L Wooten, R Wooten, C N Worth, Mrs S M Wray and B Young

**48 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Mrs V C Ayling, J W Beaver, C J T H Brewis, A G Hagues, S F Kinch and Miss F E E Ransome.

**49 DECLARATIONS OF COUNCILLORS' INTERESTS**

There were no further declarations of interest at this point in the meeting.

**50 MINUTES OF THE MEETING OF THE COUNCIL HELD ON 19  
DECEMBER 2014**

**RESOLVED**

That the minutes of the meeting held on 19 December 2014 be agreed and signed by the Chairman as a correct record.

**51 SUBMISSION OF PETITIONS**

**Petition in response to the Lincolnshire Integrated Risk Management Plan Consultation**

In accordance with the Council's Petitions Scheme, Mrs Elaine Smith spoke for not more than five minutes in explanation of the petition in response to the Lincolnshire Integrated Risk Management Plan consultation.

It was reported that the Chief Executive had determined that the petition would be referred to the Executive Councillor for Fire & Rescue, Emergency Planning, Trading Standards, Equality and Diversity.

## 52 CHAIRMAN'S ANNOUNCEMENTS

The Chairman reported that since the last meeting of the County Council he had attended numerous engagements and thanked the Chairman's lady for supporting him on these engagements. The Chairman also thanked the Vice-Chairman and his lady, as well as the immediate past Chairman and Lady for providing representation at civic functions when the Chairman had been unable to attend.

Some of the Chairman's duties had included attending the University of Lincoln's Graduation Ceremony where there had been the opportunity to meet staff and students, as well as attending the Army Training Regiment Reserve Service Reception at Prince William of Gloucester Barracks.

The Chairman was also delighted to have attended the Magna Carta Unification Reception held at The British Library in London where he had the unique opportunity to see the four original Magna Carta manuscripts on display.

The Chairman reported that he had been pleased to learn that he was the top fundraiser for the 2014 Lincoln Santa Fun Run, raising just over £1450 including Gift Aid for L.I.V.E.S. He thanked those members and staff who sponsored him for their generous support.

The Chairman reported the deaths of two former County Councillors, Barry Fippard MBE who was elected to the County Council in June 1986 and represented the Lincoln Birchwood Division until his retirement in June 2009, and Amanda Puttick, who was elected to the County Council in May 2005 and represented the Donington Rural Division until her retirement in May 2013.

Councillors and Officers were invited to stand in silent memory. Councillors then paid tribute to both Barry Fippard MBE and Amanda Puttick.

The Chairman advised that a complete itinerary of civic engagements, since the last meeting of this Council, was available from the Civic Officer on request.

## 53 STATEMENTS/ANNOUNCEMENTS BY THE LEADER AND MEMBERS OF THE EXECUTIVE

Statements by the Leader and Members of the Executive had been circulated with the agenda. It was noted that in the statement by the Executive Councillor for Crime Reduction, People Management and Legal, in the section relating to managing sickness absence, the corporate target for 2015/16 was to reduce sickness absence to 7.5 days, not 8 days as stated.

54     QUESTIONS TO THE CHAIRMAN, THE LEADER, EXECUTIVE  
COUNCILLORS, CHAIRMAN OF COMMITTEES AND SUB-COMMITTEES

Questions pursuant to Council Procedure Rule 10.3 were asked and answered as follows:

Question by	Answered by	Subject
a) R Foulkes	R G Davies	Signage for road improvements
b) Mrs M J Overton MBE	M J Hill OBE	Future of local government finance
c) T M Trollope-Bellew	R G Davies	Interception of Members' e-mails
d) K J Clarke	P A Robinson	Issues raised during IRMP consultation
e) C Pain	C J Davie	Flood mitigation measures
f) P Wood	Mrs P A Bradwell	School Transport Policy for pupils attending Grammar Schools
g) R Wootten	R G Davies	Progress on Grantham Southern Relief Road
h) N I Jackson	R G Davies	Need for a temporary pedestrian crossing on Portland Street
i) S L W Palmer	M J Hill OBE	Initial discussions in relation to the Library Service Review
j) D C Morgan	Mrs P A Bradwell	Standards for carers employed either directly or indirectly
k) M Brookes	R G Davies	Review of the Boston Transport Strategy
l) J D Hough	M J Hill OBE	Extra funding secured for the Police

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m) A M Austin	Mrs P A Bradwell	Continuation of the housing related support services
n) J P Churchill	M J Hill OBE	Future policy for wind turbines in the county
o) S R Dodds	Mrs P A Bradwell	Lincolnshire' position in school league tables
p) R A McAuley	R G Davies	Options for increasing the capacity of the A16 between Spalding and Boston
q) R B Parker	M J Hill OBE	Restrictions on information being given to Members?
r) J R Marriott	C J Davie	Renewable energy
s) G J Ellis	C N Worth	Status of Boultham Library
t) A J Jesson	R G Davies	Visit by the Secretary of State
u) R Kirk	Mrs P A Bradwell	Living wage for care workers
v) N M Murray	P A Robinson	Future of Lincoln North Fire Station

**55**     COUNCIL BUDGET 2015/16 AND CAPITAL PROGRAMME CHANGE FOR 2014/15

A report by the Executive Director Finance and Public Protection had been circulated together with a separate document which detailed the Executive's budget and council tax proposals.

It was moved, seconded and

RESOLVED

(1) That there be one debate;

- (2) That Councillor M S Jones, Executive Councillor for Finance and Property, in introducing and moving the budget and in responding to issues raised during the debate be allowed to speak without limit of time;
- (3) That proposers of the amendments each be allowed to speak without limit of time;
- (4) That Councillors seconding the motions, each be allowed to speak for 6 minutes;
- (5) That other speakers each be allowed to speak for 3 minutes;
- (6) That no further substantial amendments be moved (other than the original amendments moved by Group Leaders).

It was moved and seconded:

- (1) That the responses to consultation on the Council's budget proposals as contained in the appended Budget Book (Appendix D "Budget Consultation" pages 32 - 41) be noted;
- (2) That the Section 151 Officer's statement on the Robustness of the Budget and the Adequacy of Reserves (Section 10 – "Section 151 Officer's Statement on the Robustness of the Budget and Adequacy of Reserves", pages 19 - 22) be noted;
- (3) That the Impact Analysis relating to increasing the Council Tax by 1.9% in 2015/1 (Appendix C – Impact Analysis relating to increasing the Council Tax by 1.9% in 2015/16, pages 26 - 31) be noted;
- (4) That the service revenue budgets for 2015/16 contained in the appended Budget Book, (Table 2 "Net Service Revenue Budget 2015/16 and change over previous year", page 9) be agreed;
- (5) That the capital programme and its funding contained in the appended Budget Book (Section 7 "Capital Programme", page 16) and Appendix M ("Capital Programme", Page 60) be agreed;
- (6) That the County Council element of the council tax for a Band D property at £1,085.94 for 2015/16 contained in the appended Budget Book (Appendix B "County Precept 2015/16 page 25) be agreed;

And that together these form the Council's Budget

- (7) That the Council's Financial Strategy contained in the appended Budget Book (Appendix E "Financial Strategy", pages 42-49) be approved;

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- (8) That the prudential targets for capital finance be agreed and the prudential indicators contained in the appended Budget Book (Appendix L "Prudential Indicators", pages 58 -59) be noted;
- (9) That a minimum revenue provision (MRP) be based on the asset life method and made in equal instalments over the estimated life of the assets acquired through borrowing as set out in the appended Budget Book (Section 9 "Minimum Revenue Provision", page 18) be agreed;
- (10) That the changes to the 2014/15 capital programme as detailed at paragraph 1.20 to 1.21 of the report be agreed.

An amendment (i) was moved and seconded by UKIP as follows:-

"The UKIP Group proposes the following amendments to the Council Budget report:

Funding for the proposed changes to come from the additional revenue from growth in the council tax base and collection fund surpluses plus a modest growth in business rate income – some £10.413m in total. In addition a portion of the existing earmarked reserve for local welfare provision (£120k) has been applied to that service.

Particularly this year, because future funding is unknown financial territory - not least because of the coming general election; fluctuations in the FTSE, but also because it is difficult to forecast exactly what effect zero-inflation is going to have contract prices (and LCC have over 1,700) the LCC Financial Team have had a very difficult task in composing the 2015/16 Council Budget.

Although my guess would be that the financial positives will balance out the financial negatives and it will be business as usual! In fact, the only thing that can be accurately predicted is the continued reduction in local government funding and budgets.

This is why this year's additional amount of funding available, i.e. £10,413m pounds, has made composing UKIPs alternative budget particularly easy. No 'stealing from Peter to pay Paul' or raiding the reserves.

People of Lincolnshire are well aware of the impact on both services and employment caused by the savage budget cut-backs at LCC from Central Government. They are also aware that in order to preserve front-line services in the future, we also need to be prudent.

LCC would like to place all the additional funding back into the Volatility Reserves to help cushion against future budget reductions. But, UKIP see it also as an opportunity to preserve some jobs and provide some extra funding into areas of most need. Whilst at the same time recognising the vital importance of maintaining reserves in order to meet the demands of future Government reductions in the RSG.

1) HIGHWAYS & TRANSPORT: Increase revenue funding by £0.5m

Savings of £1.197m are required for 2015/16 including:-

'Rationalising the Counties Area Maintenance Teams – reduction of 3 Teams saving £0.470m'

Although this is a contractual provision, if 3 teams are reduced that is somewhere in the order of 10-15 working people become unemployed. In order to prevent this we think £500k should be allocated from the additional funding, specifically to maintain the Area Maintenance Teams.

The £500k one-off expenditure for the Ride & Park fund for the Magna Carta Exhibition in 2015/16 will not be required again next year and can be applied to increase the H & T revenue budget and ensuring there should be sufficient monies to maintain the AMT teams in 2016/17 too.

2) ADULT CARE : Increase revenue funding by £2.5m

£1.000m Towards Mental Health Prevention e.g. The Shine Staying Well Project.

£1.000m Towards the Carers Budget (which has not been increased.)

£0.5m be transferred into a flagged Adult Care volatility fund.

3) Local Welfare Budget – Increase funding by £120k from Flagged Reserves

4) How we Do Our Business – Democratic Services: Increase revenue funding by .....£56k

To mitigate the necessity to review arrangements for servicing civic responsibilities for the Chairman of the Council.

5) The balance of the additional income - £7.357m to be placed into the Volatility fund as a cushion against future funding reductions.

The Director of Finance & Public Protection has confirmed that these proposals are compliant with the existing Financial Strategy of the Council and represent a balanced budget for 2015/16. Some proposals have ongoing cost implications beyond next year which will need to be considered as part of future budget cycles. The proposals will increase the contribution required from reserves to balance the budget next year by £3.056m to £25.227m."

An amendment (ii) was moved and seconded by the Labour Group as follows:

"This year's County Council budget is being presented at a time when Lincolnshire is still suffering from the austerity economics of the Coalition Government with large falls in living standards and cuts in public services.

It is not just the County Council in crisis; it's the NHS locally under huge financial pressure, the police without funds to fully protect the public and the District Councils cutting back, all at the same time.

We know we cannot put everything right in one year but we believe we have to start the process and our amendment goes some way towards that.

What we are proposing to do first of all is to protect the public. In addition to maintaining our support for Lincolnshire police and their community safety role, we will ensure that there is no reduction in fire safety by maintaining the number of firefighters that go to a fire and keeping open fire stations like Lincoln North.

Secondly we will protect essential services for those who need help, and protect vulnerable people in our community. We will keep our professionally run library service, maintain the Citizens Advice Service in Children's Centres, set aside money to support housing services for vulnerable people, give a boost to funding for adult care and start to address the poverty wages so many of our people try to live on.

Thirdly we will protect the charities and voluntary groups who do so much essential work in our communities. In the last five years many of these have seen funding withdrawn by the council while the demand for their services has increased hugely due to the run down in public services from the council.

We will therefore provide support for Homestart, ensure that the YMCA receives sufficient funding to maintain its housing support services and set up a new fund to provide help when charities and voluntary groups need it.

Cllr John Hough, on behalf of The Labour Group therefore to move this amendment:

It is proposed that the following amendments are made to the circulated 'Council Budget 2015/16' report:

#### Revenue

Restore CAB work in Children's Centres (Page 65 line 3) £158k

Restore Preventing and Tackling Fire and Emergencies and Planning and

Responding to Emergencies (Page 91 lines 5 and 6) £551k

Restore Community Safety initiatives relating to PCSOs (Page 91 line 7) £300k

Increase Libraries spending to restore it to December 2013 level (Page 82 line 6) £800k

Restore Homestart funding from Children's Services budget £436k

Introduce Living Wage for all County Council staff –Living Wage £900k  
YMCA cuts in budget – housing support services in Lincoln £500k

Introduce spending of £1m to meet unexpected cost pressures in Adult Social Care services and place this in an earmarked reserve £1million

Capital spending

4 way pedestrian crossing at Bridge End Road/Springfield Road junction in Grantham £300k

Commuter Park and Ride Lincoln preparatory work £1m

Communities Initiatives Fund £5m

Funding

Capital spending of £6.3m has been funded from the £15m capital contingency budget for next year leaving a balance of £8.7m.

The revenue budget proposals total £4.645m and have been funded from the additional council tax and business rate income of £ 10.413m available next year.

This would increase the call on reserves in the 2015/16 budget by £4.645m to £26.816m.

The Director of Finance & Public Protection has confirmed that these proposals are compliant with the existing Financial Strategy of the Council and represent a balanced budget for 2015/16. Some proposals have ongoing cost implications beyond next year which will need to be considered as part of future budget cycles."

An amendment (iii) was moved and seconded by the Lincolnshire Independents Group as follows:

"It is proposed that the following amendments are made to the circulated 'Council Budget 2015/16' report.

Better solutions: Libraries

We support Pauline Palmer's Proposal to make a £1.73m saving and keep all of the static libraries and mobile libraries open. Recognising the current legal situation, we understand it cannot be implemented today. The libraries would therefore need to be reinstated for this forthcoming year in the first instance to the December 2013 service (£800,000), but would bring substantial savings in the following years as Pauline's proposal was implemented.

Fairer school transport:

The current system is unfair to 25% of residents of the County whose children cannot access free school transport to the school to which they are best suited, by accident of their rural location. Some parents cannot therefore afford to send the children to the school that is right for them. In order for all residents to receive fair access to the schools correctly suited to their children, including grammar schools, a sum of £2m put aside to equalise the fair access to schools. In future years, this will be returned as savings are made across the board fairly.

### Highways

We believe that the reduction in highways revenue maintenance is a false economy.

Whilst the highways asset protection grant for improving roads has risen £9m to £31m, the current general maintenance, by area maintenance teams, is reduced by £470,000 in the proposed budget. We believe this puts people at risk in road safety. We propose not taking out these funds of £470,000. This will bring savings in the longer term by making sure that road maintenance is kept in order at the right time, reducing knock on costs.

### Domiciliary Care

£1m towards providing a sustainable service for domiciliary care, that includes payment of staff travelling between clients. Currently the provision pays minimum wage for piecework, face to face time with clients, and nothing for the time it takes to travel from one person to another. Care workers should be paid for the time they are at work, like any other job. This is protection for the future, as collapse of the service is very difficult on the people we serve and indeed on the budget, as emergency failing of our statutory duty could be very expensive.

### Commercialism

Our council needs to make a more determined effort not just to make savings, but to make better use of our property to create wealth in the county. Part of our current resources need to be directed into this area. Similarly more support for small businesses does not require a change in the budget, but a small change in direction.

The above measures require additional revenue budget of £4.27m in 2015/16 and it is proposed to use some of the £10.413m additional revenue from council tax and business rate income next year to fund these initiatives. This would increase the use of reserves next year by that sum to £26.441m.

The Director of Finance & Public Protection has confirmed that these proposals are compliant with the existing Financial Strategy of the Council and represent a balanced budget for 2015/16. Some proposals have ongoing cost implications beyond next year which will need to be considered as part of future budget cycles."

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 recorded votes were taken for each of the amendments and the original motion in the following order:

A recorded vote was held for the amendment (i), and upon being put to the vote, the amendment was lost.

Details of recorded vote taken:

Those voting for the amendment (i):

Councillors M G Allan, A M Austin, R G Fairman, R L Foulkes, D M Hunter-Clarke, R J Hunter-Clarke, T Keywood-Wainwright, C E D Mair, D McNally, Mrs M J Overton MBE, S L W Palmer, Mrs H N J Powell, Mrs A Reynolds, Mrs J Smith and P Wood.

Those voting **FOR – 15**

Those voting against the amendment (i):

Councillors B Adams, W J Aron, Mrs P A Bradwell, D Brailsford, A Bridges, Mrs J Brockway, M Brookes, J P Churchill, K J Clarke, C J Davie, R G Davies, P M Dilks, S R Dodds, G J Ellis, I G Fleetwood, M J Hill OBE, J D Hough, D C Hoyes MBE, N I Jackson, A J Jesson, M S Jones, B W Keimach, R C Kirk, C E H Marfleet, J R Marriott, B McAuley, C Morgan, N Murray, Mrs A M Newton, P J O'Connor, C R Oxby, C Pain, N H Pepper, R B Parker, R J Phillips, Mrs S Rawlins, Mrs J M Renshaw, R A Renshaw, P A Robinson, R A Shore, C L Strange, Mrs C A Talbot, T M Trollope-Bellew, A H Turner MBE JP, S M Tweedale, W S Webb, Mrs S Woolley, L Wootten, R Wootten, C N Worth, Mrs S Wray and B Young.

Those voting **AGAINST - 52**

A recorded vote was taken for the amendment (ii), and upon being put to the vote, the amendment was lost.

Details of recorded vote taken:

Those voting for the amendment (ii):

Councillors M G Allan, K J Clarke, P M Dilks, S R Dodds, G J Ellis, J D Hough, N I Jackson, T Keywood-Wainwright, R C Kirk, C Morgan, N Murray, Mrs M J Overton MBE, S L W Palmer, R B Parker, Mrs H N J Powell, Mrs J M Renshaw, R A Renshaw and P Wood.

Those voting **FOR – 18**

Those voting against the amendment (ii):

Councillors B Adams, W J Aron, A M Austin, Mrs P A Bradwell, D Brailsford, A Bridges, Mrs J Brockway, M Brookes, J P Churchill, C J Davie, R G Davies, R G Fairman, I G Fleetwood, R L Foulkes, M J Hill OBE, D C Hoyes, D M Hunter-Clarke, R J Hunter-Clarke, A J Jesson, M S Jones, B W Keimach, C E D Mair, C E H Marfleet, J R Marriott, B McAuley, D McNally, Mrs A M Newton, P J O'Connor, C R Oxby, C Pain, N H Pepper, R J Phillips, Mrs S Rawlins, Mrs A Reynolds, P A Robinson, R A Shore, Mrs J Smith, C L Strange, Mrs C A Talbot, T M Trollope-Bellew, A H Turner MBE JP, S M Tweedale, W S Webb, Mrs S Woolley, L Wootten, R Wootten, N Worth, Mrs S Wray and B Young.

Those voting **AGAINST – 49**

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A recorded vote for the amendment (iii) was taken. Upon being put to the vote, the amendment was lost.

Details of the recorded vote taken:

Those voting for the amendment (iii):

Councillors M G Allan, A M Austin, K J Clarke, P M Dilks, S R Dodds, G J Ellis, R G Fairman, R L Foulkes, J D Hough, D M Hunter-Clarke, R J Hunter-Clarke, N I Jackson, A J Jesson, T Keywood-Wainwright, R C Kirk, C E D Mair, B McAuley, C Morgan, N Murray, Mrs M J Overton MBE, C Pain, S L W Palmer, R B Parker, Mrs H N J Powell, Mrs A Reynolds, Mrs J M Renshaw, R A Renshaw, Mrs J Smith and P Wood.

Those voting **FOR – 29**

Those voting against the amendment (iii):

Councillors B Adams, W J Aron, Mrs P A Bradwell, D Brailsford, A Bridges, Mrs J Brockway, M Brookes, J P Churchill, C J Davie, R G Davies, I G Fleetwood, M J Hill OBE, D C Hoyes, M S Jones, B W Keimach, C E H Marfleet, J R Marriott, D McNally, Mrs A M Newton, P J O'Connor, C R Oxby, N H Pepper, R J Phillips, Mrs S Rawlins, P A Robinson, R A Shore, C L Strange, Mrs C A Talbot, T M Trollope-Bellew, A H Turner MBE JP, S M Tweedale, W S Webb, Mrs S Woolley, L Wootten, R Wootten, N Worth, Mrs S Wray and B Young.

Those voting **AGAINST – 38**

A recorded vote on the original motion was taken. Upon being put to the vote, the motion was carried.

Details of the recorded vote taken:

Those voting for the original motion:

Councillors B Adams, W J Aron, A M Austin, Mrs P A Bradwell, D Brailsford, A Bridges, Mrs J Brockway, M Brookes, J P Churchill, C J Davie, R G Davies, R G Fairman, I G Fleetwood, M J Hill OBE, D C Hoyes, M S Jones, B Keimach, T Keywood-Wainwright, C E H Marfleet, J R Marriott, Mrs A M Newton, P J O'Connor, C R Oxby, N H Pepper, R J Phillips, Mrs S Rawlins, P A Robinson, R A Shore, C L Strange, Mrs C A Talbot, T M Trollope-Bellew, A H Turner MBE JP, S M Tweedale, W S Webb, P Wood, Mrs S Woolley, L Wootten, R Wootten, N Worth, Mrs S Wray and B Young.

Those voting **FOR – 41**

Those voting against the motion:

Councillors M G Allan, K J Clarke, P M Dilks, S R Dodds, G J Ellis, R G Fairman, R L Foulkes, J D Hough, D M Hunter-Clarke, R J Hunter-Clarke, N I Jackson, A J Jesson, R C Kirk, C E D Mair, B McAuley, D McNally, C Morgan, N Murray, Mrs M J Overton MBE, C Pain, S L W Palmer, R B Parker, Mrs H N J Powell, Mrs A Reynolds, Mrs J M Renshaw, R A Renshaw and Mrs J Smith.

Those voting **AGAINST – 26**

RESOLVED

- (1) That the responses to consultation on the Council's budget proposals as contained in the appended Budget Book (Appendix D "Budget Consultation" pages 32 - 41) be noted;
- (2) That the Section 151 Officer's statement on the Robustness of the Budget and the Adequacy of Reserves (Section 10 – "Section 151 Officer's Statement on the Robustness of the Budget and Adequacy of Reserves", pages 19 - 22) be noted;
- (3) That the Impact Analysis relating to increasing the Council Tax by 1.9% in 2015/1 (Appendix C – Impact Analysis relating to increasing the Council Tax by 1.9% in 2015/16, pages 26 - 31) be noted;
- (4) That the service revenue budgets for 2015/16 contained in the appended Budget Book, (Table 2 "Net Service Revenue Budget 2015/16 and change over previous year", page 9) be agreed;
- (5) That the capital programme and its funding contained in the appended Budget Book (Section 7 "Capital Programme", page 16) and Appendix M ("Capital Programme", Page 60) be agreed;
- (6) That the County Council element of the council tax for a Band D property at £1,085.94 for 2015/16 contained in the appended Budget Book (Appendix B "County Precept 2015/16 page 25) be agreed;

And that together these form the Council's Budget

- (7) That the Council's Financial Strategy contained in the appended Budget Book (Appendix E "Financial Strategy", pages 42-49) be approved;
- (8) That the prudential targets for capital finance be agreed and the prudential indicators contained in the appended Budget Book (Appendix L "Prudential Indicators", pages 58 -59) be noted;
- (9) That a minimum revenue provision (MRP) be based on the asset life method and made in equal instalments over the estimated life of the assets acquired

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through borrowing as set out in the appended Budget Book (Section 9 "Minimum Revenue Provision", page 18) be agreed;

(10) That the changes to the 2014/15 capital programme as detailed at paragraph 1.20 to 1.21 of the report be agreed.

**56     COUNCIL BUSINESS PLAN 2015-16**

A report by the Chief Information and Commissioning Officer had been circulated.

It was moved, seconded and

RESOLVED

That the Council Business Plan for 2015-16 be approved.

**57     PAY POLICY STATEMENT**

A report by the Executive Director of Children's Services had been circulated.

It was moved, seconded and

RESOLVED

That the Pay Policy Statement be agreed.

**58     MEMBERS' ALLOWANCES 2015/16**

A report by the Executive Director responsible for Democratic Services had been circulated.

It was moved and seconded that

The Members' Allowance Scheme as detailed in Appendix A of the report be agreed.

An amendment was moved and seconded by UKIP as follows:

"That the Members Allowances Scheme as detailed in Appendix A of the report be agreed save for amending the 2.2% increase of allowances to a 1% reduction in the allowances."

Upon being put to the vote, the amendment was lost.

A recorded vote was successfully requested for the substantive motion, and upon being put to the vote, the motion was carried.

Details of recorded vote taken:

Those voting for the motion:

Councillors B Adams, M G Allan, W J Aron, A M Austin, Mrs P A Bradwell, D Brailsford, A Bridges, Mrs J Brockway, M Brookes, J P Churchill, C J Davie, R G Davies, M J Hill OBE, D C Hoyes, A J Jesson, M S Jones, B W Keimach, T Keywood-Wainwright, C E H Marfleet, B McAuley, Mrs A M Newton, P J O'Connor, C R Oxby, C Pain, N H Pepper, S L W Palmer, R J Phillips, Mrs S Rawlins, P A Robinson, R A Shore, C L Strange, Mrs C A Talbot, T M Trollope-Bellew, A H Turner MBE JP, S M Tweedale, W S Webb, P Wood, Mrs S Woolley, L Wootten, R Wootten, N Worth and Mrs S Wray.

Those voting **FOR – 42**

Those voting against the motion:

Councillors R G Fairman, R L Foulkes, D M Hunter-Clarke, R J Hunter-Clarke, C E D Mair, Mrs M J Overton MBE, Mrs H N J Powell and Mrs A Reynolds.

Those voting **AGAINST – 8**

Those abstaining:

Councillors K J Clarke, P M Dilks, S R Dodds, G J Ellis, I G Fleetwood, J D Hough, N I Jackson, R C Kirk, J R Marriott, D McNally, C Morgan, N Murray, R B Parker, Mrs J M Renshaw, R A Renshaw and Mrs J Smith.

**ABSTENTIONS – 16**

RESOLVED

The Members' Allowance Scheme as detailed in Appendix A of the report be agreed.

**59**     **BOURNE TOWN HALL**

A report by the County Property Officer had been circulated.

Prior to debate on this item, the Chairman reminded members that in considering this item they were acting in the Council's capacity as sole corporate trustee of Bourne Town Hall Charitable Trust and they were subject to the general duty on all Trustees to act at all times in the best interests of the charity.

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It was moved and seconded

- 1) That a Committee to be known as the Bourne Town Hall Trust Management Committee with the membership and Terms of Reference as attached at Appendix A to the report be established;
- 2) That Councillors B Adams, D Brailsford, G J Ellis, R L Foulkes and S M Tweedale be appointed as members of the Committee in accordance with paragraph 5.1 (a) of the Terms of Reference attached at Appendix A of the report;
- 3) That the Monitoring Office be authorised to make such amendments (including consequential amendments) to the Council's Constitution as are necessary to incorporate the said Committee within the Constitution as a regulatory or other Committee;
- 4) That paragraphs 5.2, 5.3, and 6.4 of the Terms of Reference, attached as Appendix A of the report, be amended to read 'Supporting officers' instead of 'Supporting members'.

An amendment was moved and seconded by the Lincolnshire Independents as follows:

"2) Appoint seven councillors as members of the Committee in accordance with paragraph 5.1 (a) of the Terms of Reference attached at Appendix A."

Upon being put to the vote, the amendment was lost.

A vote was taken on the original motion, and upon being put to the vote, the motion was carried.

**RESOLVED**

- 1) That a Committee to be known as the Bourne Town Hall Trust Management Committee with the membership and Terms of Reference as attached at Appendix A to the report be established;
- 2) That Councillors B Adams, D Brailsford, G J Ellis, R L Foulkes and S M Tweedale be appointed as members of the Committee in accordance with paragraph 5.1 (a) of the Terms of Reference attached at Appendix A of the report;
- 3) That the Monitoring Office be authorised to make such amendments (including consequential amendments) to the Council's Constitution as are necessary to incorporate the said Committee within the Constitution as a regulatory or other Committee;

- 4) That paragraphs 5.2, 5.3, and 6.4 of the Terms of Reference, attached as Appendix A of the report, be amended to read 'Supporting officers' instead of 'Supporting members'.

60     LOCAL PENSION BOARD FOR LINCOLNSHIRE PENSION FUND

A report by the Executive Director Finance and Public Protection had been circulated.

It was moved, seconded and

RESOLVED

- (1) That the legal requirement for consultation in accordance with the Regulations on the Pension Committee's Governance Compliance Statement be noted and that Council delegates the scope and process of this to the Executive Director of Finance and Public Protection;
- (2) That the decision to approve the establishment, composition and terms of reference for the Local Pension Board, having first had regard to the outcome of the consultation, be delegated to the Executive Director of Finance and Public Protection;
- (3) That a change to the constitution to provide for the Pension Committee to have regard to the advice of the Local Pension Board once established, be approved

61     LOCAL PENSION BOARD FOR LINCOLNSHIRE FIREFIGHTERS  
PENSION SCHEMES

A report by the Executive Director of Finance and Public Protection had been circulated.

It was moved, seconded and

RESOLVED

- 1) That it be noted that from 1 April 2015 the Council will become the scheme manager for the Firefighters Pension Scheme 2015. As scheme manager for existing schemes and the Firefighters Pension Scheme 2015, the Council is under a duty to establish a Local Pension Board for the schemes from 1 April 2015;
- 2) That the decision to approve the establishment, composition and terms of reference for the Local Pension Board be delegated to the Executive Director of Finance and Public Protection.

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62 MINUTES OF THE COUNCIL'S COMMITTEES

62a Planning and Regulation - 8 December 2014  
RESOLVED

That the minutes of the Planning and Regulation Committee held on 8 December 2014 be received.

62b Planning and Regulation - 12 January 2015  
RESOLVED

That the minutes of the meeting of the Planning and Regulation Committee held on 12 January 2015 be received.

62c Pensions Committee - 8 January 2015  
RESOLVED

That the minutes of the Pensions Committee held on 8 January 2015 be received.

63 MOTIONS ON NOTICE SUBMITTED IN ACCORDANCE WITH THE COUNCIL'S CONSTITUTION

Motion by Councillor M J Hill OBE

It was moved and seconded that:

'This council notes:

1. The difficult funding scenario for local government in general and LCC in particular, resulting in a budget saving requirement of £200m plus for this council.
2. The agreed budget reduction to the library service of £2m as a contribution to the financial issues noted in paragraph 1 and the recent service prioritisation exercise.
3. The steady decline in active borrowers – 25% in ten years – along with the continuing growth in the use of online services, a trend reflected nationally.
4. The proposed model which designates 15 core libraries plus universal and targeted support as well as potentially 35 volunteer-led libraries with substantial council support.

5. This could result in delivery of the necessary savings, keeping more libraries open with increased access and opening hours, and the welcome enhanced engagement of volunteers with all ensuing benefits to local communities.
6. The failure of last year's judicial review challenge to the lawfulness of the model proposed by LCC Executive in December 2013.
7. The recent actions of the council to address the issues raised in the JR that led to the decision being quashed. This included the receipt of expressions of interest from organisations wishing to provide a library service for Lincolnshire.
8. The legal framework in which we have to operate in and officer advice regarding such.

IT IS PROPOSED that:

In the light of the evidence, this council supports the decision of the Executive to go out to tender on the basis recommended in the report that it considered on 3 February 2015.'

A recorded vote was successfully requested and upon being put to the vote, the motion was carried.

Details of the recorded vote taken:

Those voting for the motion:

Councillors B Adams, W J Aron, Mrs P A Bradwell, D Brailsford, A Bridges, Mrs J Brockway, M Brookes, J P Churchill, C J Davie, R G Davies, R L Foulkes, M J Hill OBE, D C Hoyes, M S Jones, B W Keimach, T Keywood-Wainwright, C E H Marfleet, J R Marriott, Mrs A M Newton, P J O'Connor, C R Oxby, N H Pepper, Mrs S Rawlins, P A Robinson, R A Shore, C L Strange, Mrs C A Talbot, T M Trollope-Bellew, A H Turner MBE JP, S M Tweedale, W S Webb, Mrs S Woolley, L Wootten, R Wootten, N Worth and Mrs S Wray.

Those voting **FOR – 36**

Those voting against the motion:

Councillors K J Clarke, P M Dilks, S R Dodds, G J Ellis, J D Hough, D M Hunter-Clarke, R J Hunter-Clarke, N I Jackson, A J Jesson, R C Kirk, B McAuley, C Morgan, N Murray, Mrs M J Overton MBE, C Pain, S L W Palmer, Mrs H N J Powell, Mrs J M Renshaw, R A Renshaw and P Wood.

Those voting **AGAINST – 20**

Those abstaining:

Councillors C E D Mair, D McNally and Mrs A Reynolds.

### **ABSTENTIONS – 3**

#### Motion by Councillor C Pain

It was moved and seconded that:

"Lincolnshire County Council, in common with other parts of the public sector is faced with continuing reductions in funding with increased demands on many services. The latest round of £90 Million cuts I believe has put Lincolnshire services at risk. In fact, if you take on board the government information and predictions that have been revealed, most County Councils will be defunct or handing back the keys to the council buildings in 2017/18. The latest government actions, in trying to reduce the deficit, means that they are implementing the cuts in government spending over three years instead of the original planned five years. The effects I believe are cutting Government Funding too quickly and will seriously affect the services that we provide. In fact, without our council reserves we would not be able to achieve these savings with more cuts being planned in the future. Our Council reserves are not infinite and can only maintain 2 years of cuts of this nature.

The fact that we are pumping billions of pounds into foreign aid and the EU daily, beggars belief. Lots of this money vanishes with corruption or goes into Swiss bank accounts, the Cayman Islands, posh boats, jets, fast cars or plush palaces. On top of this we are an underfunded rural county, with a crumbling road network that is made far worse by a below par road and rail infrastructure.

We must, in particular, explore options that maximise impact on finances whilst minimising adverse impact on the people we all serve.

One of those options is to explore unitary local government for the county. Recent experiences have shown that considerable savings can be made.

For example, Wiltshire's Unitary Council is smaller in area and population than Lincolnshire. It estimates that it has saved £100million from 2009-2013 with transition costs of £18million and improvements in several services. Equivalent savings for Lincolnshire could be £25 million up to £38 million every year even after transition costs are taken into account.

I feel as councillors we should have grasped this thistle before and explored the benefits and issues surrounding it. Unfortunately turkeys don't vote for Christmas, but we have to represent the best interests of the Lincolnshire people and the county as a whole. I think that my fellow Councillors need to leave their party politics at the Council Chamber door and tackle this issue now.

We cannot ignore this issue any longer, so I propose the following:

The Council sets up a Task and Finish Group to look closely at the potential benefits, risks, costs and savings from having a single unitary authority for our county; and this group makes recommendations back to full council as soon as its work is completed."

An amendment was proposed and seconded by the Lincolnshire Administration Group as follows:

To delete part of paragraph 1 and paragraph 2 in its entirety, and remove the words "having a single unitary authority" and replacing them with "having unitary status". With the effect of the above being as follows:

"Lincolnshire County Council, in common with other parts of the public sector is faced with continuing reductions in funding with increased demands on many services. We must, in particular, explore options that maximise impact on finances whilst minimising adverse impact on the people we all serve.

One of those options is to explore unitary local government for the county. Recent experiences have shown that considerable savings can be made.

For example, Wiltshire's Unitary Council is smaller in area and population than Lincolnshire. It estimates that it has saved £100million from 2009-2013 with transition costs of £18million and improvements in several services. Equivalent savings for Lincolnshire could be £25 million up to £38 million every year even after transition costs are taken into account.

I feel as councillors we should have grasped this thistle before and explored the benefits and issues surrounding it. Unfortunately turkeys don't vote for Christmas, but we have to represent the best interests of the Lincolnshire people and the county as a whole. I think that my fellow Councillors need to leave their party politics at the Council Chamber door and tackle this issue now.

We cannot ignore this issue any longer, so we propose that:

The Council sets up a Task and Finish Group to look closely at the potential benefits, risks, costs and savings from having unitary status for our county; and this group makes recommendations back to full council as soon as its work is completed."

Upon being put to the vote, the amendment was carried. This then became the substantive motion, and upon being put to the vote was carried.

RESOLVED

That the Council set up a Task and Finish Group to look closely at the potential benefits, risks, costs and savings from having unitary status for our county; and this group makes recommendations back to full council as soon as its work is completed.

Motion by Councillor P M Dilks

It was moved and seconded that:

"At the Audit Committee on 26<sup>th</sup> January 2015 an internal audit report "Organisational Learning – Libraries Project" was presented.

It stated that,

*"We have approached this review with a strong emphasis on governance - the aim being to ensure the Council continues to run well in times of significant change and challenge."*

Amongst other things it looked at "Effective Scrutiny/Decision Making" and it was critical of the way scrutiny had or had not been carried out. That scrutiny role was the responsibility of the Communities and Public Safety Scrutiny Committee.

It said that,

*"We found little effective scrutiny contribution to the Library Needs Assessment preferred delivery model and Executive decision making. Earlier scrutiny meetings had acted more as a sounding board for library service concepts."*

In addition it was critical of the length of papers and the time allowed for consideration, for example,

*"Sheffield Hallam University's consultation outcome report, 205 pages (tabled – 15 minutes prior to the (scrutiny) meeting)."*

On 27<sup>th</sup> January 2015, the day after the Audit Committee meeting, another meeting of the Communities and Public Safety Scrutiny Committee was held to scrutinise the re-launched library proposals. The report was even longer than the Sheffield Hallam Universities report and while some questions were asked, members and officers struggled to answer some of them and questioning was cut short.

The alternative proposal from Greenwich Leisure Limited was dismissed largely on financial grounds. However the members of the scrutiny committee had no sight of the financial information on which they were asked to make a decision, and neither was any financial report presented.

Overall it was not an example of effective scrutiny – just 24 hours after the Audit Committee.

This example of bad scrutiny is not an isolated one in this council. Too much of our scrutiny practice is superficial, lacking in depth and ineffective.

The Council's own guidance lists the following principles of good scrutiny:

1. Providing a healthy challenge
2. Giving voice to public concern
3. Supporting improvement in services
4. Providing an independent review.

Good scrutiny should allow councillors the opportunity to have an in depth look at both what the Council does and what it is proposing to do with the aim of improving the services the council currently provides and what it might provide in the future.

As the audit report emphasises we need to improve how we do scrutiny in the future. As a learning organisation it would be helpful to have fresh eyes looking at our scrutiny practices.

It is therefore proposed this Council agrees that:

1. A Local Government Association (LGA) peer review of our existing scrutiny arrangements should be carried out to tell us how we can do things better from a member point of view.
2. In addition The Centre for Public Scrutiny to be asked to review our scrutiny processes and make recommendations about how we can make our scrutiny more effective and therefore more useful to the Council as a whole and ultimately to the public we serve."

An amendment was proposed and seconded by the Lincolnshire Administration Group as follows:

To delete the middle eight paragraphs, and to delete the final two paragraphs and replace with a new paragraph with the effect being as follows:

"At the Audit Committee on 26<sup>th</sup> January 2015 an internal audit report "Organisational Learning – Libraries Project" was presented.

It stated that,

*"We have approached this review with a strong emphasis on governance - the aim being to ensure the Council continues to run well in times of significant change and challenge."*

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Amongst other things it looked at “Effective Scrutiny/Decision Making” and it was critical of the way scrutiny had or had not been carried out. That scrutiny role was the responsibility of the Communities and Public Safety Scrutiny Committee.

The Council’s own guidance lists the following principles of good scrutiny:

1. Providing a healthy challenge
2. Giving voice to public concern
3. Supporting improvement in services
4. Providing an independent review.

Good scrutiny should allow councillors the opportunity to have an in depth look at both what the Council does and what it is proposing to do with the aim of improving the services the council currently provides and what it might provide in the future.

As the audit report emphasises we need to improve how we do scrutiny in the future. As a learning organisation it would be helpful to have fresh eyes looking at our scrutiny practices.

It is therefore proposed this Council:

Asks the Chief Executive to secure external advice and support in conducting a review of the Council's scrutiny arrangements and to present recommendations for making those arrangements more effective."

The mover of the original motion accepted this amendment, and it then became the substantive motion. Upon being put to the vote, the motion as amended was carried.

**RESOLVED**

That the Council ask the Chief Executive to secure external advice and support in conducting a review of the Council's scrutiny arrangements and to present recommendations for making those arrangements more effective.

The meeting closed at 5.45 pm

## **COUNTY COUNCIL MEETING – 15 MAY 2015**

**Statement from: Councillor Mrs P A Bradwell, Deputy Leader and Executive Councillor for Adult Care and Health Services, Children's Services**

### **CHILDREN'S SERVICES**

#### **Strut House**

Strut House celebrates its fifth consecutive outstanding Ofsted inspection. Outstanding was achieved across all five judgement areas. At Strut House's most recent Interim inspection in March 2015 the service demonstrated continued development and Ofsted's judgement was that of outstanding plus Improved Effectiveness - which demonstrates, once again, Strut House's drive for success.

#### **Secure Unit**

**Restorative Quality Service Mark (RQSM)** – Lincolnshire Secure Unit has successfully gained the RSQM, a nationally recognised award in Restorative Justice. The Unit was formally assessed at the beginning of April following eighteen months of gathering evidence and developing both practice and staff training. Lincolnshire Secure Unit is only the second Local Authority Secure Children's Home in England and Wales to achieve this prestigious Award and the only Secure Children's Home who have a contract with the Youth Justice Board. Sara Adams Case Manager and Restorative Justice Champion at the Secure Unit has led on this project and has been instrumental in the attainment of this award. Sara is also in the process of training staff within the Long Term Children's Homes and assisting the Managers in developing their evidence and processes to support them in also attaining this Award.

#### **Signs of Safety Innovation Project Update**

Children's Services continue to make progress with this exciting project, having opted to take a lead role in the research aspect. This means that Lincolnshire County Council will be conducting paper and telephone surveys with children and their families to assist Professor Eileen Munro evaluate how Signs of Safety helps keep children safe. Children's Services has supported another seven members of staff to undertake the five-day residential course and continue to provide training and development opportunities on a monthly basis for all teams. Later in the year as part of the project Lincolnshire County Council will be able to train up to fifty more staff in the five-day course and give them the opportunity to become practice leads in Signs of Safety in their teams.

#### **Foster Carers**

Over 80% of Looked After Children live with Foster Carers within the County. Foster Carers represent the different communities in the County and are crucial to achieving

stability and positive outcomes for children. There are currently 340 registered Foster Carers in the County. On 8 March, as part of the FAB Awards for our children and young people looked after, we recognised the contribution and long service of many of our Foster Carers. Seventeen Foster Carers received awards from Cllr Brailsford in appreciation of their 15 years' service to Fostering for Lincolnshire. In addition, 16 carers received recognition for 10 years' service and a further 32 carers for 5 years' service to Fostering for Lincolnshire. In 2014 we established a Lincolnshire Foster Carers Association and are working closely with them to ensure that Foster Carers are recognised, valued and continue to make a difference for children in Lincolnshire.

### **Families Working Together**

The Department for Communities and Local Government targets for Phase One of the Troubled Families Programme (TF) were to evidence that: 100% of families are identified, worked with and turned around by May 2015. Lincolnshire has identified and has worked with or is working with 100% of the 1,370 families.

Lincolnshire has "turned around" over 1000 families countywide, 79% of the total and is on track to turn around 100% by May 2015.

Lincolnshire's TF Programme compares highly with other Local Authorities nationally. Lincolnshire ranks **17<sup>th</sup>** (out of 152 Local Authorities) for "turned around" families and **9<sup>th</sup>** (out of 152) for the achievement of employment outcomes for families.

Reaching 79% of the Lincolnshire target in October 2014 guaranteed Lincolnshire early access to the second phase of the Troubled Families programme (January 2015), which began nationally in April 2015. This has allowed Lincolnshire to participate in the final stages of shaping the next phase of the programme.

In June 2013, the Government announced plans to expand the Troubled Families Programme for a further five years, from 2015-2020 with the aim of reaching an additional 400,000 families across England. £200 million has been committed to fund the first year of this five year programme.

From April 2015, Phase Two criteria will include:

- Crime and Anti-Social Behaviour,
- Non-School attendance,
- Families not in employment, risk of financial exclusion,
- Families with a Health Problem,
- Children who need help,
- Families affected by Domestic Abuse.

Families working together are currently working with partners to finalise the outcome plans which will ensure an expanded number of families will benefit from the whole family approach in the future. Plans are being worked on to ensure the learning from focusing on outcomes for the whole family, including making employment everyone's business are embedded across all teams within Children's Services and other partner agencies who work with families.

## Schools Update – Lincolnshire

Phase	Outstanding	Good	Requires Improvement	Inadequate
All through	-	-	100%	-
Nursery	60%	40%	-	-
Primary	13%	75%	11%	0%
PRU	-	-	-	100%
Secondary	26%	46%	24%	4%
Special	30%	70%	-	-
<b>Total</b>	<b>17%</b>	<b>70%</b>	<b>12%</b>	<b>1%</b>

### Comparison Tables

Local Authority	% of schools Good or Outstanding	% of school Outstanding	% of school Good	% of schools Requires Improvement	% of school Inadequate
Lincolnshire	87%	17%	70%	12%	1%
Stat Neighbour Avg	80%	15%	65%	18%	3%
National	81%	20%	61%	17%	2%

### Figures taken from Performance Assurance Quarterly Ofsted Report – March 2015

- Currently 87% of schools in Lincolnshire are good or outstanding, compared to 81% nationally.
- 84% of Lincolnshire pupils attend good or outstanding schools

## ADULT CARE

### Care Act

The 1<sup>st</sup> April saw the implementation of the first stage of the Care Act which is in relation to Care Reforms. The Act has repealed and replaced previous Social Care legislation and brings onto the statute books the principles of personalisation, promoting wellbeing, safeguarding, and prevention in addition to market oversight. These principles have informed the way we have worked in recent years so that the building blocks of this new legislation are generally familiar. In preparation for the implementation of the Care Act, Adult Care have ensured that the services being provided are compliant with this new legislation. The Act has required us to develop our assessment and planning processes to incorporate a new national eligibility threshold and to make changes to recording tools and procedures to ensure compliance with the new guidance. We have worked with the Social Care Institute of Excellence to deliver a training programme to assessment practitioners across the Council and partner organisations to support their staff. The second stage of the legislation in relation to funding reforms will be implemented in April 2016 and planning for this is ongoing.

## **Integration with Health**

My colleague Cllr Woolley will say something about the Better Care Fund, but I want to underline how much effort has been expended in recent years to ensure vulnerable adults receive a seamless service from health and social care and that it delivers value for money. Adult Care already has integrated mental health and learning disability services, we also have an integrated community equipment service and, more recently, we have pursued a policy of integrated reablement services for older people. These foundations support the work of Lincolnshire Health and Care (LHAC) and clearly indicate how, by working together with appropriate health partners, we can secure better outcomes.

## **Older People and People with Physical Disabilities**

This has been a positive year for services for older people and those with a physical disability. The number of individuals being admitted to long term residential care has decreased for the first time in three years and this is testament to the work that is being undertaken to offer community support services that allow people to remain in their own home. As we enter the new financial year we have commenced a recruitment drive with the intention of strengthening our teams to meet the demands of implementing the Care Act and increasing our speed of response to hospital discharges. There has been real success in attracting the interest of social workers and occupational therapists who wish to work in the County which is in contrast to the difficulties other authorities often have in attracting professionally qualified staff. Joint working with health continues to develop across the County with Neighbourhood Teams established in all areas where health and social care professionals come together to plan jointly to support some of the most vulnerable people in our community. This is a model of working that we intend to see developed more fully as we move forward.

## **Winter Pressures**

This winter, unprecedented demands on our acute hospital services were experienced. The East Midlands Ambulance Service experienced a 25% increase in calls. Other health sectors were similarly impacted. Calls to the non-emergency 111 service increased by 11%, and there was a 19.4% increase in out-of-hours health services. Overall this resulted in increased delays (patients or delays) for the acute hospitals of 15%. Adult Care has increased capacity by working additional hours, including weekends. Despite the extra pressure on hospitals, delays for patients attributable to social care remain relatively low – for example in January just 5% of all hospital delays were attributable to social care.

## **All-Age Autism Strategy for Lincolnshire 2015 - 2018**

The All-Age Autism Strategy for Lincolnshire was formally launched at a special event held in Lincoln on 2 April 2015 to coincide with World Autism Awareness Day. The event was both well attended and well received, with an overarching theme to celebrate the strengths of autism and highlight the creativity of people in Lincolnshire who are on the autistic spectrum. This included people with lived experience of autism talking about aspects of their life, performances and submissions of artwork and poetry, and opportunities to ask people on the spectrum questions about autism on a one-to-one basis via human libraries.

This is the first local autism specific strategy that has been developed for people in Lincolnshire and is in response to the national strategy for adults with autism, "Fulfilling and Rewarding Lives," published by the Government in 2010, and their strategy refresh, "Think Autism," released in 2014. However, the strategy for Lincolnshire goes a step further than the national remit, by introducing principles and improving services for people with autism of all ages, rather than adults only. This decision was made as we acknowledge that the transition from childhood into adulthood can be a difficult time for people with autism and we want to help ensure that support and services available make this journey as seamless as possible.

Now that the strategy has been developed and launched, the hard work will commence to deliver the ambitious action plan contained within the document. The Lincolnshire Autism Partnership, whose members were key stakeholders in its development, has been strengthened and re-launched and will be responsible for overseeing the implementation of the strategy over the next three years, with key working groups established to deliver this work.

### **CQC – A New Start**

In October 2014 the Care Quality Commission – the national regulator for home based and residential social services introduced its new style of inspection. There are now 5 outcomes that providers are inspected against, these are: caring: safe: effective: responsive: and well-led. The overall effect is a tougher system for inspection with an easier to understand performance rating.

These areas, used by CQC, fully align with the definition of quality that we use in Adult Care and the national measures used to measure social care performance - ASCOF. We work closely with CQC to share information and the CQC inspection ratings form part of our overall approach to gathering intelligence about the quality and sustainability of services in Lincolnshire.

Following an inspection CQC now gives each outcome a rating of outstanding, good, requires improvement or inadequate and an overall rating for the service. The new style inspection are now beginning to be published and the early results in Lincolnshire as at 1 April 2015 show that of the 33 reports published 23 have an overall rating of good, 9 require improvement, and 2 are rated as inadequate. Adult Care are working with both CQC and relevant providers to help ensure necessary improvements are made.

### **COMMUNITY LEARNING**

Lincolnshire County Council was one of the sponsors of the "Spark" engineering exhibition at Lincoln Cathedral. This was a fabulous exhibition which demonstrated the Lincoln area's strength in modern manufacturing. I know that my colleague Cllr Colin Davie and his team work closely with many of the businesses who had a display there. The exhibition had a big emphasis on careers in the manufacturing sector, and it was encouraging to see how well the young people who visited the exhibition reacted to the business displays and to the information about vocational training that was available to them.

Adult Learners' Week, which runs from 13 to 19 June, includes a variety of activities in libraries across Lincolnshire inspiring people to return to learning. In the past year, over 9,000 people have attended an adult learning course developing personal, social and employability skills. We were delighted that the latest edition of County News featured one of our learners from Gainsborough who has been able to turn her life around and gain employment as a direct result of developing self-confidence and qualifications through participating in our Adult Learning programme.

## **PUBLIC HEALTH**

### **Dementia**

As well as the work Adult Care are undertaking, I am pleased to report that Lincolnshire South West CCG, Lincolnshire West CCG and Lincolnshire Partnership NHS Foundation Trust are working together to set up a Dementia Support Network to be trialled in different areas of the county.

A Dementia Support Fund has been established to help people with dementia, and people who care for them, to participate in a wide range of activities that will help them to maintain as good a quality of life as possible.

Growing evidence suggests that time spent in green spaces has a positive effect on people living with dementia. Yet, many people who develop dementia find it difficult to visit green spaces. Lincolnshire's Walking for Health programme, which provides over 80 weekly walks run mostly by volunteer walk leaders, is seeking to add dementia walks to the local menu of walks available throughout the county. To do this a series of Dementia Adventure training days are being run across the county to enable volunteers and staff to plan and prepare the walks.

Sessions are also being planned in a dementia friendly gardening programme.

### **Healthy Food Access**

A partnership between Public Health and the Health Advancement Research Team at the University of Lincoln has been awarded funding from the University's Strategic Research Investment Fund to explore local issues around healthy food access. The year-long project will identify opportunities for volunteer-led schemes that utilise local food surpluses, build links with the food sector and promote community resilience.

### **MECC (Making Every Contact Count)**

MECC is currently being discussed across all eight existing neighbourhood teams (NTs), with a view that all should be trained within the next year. Initial meetings with the NT leads have taken place, although implementation of MECC has yet to be officially agreed, however it has been received very positively. MECC and Self Care are now discussed regularly at the NT Project Group Meeting bi-weekly to ensure that it stays fresh within current planning and future thinking/working. Alongside this, discussions are ongoing with Marisco Medical Practice regarding the roll out of the MECC programme. If successful, this model could also be rolled out across the rest of the county.

## **Wellbeing Service**

The Wellbeing Service has now completed its first year and referrals have continued to grow each quarter. So far over 3,000 people have been referred to the Wellbeing Service for an assessment of their needs.

During the quarter January to March 2015, there have been 1,191 new referrals, an increase of 39% on the last quarter. 61% of the new referrals have been for individuals aged 75 and over.

In addition to the wellbeing referrals, the Wellbeing Service providers have completed an increasing number of Adult Care Telecare equipment installations. From April 2014 to March 2015 there have been 3,637 Telecare referrals which is a 136% increase on the 2013/14 figure.

The total number of people in the county using Telecare is now over 6,000.

Take up of the Wellbeing Response Service has also continued to increase. Currently 705 people countywide signed up to receive this element of the service. There are three average peak times for a response; these are around 5.00am, 11.30am and midnight.

A first year evaluation is being undertaken looking at all elements of the service and engaging with all key stakeholders including service users and carers to get their feedback on the service. The evaluation will be completed for the end of June 2015.

## **NHS Health Checks**

The NHS Health Check is a national cardio vascular risk assessment and prevention programme for people aged 40-74. Lincolnshire County Council commissions GP Practices across the county to provide NHS Health Checks to the eligible population. In 2014/15 53,129 invitations were sent (exceeding our target of 46,411) 29,242 assessments have been completed (55% uptake this year), this uptake is slightly down on last year (57.7%), this is due to practices now inviting the younger and fitter people as part of a five year cycle. We outperformed the national uptake of 48.6% in 2013/14, and expect to do so again in 2014/15. (National data is yet to be released).

From August 2009 to April 2013, practices in Lincolnshire diagnosed nearly 5,000 cases of vascular disease as a direct result of the NHS Health Check programme. (Latest figures will be available in May and presented in the annual report).

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## **COUNTY COUNCIL MEETING – 15 MAY 2015**

**Statement from: Councillor C J Davie, Executive Councillor for  
Economic Development, Environment, Planning, Tourism**

### **Economic Development & Tourism**

In my previous statements I have spoken about major grant awards but, with the purdah period surrounding the general election, there have been fewer opportunities to bid for funding during this period. Our focus, instead, has been on delivery.

I was delighted to attend the launch of Skegness Countryside Business Park. This project will open up land for development, and will also provide the first steps towards a western bypass of the town. We are committed to facilitating projects with private sector partners, and this project is an excellent example of that commitment.

The economic development team, my fellow Executive members, and I work hard to have a positive dialogue with the business community. One of the ways we do this is through the Select Lincolnshire business event, which we hold at the Belton Horse Trials. This year's event was a great success, with around 100 businesses attending in order to network with senior politicians and officers. I understand several business opportunities are now being pursued as a result of the event.

The pinnacle of recent months, and the result of 10 years' work for the council, was the re-opening of Lincoln Castle on 1 April. I thoroughly enjoyed pushing open the doors with my colleague Nick Worth, and I am sure all councillors will agree that the new facilities really make the castle a high quality 21<sup>st</sup> Century visitor facility – a testament to the leadership of the council and the hard work of the teams involved. More than 16,000 people had visited the castle within 10 days of the re-opening. In addition, the provision of the Castle Shuttle running from Whisby to Newport Arch, which was pulled together in a very short period of time, will help offset the potentially negative implications of a reduction in city centre car parking whilst facilities such as Broadgate and the Lawn are refurbished.

We continue to make small, but tactically effective investments to make the most of the opportunities that I have described in this statement. These include:

A £10,000 coastal communities grant to help small businesses benefit from our investments at Gibraltar Point and Chapel Point.

The redevelopment of the [www.visitlincolnshire.com](http://www.visitlincolnshire.com) website - this will enable visitors to learn about attractions, and book accommodation across the county.

A £90,000 Arts Council grant to deliver a cultural festival in late summer, based on Magna Carta, and linking to the 'Signals' and 'Poets' schemes.

We also continue to use our economic infrastructure products to support business growth and expansion - in particular, the recent sale at Kirton Distribution Park to the Sportsbikeshop, and a further impending sale to Duckworth Landrover.

## **Flood Risk Management**

As reported in my last statement, Government announced plans before Christmas to require Local Planning Authorities (LPAs) to secure Sustainable urban Drainage Systems (SuDS) on all major developments (10 properties or more), unless demonstrated to be inappropriate. In recognising that LPAs would require expert advice to undertake this new role, county councils (as Lead Local Flood Authorities) were identified as new statutory consultees in the planning process to provide the necessary technical SuDS advice, and to comment holistically on planning applications in relation to local flood risk, surface water, groundwater and ordinary watercourses.

The new legislation was introduced in early April and, despite the challenging timescale (three months), the county council has incorporated the new responsibilities into the existing highways development management service. This has involved the redeployment and retraining of staff, and the introduction of new systems and information technology packages. At the same time, we are continuing to work with the 25 other flood risk management partner organisations in the county to develop consultation arrangements, and integration with their processes.

In addition, a workshop training day was held for all officers involved at the county council, and the seven LPAs in the new requirements, and two consultants' and developer seminars took place at Woodhall Spa to engage with and inform the development industry. These were very well received, with around 70 developers or consultants attending each day.

Whilst government has provided sufficient funding for this financial year, the ongoing funding they propose is significantly inadequate. This was debated at the last Flood Risk and Drainage Management Scrutiny Committee, and Cllr Strange as Chairman has written to the Secretary of State and all constituent MPs in the county seeking their support to ask Defra to reconsider their funding proposals.

## **COUNTY COUNCIL MEETING: 15 MAY 2015**

**Statement from: Councillor R G Davies, Executive Councillor for  
Highways, Transport, IT**

### **LINCOLN EASTERN BYPASS**

The date for the Inquiry has been set to commence on 11 August 2015 at the Doubletree by Hilton on the Brayford in Lincoln. A Pre Inquiry meeting has been arranged at the Epic Centre, Lincolnshire Showground, on 18 May, commencing at 2pm.

The scheme is being progressed as a single carriageway under the current funding arrangements.

### **LINCOLN EAST WEST LINK**

The scheme is on site and progressing. It should be complete by the target date of November 2016.

Demolition of all properties is complete, with the heritage building at the High Street /Tentercroft Street junction recently having been taken down to ground level in readiness for the new lane, and replacement property.

The temporary footbridge and utilities bridge over the Sincil Drain is installed and in use, and work will start on the demolition of the road bridge shortly.

The scheme is having minimal impact on traffic movement in the city.

### **HIGH STREET FOOTBRIDGE**

Network Rail have commenced works – during May, they intend to demolish 179 High Street and replace with a new building. The bridge is scheduled to be open for general use by Christmas 2015.

### **MAJOR INFRASTRUCTURE SCHEMES - COMMUNICATIONS STRATEGY**

As of the beginning of April, almost 600 people had signed up to the weekly updates. The rate of new sign ups has slowed, but it remains very popular with those who receive it.

It was intended that, by the time the High Street works commenced, we would have access to Lincoln BIG's SMS network to further promote the website and newsletter. However, a survey of levy payers undertaken by BIG revealed that there was very little interest in this avenue of information. Therefore, the decision was taken not to implement this as it did not offer value for money.

## **SKEGNESS COUNTRYSIDE BUSINESS PARK**

My colleague, Cllr Davie, will say something about this project. I will limit my commentary to reporting that we expect construction of the new roundabout on the A52 to start in the Autumn.

## **GRANTHAM - SOUTHERN QUADRANT LINK ROAD (SQLR)**

The S.73 change to planning application has been agreed with officers and is now in the process of formal submission to South Kesteven District Council - expected May 2015.

## **GRANTHAM - KING31 INCLUDING A1 CONNECTION**

Design of Phase 2 the Highways England link onto the A1 is due to commence shortly. Heads of Terms have been agreed with the landowner which is intended to lead to full legal agreement for contribution to limit the funding gap to acceptable level.

## **SPALDING WESTERN RELIEF ROAD**

The County Council is continuing to work with South Holland District Council on our aspirations to deliver a full western relief road for Spalding. This work is being undertaken in conjunction with the development of the South East Lincolnshire Local Plan. By linking the two pieces of work, it will ensure that the transport infrastructure can be delivered, which is needed to support the forecast growth of the area. We are currently considering route options for the northern section of the relief road, and the public will be able to comment on these through a formal public consultation in November, alongside the Local Plan public consultation.

## **WINTER MAINTENANCE**

The winter of 2014/15 has proven to be slightly colder than the 20 year average, particularly for January and February. Salting operations have used 24,000 tonnes of salt, compared with 13,000 tonnes in 2013/14 and 40,000 tonnes in 2012/13. Our new salt supplier is actively looking to move the county's strategic stocks from Southampton to a closer location, ready for the winter of 2015/16.

## **LINCOLNSHIRE ROAD SAFETY PARTNERSHIP**

The provisional number of people killed or seriously injured (KSI) on Lincolnshire's roads during 2014 is 396, below the target of 427. However, this figure is still to be ratified by the Department for Transport (DfT), and could change. National casualty reduction figures produced by DfT for year ending September 2014 show a 4% increase in the number of KSI casualties. Lincolnshire experienced a 7% decrease for the same period.

Unfortunately, owing to a spate of recent fatal casualties, there have been 10 road deaths this year (compared to seven for the corresponding period last year). LRSP

are continuing to monitor this trend to identify any causal factors that can be addressed.

Take up of community speed watch continues to increase: 96 communities have now signed up to the initiative, 65 of which are using the vehicle activated signs, as well as the high profile passive signs.

I am pleased to inform you that, from this year, LRSP overheads will be funded directly from income from the wide variety of driver training courses designed to enhance driver knowledge, skills and awareness in order to improve road safety. This is a very positive move, and means that for the first time none of the partner agencies that make up the partnership will be required to make any financial contribution to support the LRSP overhead costs.

## **TOTAL TRANSPORT PILOT FUND**

The Authority has been successful in bidding for funding to look at ways of delivering joined up local transport in rural and isolated areas. An integrated approach to transport provision will incorporate work with schools, hospitals and other local organisations to deliver local services more efficiently.

The £400,000 funding secured will allow for some feasibility studies to be carried out and the introduction of some pilots, the outcomes of which will be reported back to the Department for Transport.

## **INFORMATION MANAGEMENT AND TECHNOLOGY**

### **Successful Transition to Serco**

Staff and Services were successfully transferred to Serco on 1 April 2015, following a phased implementation of CSC services before the 'big push' on the evening of 31 March.

The teams at Mouchel, Serco and LCC worked well together, before and during the move, to ensure a smooth transition of staff, equipment and services. Disruptions were minimal, and all staff were working with appropriate equipment and able to handle internal staff and citizen queries on time.

Much appreciation must go to everyone involved for their continued hard work, patience, professionalism and commitment to make the transition a success.

### **Improving Staff Self-Service and Support**

Whilst there are a number of new technology initiatives due to be launched following the transition to Serco, the move and benefits of a self-service approach are already evident.

Staff are benefitting from a single telephone number, coupled with an effective routing system, which allows calls to be directed to the right person, first time.

Increasing numbers of staff are electing to use the 'MyPortal' self-service tool, which has become the home page on the Council's internet browsers. The services available from 'MyPortal' are due to be widened and improved upon as part of a 'Phase 2' development project which is already underway.

### **Citizen Self-Service**

Improvements to the working practices and technology available to the Council's Customer Service Centre continue after the move to Serco. A number of new self-service channels are available, with many more scheduled for release over the next few months enabling an improved experience for the citizens of Lincolnshire.

### **Agresso**

The Council's new ERP system Agresso, which replace SAP, is now live for most Finance and People Management functions. A successful April payroll was undertaken using the new system, and improved online access to personal information and payslips is available.

A number of functionality enhancements and improvements (following user feedback) are planned for release to ensure that the benefits of the new system are maximised. Finance teams from Serco and LCC are currently finalising year-end activities on the legacy SAP system, which is due for decommissioning at the end of June.

The implementation of a new ERP system in just twelve months is a significant achievement, and is a testament to the dedicated hard work of the project team over the implementation period.

### **Broadband**

The Lincolnshire Broadband Programme has been broken down into eight phases of deployment, with each phase comprising of a number of premises to be enabled. For the purposes of this programme, LCC applied BDUK's State Aid guidance and established that there were a total of 156,667 eligible premises in the county. This figure places Lincolnshire as the third largest Intervention Area in the UK in terms of numbers of premises, and provides a very challenging target. As we entered April 2014, we had already enabled 17,393 premises with faster broadband against a target figure of 14,923 - at the close of March 2015, we had completed 91,443 premises against a target figure of 90,336. The actual download speeds delivered in this period were 8% above the projected speeds for the Intervention Area.

There were significant operational challenges during the year, but it is pleasing to note that the close collaboration between BT, District and LCC Planners, Highways and the Programme Team continues to keep the programme on target to deliver the required coverage. The programme is very well positioned to deliver the key objectives as defined previously in this report.

In addition to the first phase, the programme team are currently analysing a response from BT to an Invitation to Tender for a second phase, where it is hoped to move countywide coverage up from the existing target of 90% Superfast coverage to meet a revised Government objective of 95% Superfast UK-wide coverage by 31 December 2017. The results of the tender will clarify what can be achieved.

## **COUNTY COUNCIL MEETING – 15 MAY 2015**

**Statement from: Councillor M S Jones – Executive Councillor for Finance and Property**

### **Finance Matters**

#### **Outturn of Accounts and Financial Statements for year ended 31 March 2015**

Work is presently underway to finalise the outturn position for the Council's budgets for last year. Based on budget monitoring reports this is likely to show an underspend on the revenue budget for the year. The detail will be considered by the Executive at its meeting on 7 July and recommendations on the treatment of under and overspends will come to the September meeting of the Council for approval. The draft financial statements of the Council will be scrutinised by the Audit Committee in early July prior to their review by the external auditors. The auditors will report upon their opinion on the accounts to the September meeting of the Audit Committee.

#### **Financial Challenges Beyond 2015/16**

The March 2015 Budget Statement from the Chancellor confirmed that restraint on public spending is likely to continue until 2018/19, after which it is scheduled to grow in line with the underlying economy. The incoming Government is expected to undertake a Comprehensive Spending Review this summer with the outcome reported to Parliament in the autumn. This should set public spending totals for most or all of the rest of the new Parliament. Despite the good work done as part of our 2014 fundamental budget review which identified savings of around £65m in the four years to 2018/19, our estimates are that we still need to find a further £55m in that period. This will be a significant challenge and work is now underway to consider how this best can be achieved. It is our intention to keep the relevant Scrutiny Committees briefed on progress.

### **Corporate Property Rationalisation Programme**

We have continued to rationalise our office property portfolio; this year nearly 20% of the workforce have moved to more efficient office space and, as a result of this, we are well on our way to achieving £1m worth of savings.

The property services contract has been re-procured, VINCI mouchel were the successful bidder and the contract will save £2m in the first 5 years.

We have invested £23.4 million in schools properties over the last 12 months, helping to meet and improve the educational needs of our children.

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## **COUNTY COUNCIL MEETING – 15 MAY 2015**

**Statement from: Councillor P A Robinson, Executive Councillor for Fire & Rescue, Emergency Planning, Trading Standards, Equality and Diversity**

The past year has been challenging across the range of community safety services. Financial cuts have meant reduced manpower across the board, demanded new ways of working and, where possible, a more commercial approach to some services. For instance, our Fire and Rescue Service annual funding was reduced by 5%. Savings were found by changing manning arrangements on fire appliances and fire stations, and 'Lincolnshire FRS Commercial' has been established to provide fire training and services to paying clients.

Lincolnshire Trading Standards have followed this same path, whilst achieving good results in fighting 'legal highs' and smuggled cigarettes.

The Modern Slavery Act 2015 has now passed into law. At East Midlands Council level a panel has been established, as an offshoot of the Regional Strategic Migration Board, to co-ordinate local authority and charitable bodies' activities to support the police-led campaign to counter trafficking and slavery, and provide a forum to share information on the rehabilitation of victims. Our county council staff have an important role to play in being alert to the signs of trafficking and slavery in the community, and passing their suspicions to the police.

Our Chief Fire Officer, Dave Ramscar, was deployed to Nepal on 27 April with the UK International Search and Rescue (ISAR) Team.

### **Fire and Rescue**

#### **Fire Ambulance Project**

The joint project between Lincolnshire Fire Service and East Midlands Ambulance Service continues to draw interest from around the country as an innovative approach to delivering better and more effective outcomes for Lincolnshire communities.

To date, the three fire stations taking part in the pilot have attended more than 500 medical emergencies and transported over 130 people to hospital. Work is currently underway to evaluate the overall impact, both in terms of outcomes and the social value of the project.

#### **New Fire Stations for Louth & Sleaford**

Work is progressing well on the new fire station for Louth. The residential accommodation block for the whole-time firefighters has now been completed, and the crew is responding from there during night-time hours. The remainder of the station is expected to be completed towards the end of August.

In addition to Louth, the authority is planning to build a new fire station in Sleaford. A planning application has been submitted to develop the existing council site for a joint fire station and county council office accommodation. It is hoped that work on

the site will commence later in the year, with completion planned for the summer of 2016.

### **Fire Fleet and Maintenance Contract.**

Following the termination of the previous arrangements for the provision and maintenance of the Fire Service Fleet, the future planning has been completed. The replacement fire vehicles and equipment have gone into service and our firefighters are now provided with some of the most modern vehicles and equipment in the country. A contract to maintain the fire engines and equipment has been awarded to a local company, Lindum Plant, who have been carrying out this service successfully for a number of years.

### **Emergency Planning**

Lincolnshire Emergency Planning service(EP) won its 4th national resilience award for the 'Safe Haven' project - strengthening community resilience through education by working with pupils to develop plans to use their own schools as emergency evacuation ('rest') centres.

The Ebola outbreak, which is believed to have affected 24,000 victims (with over 10,000 cases resulting in death), involved our EP team in UK contingency planning, and resulted in the postponement of Exercise Cygnus - a planned UK national exercise based on a national pandemic. The exercise will be re-run as a local exercise 'Black Swan' in October 2015.

Following the fire at South Oxfordshire District Council, EP has run a series of business continuity 'challenge' events examining what would be done in Lincolnshire in the event of a similar loss of premises, and to draw up contingency plans. Our Council's capacity to deal with prolonged emergencies or business disruption has been enhanced by training all senior managers in the multi-agency coordination and response and recovery roles at strategic and tactical levels.

### **Trading Standards**

The final quarter of 2014-15 has seen the culmination of several court cases brought by Trading Standards in their work to protect Lincolnshire from rogue traders. These include a case of Serious Safety breaches, associated with the sale of part worn tyres, and a case involving a father and two sons who were all charged with numerous Trade Mark offences.

### **Domestic Abuse**

To resolve a gap in our multi agency guidance around domestic abuse, a draft protocol is being produced to provide practical guidance to staff on consistent best practice when working with individuals in abusive relationships. It also includes guidance for managers on the 10 standards in the Domestic Abuse Charter that all agencies are expected to meet. The document is due to be launched at an event aimed at practitioners and supervisors, with key speakers and workshops designed to develop understanding around some of the more complex issues related to domestic abuse.

## **COUNTY COUNCIL MEETING – 15 MAY 2015**

**Statement from: Councillor R A Shore, Executive Councillor for Waste, Recycling**

### **PRESENT SITUATION**

- **New Dry Recycling Contract**

A temporary, countywide contract was arranged and commenced in April as agreed. The new, longer-term contract was prepared and put out to tender in March, with a new countywide contract effective from 1 June 2015.

This new contract will form the basis for the next stage of recycling in Lincolnshire. It will help to ensure the quality of the mix is optimised, in order to attain the best possible price for the council taxpayer, and create a firm foundation for going forward.

Working more closely with the Lincolnshire Waste Partnership, we are aiming to produce a sustainable waste solution, which is up to date and fully fit for all the residents of our county.

- **Lincolnshire Waste Partnership – Chairman**

LWP recently mourned the passing of the Chairman, Councillor John Smith, and paid tribute to him. Councillor Smith was the representative for South Kesteven District Council, and had been actively involved as a member of this Partnership since June 2007. He expressed his wish for April's meeting to go ahead, even though he was not at all sure that he would be well enough to attend. He believed firmly that it was important for the Partnership to be able to discuss the items as planned for the agenda.

Councillor Smith had previously informed the Partnership that he had no plans to stand for re-election to South Kesteven in May, and this would have been his last meeting. He wanted it to be known that he had enjoyed his time as a member of the Waste Partnership, and thought that much progress had been made over the years.

Councillor Smith wished to thank everyone who had helped to organise, participate and lead the Partnership since its commencement.

A critical element of Lincolnshire waste going forward will be the working together of the Partnership, and John recognised this. I feel sure that the group will try to honour his memory through cooperation into a brighter future.

- **District Heating**

At the Lincolnshire Waste Partnership meeting in April, several important issues were presented and discussed including the present status of the bid for District

heating from the Energy from Waste Plant. Members will be aware of LCC's successful bid – in conjunction with NKDC and CoLC – to obtain a grant to undertake feasibility investigations to determine whether we can actually deliver heating to areas as far away as Lincoln Centre and Witham St Hughes. Cllr Colin Davies and I will lead the efforts to ensure that this initiative is as effective as it can be.

- **Joint Municipal Waste Management Strategy (JMWMS)**

Beginning April 2015, I am the Chairman elect of the Lincolnshire Waste Partnership when, against the backdrop of diminishing funding, all councils have an impetus to work smartly. The Partnership is committed to updating the old strategy, which went a long way towards creating more effective waste systems for Lincolnshire. The new strategy will seek to build upon this good work, whilst taking cognizance of where we want to be as a partnership, and in consideration of statutory changes which have taken place and continue to evolve.

- **Incinerator Bottom Ash as Recycling**

It is important for Lincolnshire to maximise our recycling rates, to ensure that we are as green as we can be, and equal to our European partners - who always seem to be one step ahead of the UK. However, we have discovered that they are regularly counting recyclates like bottom ash amongst their 'green' figures, whereas in the UK we are prevented from doing so. Therefore, the Partnership together with each council has agreed to lobby the lead authorities to get them to allow us to include bottom ash in our recycling figures too.

- **National Framework Home Compost Bin Scheme 2014/15**

Councils across Lincolnshire have agreed to continue with this excellent scheme which enables residents to go on purchasing waste and recycling items at a reduced cost.

- **HWRC, Lincolnshire South West**

A business case has been made to secure a HWRC in Bourne, which I have now signed off. We can commence now with the procurement of a council-owned facility in this strategic area of the county by April 2016.

## **CHALLENGES**

- We have come in long way towards securing the new countywide recycling contract which must be in place to commence on 1 July. Managing the relationship between the Districts and the County Council will continue to be a challenge, as the burden of increased costs is falling heavily on all authorities. The main challenge is around achieving a deal which will minimise these effects whilst confronting our own Fundamental Budget Review considerations. We remain committed to offering a quality service, minimising contamination and

maximising potential income in the future. A positive outlook, will help to progress our aims of working towards the best waste service for the whole of Lincolnshire.

## **SUCSESSES**

- On the 16 March 2015, I officially opened the Gainsborough HWRC and the site has been operating successfully, particularly over the busy Easter weekend.

## **FUTURE AMBITIONS/CONSIDERATIONS**

- To consider the delivery of a countywide Materials Reclamation Facility to process the county's dry re-cyclables, in line with the refreshed Joint Waste Strategy and the operational waste costs.

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## **COUNTY COUNCIL MEETING – 15 MAY 2015**

**Statement from: Councillor Mrs S Woolley, Executive Councillor for  
NHS Liaison, Community Engagement**

### **CCG Co-Commissioning**

NHS England has approved the first set of CCGs that will take responsibility for commissioning the majority of GP services from April 2015. 64 CCGs have been approved to take on greater delegated commissioning responsibility for GP services with the possibility that others may follow. The four Lincolnshire CCGs have been given full approval on their applications for delegation.

### **Lincolnshire Health and Wellbeing Board**

The Lincolnshire Health and Wellbeing Board was one of the first nationally to adopt its joint strategic needs assessment (JSNA) and joint health and wellbeing strategy (JHWS). Good progress has been made in the first two and a half years of the five year strategy, across all five of its themes. However, the environment in which the Board is operating has changed significantly since the strategy was first developed and the next few months will see a mid-term review of the strategy being considered by the Board. This review will not look to propose new priorities, rather to update the actions that will fall out of these priorities over the remaining life of the strategy, and make sure that we have the correct measures in place to know that we are making progress. I look forward to bringing the refreshed strategy forward and working with the Health and Wellbeing Board to ensure it delivers.

At its meeting in March, the Board agreed £1,166,234.00 of funding from the Health and Wellbeing Grant Fund. Nine projects received funding to deliver a range of initiatives to support the delivery of the JHWS. Projects include: support for young people and vulnerable adults to improve their skills and find employment; development of a Carer's Charter; mentoring project working with care leavers; support resources for people with diabetes, and an initiative to encourage inactive children and young people to become more active.

### **The Better Care Fund (BCF)**

In my previous statement I referred to the successful submission of the Lincolnshire BCF which secures £53.2m of current health and social care funding in Lincolnshire. On 31 March, officers completed the work to compile the necessary legal documentation that incorporates £197m of existing health and social care funding in the County as a total 'pooled' resource building on the £53.2m national allocation from the previous government. This means that health and social care services in Lincolnshire have now a total of six legal agreements called Section 75 documents covering a range of services. The agreements cover services for Learning Disabilities, Child and Adolescent Mental Health Services, Integrated Community Equipment Services, Proactive Care (which includes investment in Neighbourhood Teams) and a Corporate Section 75 which includes support for the LHAC programme and a required contingency to manage financial risks – notably those related to the 'pay for performance' element. This refers to the target to reduce non-elective admissions to hospital by 3.5% in this calendar year.

In addition, there is a further Section 75 Agreement between the County Council and Lincolnshire Partnership Foundation Trust (LPFT) for adult mental health services, and an 'aligned' budget between the four Clinical Commissioning Groups (CCGs) and LPFT for health related mental health services. Furthermore, there is a 'Framework Agreement' that encompasses everything that I have mentioned and details the governance arrangements that the five statutory partners will work within to help ensure this level of 'pooling' delivers improved outcomes and more effective use of scarce resources for the people of Lincolnshire.

All these combined create the largest 'pooling' of resources ever achieved within Lincolnshire. We should also remember that the four CCGs and the County Council are formal partners in this work and, that the Health and Wellbeing Board, which I Chair, is also required to agree the work.

Members should note that the effort expended to meet the requirements of the Better Care Fund will only endure for 2015/16. We can expect this new Government to determine how and in what way the Better Care Fund is to evolve in the coming months. What we can expect is that further work will be required later this year if the BCF is to continue and, potentially, grow.

### **Lincolnshire Community Assistance Scheme**

Lincolnshire County Council has funding to deliver the Lincolnshire Community Assistance scheme (LCAS) for another year from April 2015.

The LCAS helps Lincolnshire residents to manage urgent and unexpected problems that will affect their health and wellbeing. It addresses the short term emergency but also puts the people who request assistance from the scheme into contact with support organisations who can help them to build their resilience and avoid crisis in the future.

The scheme can meet a range of urgent needs that will cause almost immediate detriment to the health and wellbeing of the applicants, if not addressed. The needs to be addressed are defined, broadly, as those relating to:

- Food and drinking water
- Clothes and shoes
- Personal hygiene products
- Essential household items such as beds, chairs and cooking equipment
- Support for household heating or lighting payments
- One-off payment of rent or lodging costs if the local housing department cannot help
- Essential travel

From 1 April 2015 the administration and the provision of the brokerage of the goods are now both delivered by Learning Communities.

### **Community Grants**

The Community Grants programme continued to be oversubscribed during 2014/15 with applications received from 87 not for profit organisations across the county.

Applications received totalled £1,187,747. The County Council was able to fund 29 of these projects with the allocated budget of £419,000. Support was offered to all unsuccessful applicants including advice regarding any reapplication and alternative funding sources.

### **Funding Events**

Seven Funding and Information events were held across the county in all district areas. The events continue to be well attended by both local community groups and funders from across the region. It is hoped that this programme of activity will continue into the 2015/16 year ahead.

### **Lincolnshire County Council Funding Portal**

The Funding Portal continues to be a well-used and valuable resource for community groups wishing to carry out searches for possible funding opportunities. During the year 2014/15, there was an average of 100 visits per month (3000 hits). The County Council has renewed the contract for a further three years to continue to deliver this valuable service for our communities.

### **Community Hubs – Asset Mapping Project**

There have been a growing number of discussions and work around 'asset mapping' but we were aware that, with Lincolnshire being such a large geographical area, it would take a long time for our four Community Advisors to map a significant proportion of the county. Funding became available that groups could bid for to improve their local facility and provide information on assets within their community. During February and March 2015, the four Community Advisors worked with 56 Community Hubs and groups across Lincolnshire to map their assets (buildings and play spaces), the activities and events that go on in these venues, and the businesses in their localities. This funding has gone a long way to improve the sustainability of many Community Hubs.

This intelligence will go a long way to increasing the standard of community development, engagement, health and wellbeing promotion and local commissioning at local levels through Community Advisors and the Community Engagement Team.

### **Investing in Volunteering**

Lincolnshire County Council has registered for the Investors in Volunteers (iV) accreditation, the UK quality standard for good practice in volunteer management. The process of accreditation involves completing a self-assessment which will help to identify successes and areas for development in our volunteer management practice. Service areas with direct responsibility for volunteers will be asked to complete their own self-assessment and these will be collated into one corporate document to be presented to the Investing in Volunteers Assessors.

It is anticipated that iV assessors will visit the authority in September/October to talk to Officers, Councillors and volunteers with a final decision on our accreditation success expected before the end of the calendar year.

## Lincolnshire Sports

### **Funding support – Sport and Physical Activity network**

During 2014/15, Lincolnshire Sport supported successful Inspired Facility bids to the value of £501K out of a county total of £800K – with partner funding, over £1.4M has been spent to improve local facilities through this scheme. Successful bids included £100K for resurfacing of Peter Paine Astro pitch in Boston, £50K to Woodhall Spa Tennis Club, £50K to Witham Hill Gymnastics Club, £25K to Branston Parish Council for a skatepark, and £50K to Stamford Indoor Bowls Club. Since Inspired Facilities started in 2012, Lincolnshire has received £2,156,374 to support a total of 38 projects across the county.

Since 2009, Lincolnshire has received £16,589,508 through Sport England lottery funding. During 2014/15 Sport England funding has been received by:

Boston	East Lindsey	Lincoln	North Kesteven	South Holland	South Kesteven	West Lindsey	<b>COUNTY TOTAL</b>
£ 204,999	£ 403,273	£ 846,236	£ 65,000	£ 127,209	£ 172,181	£ 225,030	<b>£ 2,043,928</b>

### **The School Games 2015 Winter Festival**

Sponsored by Sainsbury, this event took place on 4 March at Grantham Meres Leisure Centre. Over 600 children participated from 74 primary and secondary school teams (43 schools) across the county. Ranging from Year 3 to Year 13, they took part in six different sports including badminton, hockey, netball, new age kurling, swimming and volleyball. The festival also saw 54 SEND students and 18 young SEND volunteers involved on the day.

In addition, 120 young volunteers provided support as part of the workforce – they were selected by school teachers, School Games Organisers, and Bishop Grossteste University students acting as mentors.

Sporting Champion and GB Triple Olympic swimmer, Ross Davenport, was in attendance and helped to inspire the young people.

### **Lincolnshire Sport Activity Finder**

This was launched mid-January and, to date, 811 activities have been promoted across 401 venues, with 18,293 page views.

### **Events and Media**

During the last 12 months, Lincolnshire Sport has had over 11,265 participants taking part in the 32 events organised, 91,186 visitors to the website, 68 radio interviews and 8 TV appearances.

### **Health Walks**

During the last 12 months, 51,604 people have taken part in a Health Walk in Lincolnshire. Of this total, 3,460 were 'unique' walkers countywide, and 1,304 of these were new walkers.

## **COUNTY COUNCIL MEETING – 15 MAY 2015**

**Statement from: Councillor C N Worth, Executive Councillor for  
Libraries, Heritage, Culture, Registration and Coroners  
Service**

### **Libraries**

#### **Future Delivery**

Following the Council's Executive decision around the future of library services provision in Lincolnshire, all 40 eligible communities have been written to asking them to notify us of their intention to proceed with the community hub model. The response has been generally positive, with only three communities indicating there is currently no live hub initiative. For a community that has no intention of implementing the hub model, then mobile library provision will be made.

Several meetings have been carried out with community groups, and we continue to support them to take control of their community hubs. We have developed a three staged approach to the implementation of the community hub model - the three phases will take place between July and the end of September 2015.

Some changes to Tier 1 and 2 library opening times came into effect after Easter.

Following a successful market engagement day on 11 March, a Europe-wide procurement for a suitable partner to operate the service from April 2016 commenced on 16 April. Until a new partner is in place, the in-house service will ensure the services continue to be provided to a high quality for customers. In the meantime, the service continues to develop and on 1 April the Library Service took over the operation of the library at HMP Ranby from Nottinghamshire County Council.

Having worked through the findings of a judicial review of our 2013 decision, and begun the work necessary to deliver a new model through service changes and a new requirement to tender the service, we find ourselves subject to further challenge. The Secretary of State for Culture, Media and Sport is minded not to intervene as he found no grounds to inquire into our new model of service – however, we have now received a further judicial review. This is incredibly frustrating, as it is causing uncertainty for staff and community groups who are clearly keen to press on to ensure the future of the libraries, and release the very real potential of vibrant, multi-purpose community hubs in our communities.

I will continue to address each barrier that is put in place to deliver the best library service the Council can afford, and hope to report full implementation of the new service model during the coming year.

### **Heritage & Culture**

#### **Lincoln Castle Revealed**

Lincoln Castle was revealed as planned on 1 April 2015, and proved to be as popular as we anticipated, with over 17,000 visitors in its first two weeks of

operation. Although media coverage for this soft opening had a local and regional focus, the many media familiarisation visits we have hosted in recent months have enabled us to attract some national and international coverage, including the BBC News website, Rough Guides, The Times, Guardian, Financial Times, Independent, Daily Telegraph, Daily Mirror, Sunday Mirror, Mail on Sunday, Britain magazine, My Weekly, The Lady, Mature Times, The Times of India, St Paul Pioneer Press in Minnesota, Toronto Star, For the Love of Travel (New Zealand) and Visit Britain.

Since 1 April, the castle has taken £212,000 in ticket sales against our annual target of £883,000. The total number of tickets sold during the period is 33,941, against an annual target of 111,630 (30% of target).

The official opening of the castle, wall walks, prison and the David P J Ross Magna Carta Vault, which houses Lincoln Cathedral's copy of Magna Carta and the Charter of the Forest, is due to take place on 8 June. This is a week ahead of the national celebrations to commemorate the 800<sup>th</sup> Anniversary of the sealing of Magna Carta on 15 June 1215 at Runnymede. This will present a fantastic opportunity to thank the many funders, donors, sponsors and supporters, including the Heritage Lottery Fund, European Regional Development Fund and Historic Lincoln Trust for all their help and support with this £22 million project.

The excellent events programme includes a number of historical re-enactments, the Magna Party featuring Diversity on 13 June, Horrible Histories – Barmy Britain Part 2 on 14 June, 1000 Years of Traditional Crafts on 4-5 July, Jools Holland on 11 July, a number of outdoor theatre and film events and the Steampunk Festival over the August Bank Holiday weekend.

### **Resilience Fund**

The County Council has been awarded £125,400 from Arts Council England's Resilience Fund to undertake creative consultation in relation to Heritage and Culture collections and assets in the county. The project will give local people the chance to share their views on the county's heritage, including which elements are most important to them, how they would like to engage with them, and what from the present and recent past should be preserved for future generations. The findings will be used to develop the County Council's approach to protecting and promoting local culture and heritage, using the information to inform our Collections Development Policy and Strategy and move away from an 'expert' led approach to these matters towards a more community-focused approach to deciding what is important. There will be two phases of consultation: an initial scoping phase, followed by a wider creative engagement with the people of Lincolnshire.

### **Museum of Lincolnshire Life shortlisted for the East Midlands Heritage – Innovation Award**

This award recognises the successful implementation of innovative practice into a museum – to be shortlisted, the museum must demonstrate a high level of imagination, creativity that would be recognised as outstanding at a national level. The Museum of Lincolnshire Life has been shortlisted for its cutting edge, multi-layered digital interpretation to the Museum's traditional style displays, using augmented reality (AR), interactive projections and a hand-held multimedia guide.

The Museum worked with a cohort of children and young people to ensure the final product appealed to the younger 'techno savvy' generation.

The field of AR was still in its infancy and the project, in a regional and traditional museum context, carried a high level of risk. However the project was equally as much about the process of delivery as about the final product and it was seen as an opportunity to share our experience with the wider museum community. Funding came from ACE (£223,000), Lincolnshire County Council (£20,000) and the Royal Lincolnshire Regimental Trust (£10,000).

### **Registration, Celebratory and Coroners Services**

The Registration Service has successfully implemented changes to legislation in response to the Immigration Act 2014. This came into force on 2 March 2015 and one of the primary changes is the extension of the notice period for marriages from 14 to 28 days. The service was proactive in contacting couples both in the UK and abroad to ensure these changes did not impact on their legal requirement to give notice of their marriage. All promotional material has been amended to reflect these changes. The service continues to report any concerns regarding potential sham marriages and in the first quarter of 2015, worked with the regional immigration team in relation to a few ceremonies.

The anniversary celebrations of the Magna Carta are being recognised with a special Citizenship Ceremony on 15 June. Over the course of the next few months new citizens will receive a replica of the Magna Carta as a celebratory gift.

In relation to the Coroners Service, work continues with the Deprivation of Liberty Safeguarding (DoLS) team. This is to ensure all deaths, where the deceased is subject to a DoLS order, are investigated in a timely manner. As part of continued partnership working with funeral directors, the service has facilitated training sessions for DoLS. Work has also been ongoing with the Council's funeral directors in completing a number of inspections on premises and vehicles as part of the contract management arrangements. This has been beneficial both for funeral directors and the Council in terms of quality assurance and partnership working. In addition, an Infection Prevention Control document has been drafted specifically aimed at funeral directors.

IT provision for the Coroners service is being reviewed, and a number of options are being developed to support both case management and access to information for the Coroner's Officers.

During April 2015, the contract for Mortuary and Post Mortem Services were retendered. The existing contracts established in 2011 have worked well and the service is looking to re-tender these arrangements to ensure a high quality, timely and sensitive service.

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## **COUNTY COUNCIL MEETING – 15 MAY 2015**

**Statement from: Councillor B Young, Executive Councillor for  
Crime Reduction, People Management, Legal**

### **CRIME REDUCTION**

The Lincolnshire Community Safety Partnership has now agreed its priorities for the three year period 2015-18. Lincolnshire County Council is a key member of this partnership and will make a significant contribution to addressing these priorities. The priorities are: anti-social behaviour, domestic abuse, reducing offending, serious & organised crime, sexual violence and substance misuse. There is an additional cross cutting theme of analysis and information sharing.

The Safer Communities Service has employed a second full-time analyst to help ensure both the service and the partnership direct resources and activities effectively.

Delivery plans are currently in development for each of the priority areas capturing outcomes, performance indicators, tasks and risk to achievement.

### **YOUTH OFFENDING SERVICE**

The Youth Offending Service consultation following the fundamental budget review has now closed and an implementation document outlining the new structure was issued to all staff on 25 March 2015. The new structure will see an approximate reduction of 9.5 full time equivalent posts which have been achieved through both voluntary and compulsory redundancies. The new structure is scheduled to commence from 1May 2015.

The Junior Attendance Centre was transferred to the local authority from the Youth Justice Board on 1 April with a grant of £27,000 to support the transition. The Youth Offending Service has come together with Lincolnshire Partnership Foundation Trust (LPFT) to provide a designated role for a forensic psychologist to support young people within the criminal justice system in Lincolnshire. This will ensure a clear focus on specialist assessment and intervention for those young people who pose the greatest concern in areas such as sexual offending, violence and those moving into adulthood.

### **DOMESTIC ABUSE**

To resolve a gap in our multi-agency guidance around domestic abuse, a draft protocol is being produced to provide practical guidance to staff and consistent best practice when working with individuals in abusive relationships. It also includes guidance for managers on the 10 standards in the Domestic Abuse Charter, which all agencies are expected to meet. The document is due to be launched at an event aimed at practitioners and supervisors with key speakers and workshops designed to develop understanding around some of the more complex issues relating to domestic abuse.

## **PEOPLE MANAGEMENT**

### **Managing Sickness Absence**

Robust absence management procedures, as well as a proactive approach to supporting staff wellbeing, have had a significant impact on levels of sickness. Absence levels due to sickness have fallen considerably since July 2013 when overall levels, excluding schools, were 9.93 days per employee. For Jan 2015 the rates is at 7.73 days, which exceeded target.

### **Managing Workforce Change**

The People Management Service is providing HR support to assist Service Areas in their restructures. Consultations have been completed for 9 areas. This has resulted in a saving of approximately 101 posts in the Council, 33 of which were vacant. Further consultations will be undertaken in 2015/16 beginning in June for:

- Environment & Economy including Legal Services & Democratic Services
- Audit & Finance
- Targeted areas in children's services

### **Transfer of the People Management Service to Serco on 1 April 2015**

The LCC People Management Service successfully transferred the operational delivery of HR and OD services to Serco. Through robust transition planning we have delivered service continuity over this transition period so that council priorities have continued to be appropriately supported, including the implementation of Pay and Reward and organisational restructures.

## **LEGAL SERVICES**

Legal Services will shortly be consulting with staff on a restructure to ensure that the service continues to offer the right mix of skills to meet changing demands on its services.

Six agreements under section 75 of the National Health Service Act 2006 and a Partnership Framework Agreement were completed on 31 March 2015 as part of the successful conclusion of the Lincolnshire Better Care Fund negotiations.

The service is currently supporting the Greater Lincolnshire Local Enterprise Partnership and the County Council as Accountable Body in contracting for the allocation of Single Local Growth Fund monies to the successful projects.

**Open Report on behalf of Richard Wills, Director responsible for Democratic Services**

Report to:	<b>County Council</b>
Date:	<b>15 May 2015</b>
Subject:	<b>Committee Structure, Political balance on committees and sub-committees and allocation of places to political groups</b>

**Summary:**

The political make-up of the County Council has changed following the Stamford North by-election and the resignation of the member for Grantham Barrowby. This has impacted on the political balance of committees and sub-committees of the Council. In addition councillors need to consider an added member vacancy on the Children and Young People Scrutiny and the Overview and Scrutiny Management Committees.

**Recommendation(s):**

- 1) That Council note the change in the political make-up of the Council.
- 2) That Council adopts Appendix A (to be circulated with the Order of Proceedings) as the amended political balance of committees, sub-committees and outside bodies.
- 3) That Council removes the Methodist Church Representative seat from the Children and Young People Scrutiny and Overview and Scrutiny Management Committees.

**1. Background**

1.1 The Council is required by the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 (as amended) to review the allocation of places to political groups on committees and sub-committees. Under the Council's Constitution the composition of committees and sub-committees is the responsibility of the full Council. This was last reviewed at the annual meeting of Council on 16 May 2014.

1.2 Following the death of Lincolnshire Independent Councillor John Hicks a by-election was held in the Stamford North Division on 11 December 2014.

1.3 As reported to Council on 19 December, the Stamford North seat was won by UKIP candidate Robert Foulkes.

1.4 On 9 April the Chief Executive received a letter of resignation from Lincolnshire Administration Councillor Jo Churchill, who had represented the Grantham Barrowby Division. A Notice of Vacancy has been published.

1.5 In achieving political proportionality *as far as reasonably practicable* the 1989 Act requires the Council to apply certain principles **in order** as follows:

- Not all the seats on the committee are allocated to the same group
- The majority of the seats on the committee are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership
- The number of seats allocated to a political group on the committees of the Council bears the same proportion to all the seats on such committees as the membership of that group bears to the membership of the Council as a whole and
- The number of seats allocated to a political group on an individual committee bears the same proportion to the number of all the seats on that committee as the membership of that group bears to the membership of the Council as a whole

1.6 For the purposes of the last two bullet points in paragraph 1.5 the membership of each group must be compared to the membership of the Council to establish the correct proportion to be used in the allocation of seats. Under Schedule 1 of the 1989 Act membership means the number of persons who are members for the time being of the authority – i.e the number of actual elected members rather than the number of seats. The number of members at the time of this decision is therefore 76 and it is this number that has been used in the calculation of the proportion to be used in deciding on allocation.

1.7 The impact of the changes in membership referred to above is therefore shown in the table below:

	16 May 2014 (Council)		15 May 2015 (Now)	
	Members	%	Members	%
Lincolnshire Administration	42	54.5%	41	53.9%
Labour	12	15.6%	12	15.8%
UKIP	11	14.3%	12	15.8%
Lincolnshire Independents and Independents	9	11.7%	8	10.5%

Independence from Europe	3	3.9%	3	3.9%
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1.8 In addition to the above changes, the Council has received the resignation of Mrs Gill Wright, who had served as Methodist Church representative on the Children and Young People Scrutiny Committee and Overview and Scrutiny Management Committee.

1.9 The Lincolnshire Methodist District has been contacted to discuss a replacement for Mrs Wright. They have stated that while they have valued the opportunity to have a seat on the two committees they have no immediately obvious replacement.

1.10 There is no legal requirement for a Methodist representative to sit on the Children and Young People Scrutiny Committee and so it is recommended that the seat be removed.

1.11 There are specific rules governing the treatment of committees with members who are not members of the authority and these are reflected in the calculation at Appendix A.

1.12 Places on politically balanced committees, sub-committees and outside bodies are calculated using the % above. The legal entitlements for all the political groups will be attached as an appendix to the Order of Proceedings, with the changes highlighted.

## 2. Conclusion

It is a matter for the Council to allocate seats on committees and sub-committees to the political groups on the Council, which it must do in accordance with the law relating to proportionality.

### 3. Legal Comments:

Council is required to allocate seats on the Committees of the Council to political groups in accordance with the law relating to proportionality as set out in the Report.

The decision is within the remit of the Council.

### 4. Resource Comments:

There are no material financial implications from acceptance of the recommendations in this report.

## 5. Consultation

**a) Has Local Member Been Consulted?**

n/a

**b) Has Executive Councillor Been Consulted?**

Yes

**c) Scrutiny Comments**

n/a

**d) Policy Proofing Actions Required**

n/a

## 6. Appendices

These are listed below and attached at the back of the report	
Appendix A	Allocation of places to political groups (to be circulated with the Order of Proceedings for the Council meeting)

## 7. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Nigel West, who can be contacted on 01522 552840 or [nigel.west@lincolnshire.gov.uk](mailto:nigel.west@lincolnshire.gov.uk).

**Open Report on behalf of Richard Wills, Executive Director with responsibility for Democratic Services**

Report to:	<b>County Council</b>
Date:	<b>15 May 2015</b>
Subject:	<b>Appointment of Chairmen and Vice-Chairmen of Committees and Sub-Committees (Except the Lincolnshire Health and Wellbeing Board, the Health Scrutiny Committee for Lincolnshire and the Bourne Town Hall Trust Management Committee)</b>

**Summary:**

The purpose of this report is to consider the appointment of Chairmen and Vice-Chairmen of the Council's Committees and Sub-Committees for the Municipal Year 2015/16.

**Recommendation(s):**

That the appointment of Chairmen and Vice-Chairmen of Committees and Sub-Committees be considered and approved.

## **1. Background**

The Council has approved, under the preceding item of business the allocation of seats to political groups and the appointments to Committees and Sub-Committees.

Nominations for the appointment of Chairmen and Vice-Chairmen will be circulated.

## **2. Conclusion**

The Council's Constitution states that the Annual General Meeting of the Council will appoint the Chairmen and Vice-Chairmen of Committees and Sub-Committees, excluding the Health Scrutiny Committee for Lincolnshire, the Lincolnshire Health and Wellbeing Board and the Bourne Town Hall Trust Management Committee. Councillors are asked to consider the nominations circulated at the meeting.

### 3. Legal Comments:

The Council's Constitution provides that it is for the Council to appoint the Chairmen and Vice-Chairmen of the Council's Committees, Sub-Committees, Groups and Panels (with the exception of the Health Scrutiny Committee for Lincolnshire, the Lincolnshire Health and Wellbeing Board and the Bourne Town Hall Trust Management Committee).

### 4. Resource Comments:

There are no direct financial implications arising from the adoption of the recommendations in this report.

### 5. Consultation

#### a) Has Local Member Been Consulted?

n/a

#### b) Has Executive Councillor Been Consulted?

Yes

#### c) Scrutiny Comments

n/a

#### d) Policy Proofing Actions Required

n/a

### 6. Appendices

These are listed below and attached at the back of the report

Appendix A	Nominations for the positions of Chairmen and Vice-Chairmen of Committees and Sub-Committees – to be circulated at the meeting.
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### 7. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Katrina Cope, who can be contacted on 01522 552104 or [katrina.cope@lincolnshire.gov.uk](mailto:katrina.cope@lincolnshire.gov.uk)

**Open Report on behalf of Richard Wills, Executive Director responsible for Democratic Services**

Report to:	<b>County Council</b>
Date:	<b>15 May 2015</b>
Subject:	<b>Overview and Scrutiny Annual Report 2014-15</b>

**Summary:**

This report invites the County Council to consider and approve the Annual Report for Overview and Scrutiny for 2014-15.

**Recommendation(s):**

To approve the Overview and Scrutiny Annual Report for 2014-15.

## **1. Background**

### Annual Report for 2014-15

The Overview and Scrutiny Annual Report for 2014-15, which is attached at Appendix A to this report, has been prepared in a concise and accessible format.

The Annual Report represents an ideal opportunity to highlight the scrutiny work that has taken place throughout the last year and to look forward to the year ahead.

## **2. Conclusion**

The Overview and Scrutiny Annual Report for 2014-15 provides an opportunity to consider the work of the Overview and Scrutiny function and the County Council is invited to approve this year's report.

## **3. Legal Comments:**

The Report introduces for approval the Annual Scrutiny Report. Overview and Scrutiny is an important aspect of the Council's functions and the report enables the Council to assess the carrying out of this function in the last year. The matter is within the remit of the full Council.

#### **4. Resource Comments:**

There are no financial implications arising from acceptance of the recommendation in this report.

#### **5. Consultation**

##### **a) Has Local Member Been Consulted?**

n/a

##### **b) Has Executive Councillor Been Consulted?**

n/a

##### **c) Scrutiny Comments**

The Overview and Scrutiny Management Committee met on 30 April 2015 and considered and approved the Overview and Scrutiny Annual Report for 2014-15.

##### **d) Policy Proofing Actions Required**

This report does not require Policy Proofing.

#### **6. Appendices**

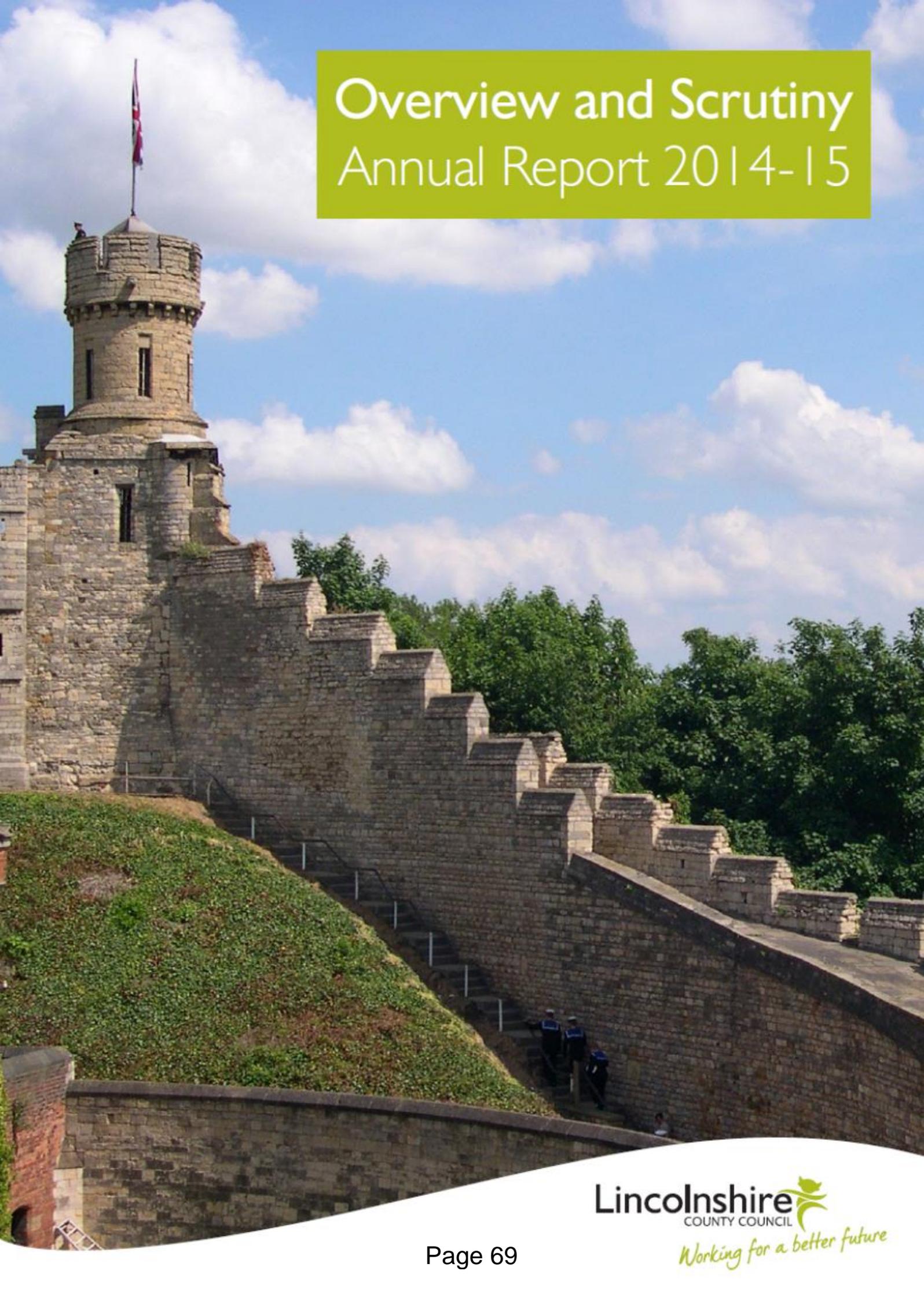
These are listed below and attached at the back of the report	
Appendix A	Overview and Scrutiny Annual Report 2014-15

#### **7. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by David Hair, who can be contacted on 01522 552080 or davidr.hair@lincolnshire.gov.uk.

# Overview and Scrutiny Annual Report 2014-15



The front cover shows the Observatory Tower at Lincoln Castle. Improvement works at the Castle and the construction of a vault to house Lincoln's copy of Magna Carta have been on-going areas of interest for scrutiny councillors. Over the next year scrutiny will review the project work undertaken and consider the future economic benefits that can be achieved for Lincoln and the rest of the County.

## Introduction

I am pleased to present this year's Overview and Scrutiny Annual Report. The report contains key scrutiny activity over the last year and information about some of the subjects our committees will be scrutinising over the next 12 months.

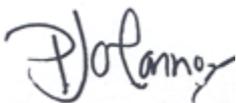
It has been a challenging year for the Council and also for scrutiny. The Council continues to face the challenge of delivering services to the people of Lincolnshire with less and less money and our councillors involved with scrutiny are tasked with analysing this work and its outcomes and providing constructive challenge.

The future delivery of library services in Lincolnshire has continued to generate considerable interest both within the Council itself and in the wider community. Concerns were raised over the decision-making process surrounding the libraries proposals and an Internal Audit Review took place that culminated in a final report with recommendations for improvement including aspects of the scrutiny process. A motion was put to the February 2015 meeting of the County Council proposing an external review of the scrutiny function itself and this motion was carried. Just as scrutiny seeks assurance over the successful delivery of services so it is only right it should seek assurance around its own performance.

The review of scrutiny is underway and five aspects of scrutiny have been highlighted as the focus for the Review;

- Increasing the impact of scrutiny
- The effectiveness of the approach
- Behaviours and culture
- Sound and effective governance
- Learning from good practice

I look forward to reflecting on the successful completion of the Review and on the introduction of improvements to scrutiny in next year's Annual Report. In the meantime, if you would like to know more about overview and scrutiny at Lincolnshire County Council then please feel free to get in touch using the contact details at the end of the report.



**Councillor Pat O'Connor**  
**Chairman, Overview and Scrutiny Management Committee**

## What is scrutiny?

Overview and scrutiny is the process whereby non-executive councillors of the Council examine the authority's functions and services, plus those of partner organisations.

Key aims of scrutiny are to;

- Provide healthy and constructive challenge
- Give voice to public concerns
- Support improvement in services
- Provide an independent review

Overview and Scrutiny is a function of local authorities in England and Wales. It was introduced by the Local Government Act 2000 which created separate Executive and Overview and Scrutiny functions within councils. All non-Executive councillors are eligible to participate in the work of scrutiny. Joining them to scrutinise particular issues are parent governors, church representatives, councillors from the district councils and representatives from other local organisations.

The Council has ten overview and scrutiny committees that consider new policies and strategies, existing policies to see how well they are working and performance information to check that the Council is meeting the standards that have been set.

Each of these committees is also able to establish time-limited Task and Finish Group reviews that focus on a particular issue and consider it in greater detail than is possible at Committee. These reviews will typically last around six months and will include a mixture of interviews with relevant council officers, research of best practice elsewhere, meetings with service users and community groups and consultation with wider parts of the community. These reviews culminate in a final report with recommendations which are then presented to a meeting of the Council's Executive.

Committees can also establish working groups to work in a less formal way either working independently or in collaboration with Council officers. These working groups have responded to national consultations, reviewed existing policies and looked to develop new policies in conjunction with officers.

## Overview and Scrutiny Management Committee



### Chairman

**Councillor Pat O'Connor**



### Vice-Chairman

**Councillor Mrs Angela  
Newton**

The Overview and Scrutiny Management Committee is the overarching and co-ordinating scrutiny committee for the County Council. At every meeting consideration is given to the work programmes of each of the Council's scrutiny committees.

A core activity through most of the year was the review of the Council's Constitution. A working group of members drawn from the Committee supported the Council's Monitoring Officer in drafting revised sections of the Constitution and this culminated in a report to the December 2014 meeting of the County Council. One of the initial conclusions of the Review, introduced this year, was for the Committee to take on the responsibility for considering Council-wide documents such as the Annual Report and Business Plan.

In November the Committee received feedback from the consultation regarding the Council's priorities in the future. A consequence of this was a discussion about how financial cuts at the Council can impact on other public sector organisations in the County. As a result a new approach will be introduced in the next budget-setting process which will allow councillors to understand the impact of specific budget proposals on other public sector organisations.

The Lincolnshire Police and Crime Commissioner and the Chief Constable of Lincolnshire Police visited the Committee in October and the Committee had the opportunity to consider strategic and operational policing in the County. The conversation focussed on the cuts in central funding for the Police and all present agreed to continue to lobby for an increase in funding for the Police.

Looking ahead, the Committee will continue to receive updates on the Lincolnshire Broadband Programme and the delivery of superfast broadband connectivity to communities across the County. This process enables the Committee to assure itself regarding the timeliness of the roll-out but also to gain an increased understanding of the Programme and how it should benefit residents.

The major business for the year ahead will be the external review of overview and scrutiny which was agreed at the meeting of the County Council in February 2015 and Overview and Scrutiny Management Committee will want to play a key role as this work develops. It was delegated to the Council's Chief Executive to appoint an appropriate external body to review overview and scrutiny and it was agreed that a cross-party Scrutiny Review Group should be appointed to assist the Chief Executive with the Review.

## Adults Scrutiny Committee



### Chairman

**Councillor Hugo Marfleet**



### Vice-Chairman

**Councillor Rosie Kirk**

As the Council's approach to commissioning develops, the Committee in the last year has been involved in considering several items prior to a decision by the Executive or the Executive Councillor. For example, the Committee has considered the arrangements for the procurement of the Community Support (Home Care) Service, and the Carers' Support Service. This is an important process, as it enables the Committee to add value, by giving detailed consideration of a topic in advance of a decision.

In Lincolnshire, there are 79,000 carers, who provide support to a relative or a friend. Supporting carers has been a recurring theme for the Committee's work, in particular the additional rights provided to carers as a result of the Care Act 2014. Representatives from the Lincolnshire Carers and Young Carers Partnership outlined how the Act is going to impact on carers and what carers will be expecting from the legislation. During the course of the year, the Committee has received updates from Adult Care as it prepares to implement the new arrangements and will continue to seek further reports on the Lincolnshire Carers Strategy. In July 2014, councillors also heard directly from a carer of two autistic teenagers, which provided a good insight into the challenges that carers face.

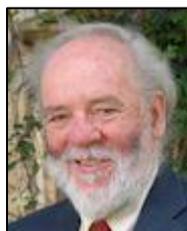
The Managed Care Network for Mental Health aims to improve people's mental health and quality of life by helping them to find safe and effective support. The Committee was told that the Network had 67 member organisations, providing 72 projects at 83 sites across Lincolnshire and so far around 2,500 local people had benefited. However, the most striking element of this item was the Committee receiving first hand a presentation from a service user on her own experiences of mental health and how the Managed Care Network has supported her.

Extra Care Housing usually provides a greater level of care than might be found in sheltered housing, but still enables individuals to retain their independence within their own home. Lincolnshire has fewer Extra Care Housing units, compared to other similar areas. The Committee first discussed the topic of Extra Care Housing in July 2014, when approaches to Extra Care Housing were still being considered. Subsequently, the Committee has supported a decision by the Executive to seek Extra Care Housing by means of a 'contribution model', which is intended to provide over 600 units of Extra Care Housing for a capital outlay by the Council of £8 million.

The Committee has received regular updates on the Wellbeing Service, which was formally launched on 1 April 2014. The service aims to increase the number of people who are able to live independently, with some support in their own home.

During the coming year, members of the Committee are planning to visit several residential and nursing homes in the county, to enhance their knowledge first hand. The Committee will also be considering how the neighbourhood team model is developing in Lincolnshire.

## Children and Young People Scrutiny Committee



### Chairman

**Councillor John Hough**



### Vice-Chairman

**Councillor Bob Adams**

The Children and Young People Scrutiny Committee has been very busy over the past year. One of its main activities has been the review of **Frontline Social Workers and Safeguarding**, looking at whether safeguarding procedures in Lincolnshire are robust enough and whether social workers receive enough support to carry out their job effectively. The review was chaired by Councillor John Hough, and Councillors Bob Adams, Sarah Dodds, the late John Hicks, Mrs Sue Ransome and Mrs Christine Talbot, and Mrs Emma Olivier-Townrow (Parent Governor Representative) were members of the Task and Finish Group.

During the review, the Task and Finish Group spoke to social workers and attended a range of social care meetings across all the locality teams. The review highlighted that safeguarding procedures in Lincolnshire are, on the whole, robust and that social workers do receive a lot of support. There are some areas for improvement such as around recruitment and retention and the use of mobile technology and these will be monitored through the action plan updates.

The Committee has continued to receive a number of reports relating to the expansion of primary schools or the establishment of new primary academies due to the growing pressure on primary school places and the Council's legal obligation to ensure there are sufficient primary school places available. The Committee has also considered the outcomes from the Ofsted inspection of services for children in need of help and protection, children looked after and care leavers undertaken in late 2014. The Ofsted report highlighted that

*"The Children and Young People Scrutiny Committee provides robust scrutiny of services for children and young people. Elected members on this committee have good insight and knowledge of their communities and the issues faced by children's services. In June 2014, a Scrutiny Committee task and finish group conducted a review of frontline social work and safeguarding services over a six-month period using a rigorous methodology. The action plan established from their recommendations is now monitored by the committee."*

The Committee members have also undertaken a number of visits to different teams in Children's Services to speak to staff and learn more about their areas of work. In 2014-15, this has included visits to Queen's Park Community Hub and the social

care locality teams. In September 2014, the Committee also received training on the commissioning process and the new commissioning strategies. The Committee has also set up a working group to examine with officers what support the current School Improvement Service offers to schools and academies and how to improve the existing School Improvement offer for schools and academies.

The Children and Young People Scrutiny Committee will be considering a number of key issues over the next year, including the action plan arising from the recommendations in the Ofsted inspection report, an update on the action plan for the Frontline Social Workers and Safeguarding report and the introduction of the new national Progress 8 measure for monitoring school performance.

## Community and Public Safety Scrutiny Committee



### Chairman

**Councillor Chris Brewis**



### Vice-Chairman

**Councillor Linda Wooten**

A major piece of work for the Committee has been the scrutiny of proposals to reshape the library service following a Judicial Review of the Executive's previous decision. An extraordinary meeting of the Committee was held in January and representatives from Save Lincolnshire Libraries and Friends of Deepings Library, as the two biggest petitioners, and also councillors who were not members of the Committee, were given the opportunity to address the Committee.

The re-shaping of the library service continues to be an area of great interest for many councillors and concerns have been expressed about the decision-making process and the role that scrutiny has played in this. A recent Internal Audit report entitled 'Organisational Learning – Libraries Project' highlighted a number of areas for improvement including recommendations relating to scrutiny and the decision-making process. The Committee will continue to review the implementation of the Executive's decision during the next year.

The Committee was pleased to welcome Peter Wright, Governor of HMP Lincoln, to one of its meetings when he advised that the prison had improved greatly following its last inspection by HM Inspector of Prisons. The Committee will be visiting the prison in May 2015 to see for themselves the improvements made. Visits like this will form part of the Committee's activities over the next year as it seeks to increase its understanding of key issues.

The Committee has taken great interest in the Joint Ambulance Conveyance Project the County Council is running in partnership with the East Midlands Ambulance Service, aimed at improving the quality of service and outcomes for patients in Lincolnshire. The pilot is due to end during the coming year and the Committee will continue to monitor its outcomes.

The Committee received a very informative presentation on the increase in doorstep crime. This is a particularly unpleasant type of crime which often targets the most vulnerable people in our communities. Following this presentation, the subject was suggested to the Councillor Development Group as a development session for the whole Council and this session has been arranged for June 2015.

During the year, the Committee will also be reviewing the outcomes of a Domestic Homicide Review and looking at what can be learnt from this tragic event for all agencies in the County.

The Committee also sits as the Council's statutory Crime and Disorder Committee, where it scrutinises the work of the Lincolnshire Community Safety Partnership. With the increase in the use of so called 'legal highs' particularly in Lincoln, the Committee held a development event on reducing public health harm. This included sessions on legal highs and illegal alcohol and tobacco where members were shown examples of these products and how to identify them.

## Economic Scrutiny Committee



### Chairman

**Councillor Tony Bridges**



### Vice-Chairman

**Councillor Chris Pain**

Over the past year, the Economic Scrutiny Committee has been very active. One of its main activities has been the review of the **Impact of Transportation on Maximising Economic Growth** which has examined the impact of transportation on the vitality of the Lincolnshire Economy. The review was chaired by Councillor William Webb, and Councillors Chris Brewis, Tony Bridges, Geoff Ellis, Colin Mair, Chris Pain, Steve Palmer, Mrs Elizabeth Sneath and Lewis Strange were members of the Task and Finish Group.

During the review, the Task and Finish Group spoke to key employers representing Lincolnshire's business, tourism and transport sectors. The review highlighted that the transport infrastructure, in particular rail and the road network, in Lincolnshire did have an impact on businesses and tourism. It also identified some potential transport improvements which need to be investigated further and developed into business cases, along with the broader need to develop a long term strategy to improve transport infrastructure needs in Lincolnshire. The review recognised the desirability of dualling key A roads, such as the A15. Dualling of main A roads like the A15 would greatly improve the economy of Lincolnshire as well as attract international investment along its corridors.

The Committee has received a number of reports over the last year particularly around policy development. This has included multiple reports on EU funding programmes where the Committee has provided a steer on the best way of maximising the funding opportunities to support future growth in the Greater Lincolnshire area and supported the bids put forward for EU funding. The Committee has also provided advice regarding which pilot projects should be pursued to help improve employment and skills in Lincolnshire and are now monitoring the outcomes from these projects. More recently, at the April 2015 meeting, the Committee considered and supported Lincoln Cathedral's bid to the Heritage Lottery Fund to improve the Cathedral's visitor and community offer in response to the potential increase in visitor numbers resulting from Lincoln Castle Revealed.

One of the main items of interest for the Economic Scrutiny Committee over the past year has been the ongoing developments in relation to Lincoln Castle Revealed. The Committee has received regular updates on the progress of the project, the new shuttle service to the Castle, and on the marketing activity that has been taking place. The Committee undertook another visit to the Castle in February, which was widened out to other members of the Council to attend as well, to see first-hand the developments and progress at Lincoln Castle.

The Economic Scrutiny Committee has also considered a number of reports regarding the Greater Lincolnshire Local Enterprise Partnership (GLLEP) and is monitoring the implementation of the Growth Deal for Greater Lincolnshire which currently amounts to £146.2 million of future capital investment to support the growth of the local economy.

In September, the Committee held its meeting at Mercury House, a business incubation centre, in Gainsborough to gain a better understanding of how a business incubation centre operates and what the benefits are to a small business. At the meeting, the Committee heard from some of the tenants about the difficulties of operating a business in Gainsborough and the challenges faced by small businesses.

Over the forthcoming year, the Committee will be looking at the impact of the Lincoln Castle Revealed project on the economy and tourism, monitoring the implementation of the recommendations from the Impact of Transportation on Maximising Economic Growth Scrutiny Review, considering the outcomes from Greater Lincolnshire Employer Survey, and looking at how to improve employment and skills in the nursing sector.

## Environmental Scrutiny Committee



### Chairman

**Councillor Lewis Strange**



### Vice-Chairman

**Councillor Mrs  
Victoria Ayling**

The Committee was pleased to hold its meeting in March 2015 at the new Energy from Waste facility in North Hykeham. The visit was an opportunity for the Committee to see the facility providing a sustainable, safe and affordable waste treatment solution. Following the meeting the Committee also visited the new Gainsborough Household Waste Recycling Centre and the Gainsborough Waste Transfer Station. These visits were extremely helpful as they enabled the Committee to see for themselves how different parts of the waste service work together.

The Council has been successful in obtaining a grant from the Department for Energy and Climate Change for a new low carbon district heating network, powered by the Energy from Waste facility. During the next year the Committee will follow the delivery of a scheme with interest and how many businesses and households will benefit. This will also help to build on the Committee's work around the Green Deal including fuel poverty and affordable warmth.

At the end of 2013, the Committee established a Textiles Recycling Working Group of four members to work with officers by providing guidance and challenge on the way forward in developing an agreement with the Salvation Army Trading Company to manage the textile recycling bins in the Council's Household Waste Recycling Centres (HWRCs). When the Working Group reported back to the Committee earlier this year, the Committee agreed that the Working Group would continue to review the future running of the HWRCs and will report back to the Committee.

Over the past year, the Committee has received regular updates on odours emanating from both the Ingoldmells and Spalding Sewage Treatment Works. Whilst acknowledging the odour at Ingoldmells has improved, the situation still remains a concern for the Committee due to the high number of visitors to the area during the summer season and its impact on the local economy. The Committee has written to Anglian Water requesting that more in-depth inquiries into the infrastructure in the area be undertaken and following this request, Anglian Water has now committed to review both the capacity at the treatment works and the sewer network in Ingoldmells. The Committee will continue to monitor progress over the coming year.

In June 2015, the Committee looks forward to a number of school children attending their meeting to give presentations on how they have implemented the award winning Schools Collaboration and Resource Efficiency Programme (SCoRE) in their schools. This is an excellent programme which has enabled schools to become more sustainable by spotting energy saving opportunities and making changes throughout the school.

## Flood and Drainage Management Scrutiny Committee



### Chairman

**Councillor Lewis Strange**



### Vice-Chairman

**Councillor Mrs  
Victoria Ayling**

The Committee has continued to work closely with other partners and agencies in working to protect Lincolnshire from flooding. This has included the seven district councils, Environment Agency, Anglian Water, Anglian Northern Regional Flood and Coastal Committee and Internal Drainage Boards.

During the year, the Committee has continued to challenge the progress made by the Environment Agency in delivering two flood alleviation schemes in Louth and Horncastle. This has included hearing directly the concerns of local residents affected by the proposed scheme in Horncastle. The Committee will continue to monitor the delivery of these two very important schemes which when built should bring much needed protection to the two towns.

The Committee held its May 2014 meeting at the offices of Boston Borough Council. This meeting was followed by a visit to the site of the proposed Boston Barrier and also to other sites in the town impacted by flooding following the tidal surge which took place along the East Coast during December 2013. The Committee greatly values these visits to sites around the County which bring to life the work being undertaken to prevent flooding and looks forward to continuing these visits over the coming year.

The Committee has also scrutinised detailed reports produced by the County Council and the Lincolnshire Resilience Forum on the response to the East Coast tidal surge event in December 2013. Over the coming year, the Committee will look to monitor the delivery of the recommendations and lessons learnt.

During the year the Committee took on the role of responding to the Anglian and Humber Flood Risk Management Plans published by the Environment Agency. The Committee established a time-limited Working Group to develop the full and detailed responses to the consultations, which were supported by our partners and subsequently submitted to the Environment Agency.

As part of the County Council's duties as a Lead Local Flood Authority, the Committee will continue to monitor the investigations carried out following flooding incidents, as required by the Flood and Water Management Act 2010.

As his term of office as the Chairman of the Anglian Northern Regional Flood and Coastal Committee comes to an end, the Committee would like to record their thanks to Robert Caudwell for his invaluable advice and support to the Committee since its inception. The Committee welcomes his successor and hopes to continue this positive working relationship over the coming years.

## Health Scrutiny Committee for Lincolnshire



### Chairman

**Councillor Mrs Christine Talbot**



### Vice-Chairman

**Councillor Chris Brewis**

A key role for the Health Scrutiny Committee is responding to formal consultations by NHS commissioners on service changes. One consultation in the last year was NHS England's proposals for Congenital Heart Disease standards which will impact on Glenfield Hospital in Leicester. As part of its response, the Committee made ten recommendations to NHS England and a decision on the standards is expected in the near future.

United Lincolnshire Hospitals NHS Trust was placed in 'Special Measures' in July 2014, following an Inspection of its Hospitals. To seek reassurance the Committee continued to receive reports from the Chief Executive of the Trust during the year on its plans for improvement. In March 2015, the Trust's improvements were recognised and the NHS Trust Development Authority allowed the Trust to come out of 'Special Measures'. The Committee will continue to receive regular updates from the Trust, as further plans for improvement are developed.

During the last year, the Committee has regularly monitored the response time performance of the East Midlands Ambulance Service NHS Trust, with the Chief Executive attending the Committee regularly. The Committee has acknowledged improvements, but ambulance response times in the east and south of the County remain a concern and the Committee will continue to monitor these in the coming year.

In May 2014 patients at Burton Road GP Surgery in Lincoln were told that the surgery would close on 30 September 2014. The Committee, together with representatives of the patients at the surgery, challenged this decision by NHS England. Senior managers from NHS England were required to attend the Committee on three occasions and account for their decision making. NHS England changed its mind and there was a procurement exercise, which led to the announcement in March 2015 of the surgery remaining open for a minimum of five years. This represents a major success for the Committee in protecting services for patients.

During the last year, the Committee has received training from the East Midlands Ambulance Service NHS Trust, on its operational arrangements; and from the Care Quality Commission on their new inspection arrangements in relation to GP practices and hospitals.

Every year each local provider of NHS-funded services is required to share with the Committee its draft 'Quality Account', which includes the provider's priorities for the coming year. The Committee may make a statement on each Quality Account, which must be included in the published Quality Account. During 2014 the Committee, working jointly with Healthwatch Lincolnshire, made eight statements on a range of providers, and work is in hand on the arrangements for 2015, where joint arrangements are continuing.

In the coming year the Committee is expecting to respond to local NHS commissioners on their proposals for a major reconfiguration of Health Services in Lincolnshire, as part of the Lincolnshire Health and Care programme. The Committee will also be looking in more detail at how local commissioners and providers meet the priorities in the Joint Health and Wellbeing Strategy.

## Highways and Transport Scrutiny Committee



Chairman

**Councillor Michael Brookes**



Vice-Chairman

**Councillor Andrew Hagues**

In June 2014, the Committee's **Speed Management in Lincolnshire** Task and Finish Group presented its final report and recommendations. The members of the Task and Finish Group were Councillors Michael Brookes (Chairman), Mark Allan, Bill Aron, Andrew Hagues, Tiggs Keywood-Wainwright, Bob McAuley, Mrs Marianne Overton MBE, Robin Renshaw and Tony Turner MBE, JP. This review looked in-depth at the Council's current speed management policies in light of revised guidance from the Department for Transport.

A key feature of the review was the high level of public engagement, which included over 500 responses to the Review Group's survey and four focus groups involving local community representatives. The Committee agreed nine recommendations which were subsequently all approved by the Executive. These recommendations will now help to shape a revised Speed Limit Policy along with a policy to address issues around schools, particularly parking.

Over the past year, the Committee has been particularly interested in monitoring the delivery of a number of key infrastructure schemes which will have a significant impact on the people who live and work in Lincolnshire. These include the Lincoln Eastern Bypass, the Lincoln East West Link Road, Canwick Road Improvements, Grantham Southern Relief Road and the building of footbridges over the High Street Level Crossing and the Brayford Wharf Level Crossing in Lincoln. The Committee will continue to monitor the delivery of these high profile schemes over the coming year to ensure they are completed within time and budget and cause as little disruption as possible.

During the past year, the Committee has undertaken pre-decision scrutiny on both the Sleaford and Spalding Transport Strategies. These are two key documents, developed in partnership with North Kesteven and South Holland District Councils, which provide an approach to the improvement and provision of transport and access for the two towns and surrounding areas. The Committee supported both documents and made a number of recommendations, including support for the reinstatement of the footbridge over the Winsover Road crossing in Spalding, which have now been incorporated into the final versions.

The Committee has continued to take a key interest in the development of Civil Parking Enforcement (CPE) following the introduction of CPE in the County in 2012. This enforcement has seen an improvement to the parking problems seen around the County, especially in Lincoln, and the Committee will continue to review how the surplus from enforcement penalties is used to further improve parking in the County. The Committee was pleased to note that the County Council's Parking Services and APCOA had been shortlisted for a British Parking Association award.

As the Council moves to a commissioning approach, the Committee will continue to monitor the long standing Lincolnshire Highways Alliance. The Alliance, a partnership between the County Council, Imtech, Mouchel and Kier delivers the majority of highway services through a number of contracts. The Committee will also examine the outcomes from a Highways Maintenance Efficiency Plan Peer Review which took place during March 2015.

## Value for Money Scrutiny Committee



### Chairman

**Councillor Mrs Angela  
Newton**



### Vice-Chairman

**Councillor Mrs Jackie  
Brockway**

The Committee continues to have quarterly and annual oversight of the Council's performance, budget management and customer satisfaction data. Scrutiny of this information is a key task for the Committee as it provides a full view of the Council's business and allows councillors to understand performance from different perspectives. Over the last year the Committee has had the opportunity to flag up concerns it has in relation to the Council's performance directly to the Council's Executive.

The Committee also receives quarterly and annual updates on the Council's Treasury Management performance. Scrutiny by councillors of the Council's Treasury Management performance is a statutory requirement and the Committee monitors those organisations the Council's lends money to and the Council's borrowing policy. Over the last year the Committee has sought and received assurance over the Council's choice of lending counterparts and the percentage return on investments made.

A key activity during the year has been scrutiny of significant new contract awards for support and property services. These 'Back office' services including information technology, people management and finance have been delivered externally for several years and a re-tendering was required under contract rules. The delivery of the Council's Customer Service Centre activity was also brought into the tendering process. The Committee has monitored the process throughout and as the new contract comes into effect members will be monitoring the transition period and the external delivery of existing and new responsibilities closely to ensure quality of service and value for money are maintained. Delivery of property services has also been re-tendered and again the Committee will have a role to monitor the new service provided.

In June 2014 the Committee adopted paperless working at meetings and has continued to follow meetings using electronic devices since then. The Committee has particularly benefitted from the use of the Modern.Gov 'app' which allows committee papers to be annotated electronically. Feedback from councillors on the Committee has been generally positive and it is hoped that other committees may wish to work in this way in the future.

## Sub Committees

### Corporate Parenting Panel



**Chairman**

**Councillor David Brailsford**



**Vice-Chairman**

**Councillor John Hough**

The Corporate Parenting Panel is an internal meeting which meets on a quarterly basis and reports into the Children and Young People Scrutiny Committee. Its role is to scrutinise and monitor services provided for Looked After Children and Care Leavers. This includes receiving regular reports on fostering, adoption, residential homes, health, education, and the leaving care service provided by Barnardo's. The Panel also considers quarterly updates regarding the work of the V4C (Voices for Choices), which is Lincolnshire's Children in Care Council, from the V4C representative on the Panel.

Over the last year the Corporate Parenting Panel has received verbal reports from a number of the visiting members about the quarterly visits undertaken to their residential home. The Care Quality Commission inspection of health services for Looked After Children and Safeguarding in Lincolnshire has caused great concern to the Panel as the review highlighted a number of issues around the quality of health assessments for Looked After Children, a lack of capacity within safeguarding across the NHS in Lincolnshire and the availability of Blue Books which contained the health record of a Looked After Child. The Panel was pleased to hear at the March 2015 meeting that additional financial and human resources had been allocated for safeguarding by the Lincolnshire Clinical Commissioning Groups, and that the Blue Books had been relaunched and were now being distributed as part of the social worker pack.

The low educational attainment of Looked After Children has also been an area of concern for the Panel this year which will be closely monitored in future. The Panel anticipates that the educational attainment of Looked After Children will significantly improve in future following the appointment of a new Virtual Head of Looked After Children.

The Corporate Parenting Panel has also helped to compose the new Corporate Parenting Strategy which was approved by the County Council at its meeting in December 2014. Following the Strategy's approval, all the Council's scrutiny committees will be invited to appoint a Looked After Children / Care Leavers Representative at the June 2015 meetings to make sure that the Committee actively considers the potential or likely impact upon Looked After Children and Care Leavers of any policy, strategy, action or decision making carried out by the Committee.

At the March 2015 meeting, the Panel considered the Ofsted Inspection report of services for children in need of help and protection, children looked after and care leavers and the action plan in response to the recommendations contained in the Ofsted report. The Panel was pleased to see that the adoption service received an "outstanding" rating. In addition, the Ofsted report highlighted that

*"The local authority is an active and aspirational corporate parent. There are well-established links between the Corporate Parenting Panel and the scrutiny committee for children's services, with the chair of the Corporate Parenting Panel reporting to alternate committee meetings. The panel chair and members seek to actively hear the voices of children and young people through attendance at a variety of forums and events."*

Members of the Corporate Parenting Panel have attended previous BIG Conversation events and have been invited to attend the BIG Conversation 7 event in May 2015 to work with looked after children and care leavers to reach a shared agreement on three new priorities for action together in 2015. The FAB! Awards in March 2015, which celebrate the achievements of Looked After Children and care leavers, were attended by the Chairman of the Corporate Parenting Panel and all members of the Panel will be invited to next year's FAB! Awards.

Going forward, the Corporate Parenting Panel will continue to closely monitor the work being undertaken to raise the educational achievements of Looked After Children and also the implementation of the engagement plan in the Corporate Parenting Strategy.

## Lincolnshire Safeguarding Boards Scrutiny Sub Group



### Chairman

**Councillor Ron Oxby**



### Vice-Chairman

**Councillor Mrs Helen Powell (until January 2015)**

The Lincolnshire Safeguarding Boards Scrutiny Sub Group is an internal meeting which meets on a quarterly basis. Its role is to scrutinise and monitor the Lincolnshire Safeguarding Children Board (LSCB) and the Lincolnshire Safeguarding Adults Board (LSAB). The Sub Group reports to the Adult Scrutiny Committee on adult safeguarding matters and to the Children and Young People Scrutiny Committee on safeguarding children matters.

In relation to the LSCB, over the last year the Sub Group has considered reports on the outcomes from Serious Case Reviews and a number of audits undertaken of child protection plans, Section 11, and the Pre Birth Protocol. The Sub Group has also received quarterly updates on the current situation regarding Child Sexual Exploitation (CSE) in Lincolnshire and visited the new SAFE Hub based at Grantham Police Station in January. This Hub brings together the Police, Children's Services, Health and Youth Offending Team to co-ordinate work and share information on

CSE. The Sub Group also considered the outcomes from the Ofsted inspection of the LSCB at its January meeting, which highlighted that

*"There are well-established scrutiny arrangements which enable elected members to provide challenge to both the Children's and the Adults Safeguarding Boards."*

In relation to the LSAB, the Sub Group has considered a number of reports over the last year including the Mental Capacity Act and Deprivation of Liberty Safeguards, Human Trafficking, the Care Act, Making Safeguarding Personal which is a new sector led initiative to develop an outcomes focus to safeguarding work, and Safeguarding Adults Reviews.

Over the coming year, the Sub Group will continue to monitor CSE and will also be receiving the Children Board's new neglect strategy and the outcomes from a number of Serious Case Reviews and Safeguarding Adults Reviews.

## **Training and Development**

A series of development opportunities for scrutiny councillors have been provided over the last year.

### **Peer Mentoring for Scrutiny Committee Chairmen**

The Council's Councillor Development Group has recognised the importance of the role of chairing a meeting and there is an on-going programme of peer mentoring for scrutiny committee chairmen. This process allows a chairman to receive advice and support from an experienced councillor from another part of the country. There are currently three scrutiny committee chairmen participating in this on-going programme.

### **Understanding Financial Information**

One of the most complex areas of scrutiny work is around understanding detailed financial information. Development sessions were run in the autumn of 2014 and were delivered by an external facilitator with over 20 years' experience of local government finance. The sessions explored the development and management of a budget and considered the types of questions that councillors could ask to satisfy themselves that budgets are being properly managed. The sessions were well attended and feedback showed that levels of understanding rose considerably as a result.

### **Successful Meetings**

In February of this year development sessions were offered entitled 'Successful Meetings'. The sessions were run by an experienced external facilitator and covered a variety of areas to assist councillors to further improve their contribution to meetings. The session also considered the recently introduced right to film public meetings and use social media. These sessions were well attended and feedback was again very positive with the majority of councillors stating that their understanding had increased considerably as a result of attending.

### **Looking Ahead**

The Council and the Councillor Development Group continue to recognise the importance of developing its councillors and this will include scrutiny development. It is intended to continue with the peer mentoring programme for chairmen subject to continuing positive feedback from those who have participated. The Audit Committee has benefitted from development led by the Council's Head of Audit around constructive challenge and it is planned for this development opportunity to be offered to scrutiny councillors over the coming months.

## Contact Us

If you want to know more about our plans or about the work we have done then please contact the Scrutiny Team using the details below.

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Or write to us at The Scrutiny Team, Lincolnshire County Council, Room 15, County Offices, Lincoln, LN1 1YL

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**Open Report on behalf of Richard Wills, Executive Director responsible for Democratic Services**

Report to:	<b>County Council</b>
Date:	<b>15 May 2015</b>
Subject:	<b>Calendar of Meetings 2015/16</b>

**Summary:**

This report proposes a calendar of meeting dates, shown in Appendix A, for the year 2015/16.

**Recommendation(s):**

That the calendar of meeting dates 2015/16, as shown in Appendix A, be approved.

## **1. Background**

The Council's Constitution requires that the Council sets the meeting dates for each Council year.

Attached is a schedule of proposed dates for 2015/16. The 2015 dates are based on those agreed by the Council in May 2014, as later amended, and the 2016 dates are based on the 2015 schedule.

Following consultation with respective Chairmen some changes to meeting dates for the latter part of 2015 are proposed, these are as follows:-

- The Flood and Drainage Management Committee scheduled for 17 September 2015, now to be held on Friday 4 September 2015 at 10.00am, and the Environmental Scrutiny Committee scheduled for 10.00am on 4 September is now to be held at 1.30pm on that day;
- The Economic Scrutiny Committee scheduled for Tuesday 27 October 2015 at 10.00am is now to be held on Tuesday 20 October 2015 at 10.00am; and
- The Overview and Scrutiny Management Committee meeting scheduled for Thursday 17 December 2015 at 10.00am is now to be held on Monday 21 December 2015 at 10.00am.

The above mentioned date changes have been included within Appendix A to this report.

## 2. Conclusion:

The Council's Constitution states that the Annual General Meeting of the Council will approve the Calendar of Meeting. Councillors are asked therefore asked to consider the Calendar of Meeting for 2015/16 as detailed in Appendix A.

## 3. Legal Comments:

The Council's Constitution provides for Annual Council to approve a programme of ordinary meetings of the Council for the year.

## 4. Resource Comments:

There are no specific financial implications arising from the recommendations of this report.

## 5. Consultation

### a) Has Local Member Been Consulted?

n/a

### b) Has Executive Councillor Been Consulted?

Yes

### c) Scrutiny Comments

n/a

### d) Policy Proofing Actions Required

n/a

## 6. Appendices

These are listed below and attached at the back of the report

Appendix A	Calendar of Meetings 2015/16
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## 6. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Katrina Cope, who can be contacted on 01522 552104 or [katrina.cope@lincolnshire.gov.uk](mailto:katrina.cope@lincolnshire.gov.uk).

	MAY 2015	JUNE 2015	JULY 2015	AUGUST 2015	SEPTEMBER 2015	OCTOBER 2015	NOVEMBER 2015	DECEMBER 2015
Sat/Sun							1	
Mon		1 Highways & Transport Scrutiny 10:00am		3			2 Planning & Regulation 10:30am	
Tue		2 Executive 10:30am		4	1 Executive 10:30am		3 Executive 10:30am	1 Executive 10:30am
Wed		3 Community & Public Safety Scrutiny 10:00am	1	5	2 Community & Public Safety Scrutiny 10:00am		4	2
Thu		4	2	6	3	1	5	3
Fri	1	5 Children & Young People Scrutiny 10:00am	3	7	4 Flood & Drainage Management 10:00am Environmental Scrutiny 1:30pm	2	6	4 Environmental Scrutiny 10:00am
Sat/Sun	2 & 3	6 & 7	4 & 5	8 & 9	5 & 6	3 & 4	7 & 8	5 & 6
Mon	4	8 Planning & Regulation 10:30am	6 Planning & Regulation 10:30am	10	7 Planning & Regulation 10:30am	5 Planning & Regulation 10:30am	9	7 Planning & Regulation 10:30am
Tue	5 Executive 10:30am	9 Economic Scrutiny 10:00am Health & Wellbeing Board 2:00pm	7 Executive 10:30am	11	8 Economic Scrutiny 10:00am	6 Executive 10:30am	10	8 Economic Scrutiny 10:00am Health & Wellbeing Board 2:00pm
Wed	6	10	8 Adults Scrutiny 10:30am	12	9 Adults Scrutiny 10:00am	7	11	9 Adults Scrutiny 10:00am
Thu	7	11	9	13	10	8 Pensions 10:00am	12	10 Pensions 10:00am
Fri	8	12 Environmental Scrutiny 10:00am	10	14	11 Children & Young People Scrutiny 10:00am	9	13	11 Flood & Drainage Management 10:00am
Sat/Sun	9 & 10	13 & 14	11 & 12	15 & 16	12 & 13	10 & 11	14 & 15	12 & 13
Mon	11 Planning and Regulation 10:00am	15	13 Highways & Transport Scrutiny 10:00am	17	14 Highways & Transport Scrutiny 10:00am	12	16	14 Highways & Transport Scrutiny 10:00am
Tue	12	16	14	18	15	13	17	15 Executive (Budget) 10:30am
Wed	13	17 Health Scrutiny 10:00am	15 Community & Public Safety Scrutiny 10:00am	19	16 Health Scrutiny 10:00am	14 Community & Public Safety Scrutiny 10:00am	18 Health Scrutiny 10:00am	16 Health Scrutiny 10:00am
Thu	14	18 Overview & Scrutiny Management 10:00am	16 Pensions 10:00am	20	17	15	19	17
Fri	15 County Council (AGM) 10:30am	19	17	21	18 County Council 10:30 am	16 Children & Young People Scrutiny 10:00am	20	18 County Council 10:30am
Sat/Sun	16 & 17	20 & 21	18 & 19	22 & 23	19 & 20	17 & 18	21 & 22	19 & 20
Mon	18	22 Audit 10:00am	20 Audit 10:00am	24	21 Audit 10:00am	19	23 Audit 10:00am	21 Overview & Scrutiny Management 10:00am
Tue	19	23 Value for Money Scrutiny 10:00am	21 Economic Scrutiny 10:00am	25	22 Value for Money Scrutiny 10:00am	20 Economic Scrutiny 10:00am	24 Value for Money Scrutiny 10:00am	22
Wed	20 Health Scrutiny 10:00am	24	22 Health Scrutiny 10:00am	26	23	21 Health Scrutiny 10:00am	25 Community and Public Safety 10:00am	23
Thu	21	25	23	27	24 Overview & Scrutiny Management 10:00am	22	26 Overview & Scrutiny Management 10:00am	24
Fri	22	26	24 Children & Young People Scrutiny 10:00am	28	25	23 Environmental Scrutiny 10:00am	27 Children & Young People Scrutiny 10:00am	25
Sat/Sun	23 & 24	27 & 28	25 & 26	29 & 30	26 & 27	24 & 25	28 & 29	26 & 27
Mon	25	29	27 Planning & Regulation 10:30am	31	28	26 Highways & Transport Scrutiny 10:00am	30	28
Tue	26	30	28 Value for Money Scrutiny 10:00am		29 Health & Wellbeing Board 2:00pm	27		29
Wed	27 Adults Scrutiny 10:00am		29		30	28 Adults Scrutiny 10:00am		30
Thu	28 Pensions 10:00am Overview & Scrutiny Management 10:00am		30 Overview & Scrutiny Management 10:00am			29 Overview & Scrutiny Management 10:00am		31
Fri	29 Flood & Drainage Management 10:00am		31 Environmental Scrutiny 10:00am			30		
Sat/Sun	30 & 31		1 & 2			31		

	JANUARY 2016	FEBRUARY 2016	MARCH 2016	APRIL 2016	MAY 2016	JUNE 2016	JULY 2016	AUG 2016	SEPTEMBER 2016	OCTOBER 2016	NOVEMBER 2016	DECEMBER 2016
Sat/Sun					1					1 & 2		
Mon		1			2			1		3 Planning & Regulation 10:30am		
Tue		2 Executive 10:30am Pay Policy Sub (tba)	1 Executive 10:30am		3			2		4 Executive 10:30am	1 Executive 10:30am	
Wed		3	2		4 Executive 10:30am	1 Community & Public Safety Scrutiny 10:00am		3		5	2 Community & Public Safety Scrutiny 10:00am	
Thu		4	3		5	2 Pensions 10:00pm		4	1	6 Pensions 10:00am	3	1
Fri	1	5	4 Children & Young People Scrutiny 10:00am	1	6	3	1	5	2 Environmental Scrutiny 10:00am	7	4	2 Environmental Scrutiny 10:00am
Sat/Sun	2 & 3	6 & 7	5 & 6	2 & 3	7 & 8	4 & 5	2 & 3	6 & 7	3 & 4	8 & 9	5 & 6	3 & 4
Mon	4	8	7 Highways & Transport Scrutiny 10:00am	4	9 Planning & Regulation 10:30am	6 Planning & Regulation 10:30am	4 Planning & Regulation 10:30am	8	5 Planning & Regulation 10:30am	10	7 Planning & Regulation 10:30am	5 Planning & Regulation 10:30am
Tue	5 Executive 10:30am	9	8	5 Executive 10:30am	10	7 Executive 10:30am Health & Wellbeing Board 2:00pm	5 Executive 10:30am	9	6 Executive 10:30am	11	8	6 Executive 10:30am Health & Wellbeing Board 2:00pm
Wed	6	10	9 Community & Public Safety Scrutiny 10:00am	6 Adults Scrutiny 10:00am	11	8	6	10	7 Adults Scrutiny 10:00am	12	9	7
Thu	7 Pensions 10:00am	11	10	7 Pensions 10:00am	12	9	7	11	8	13	10	8 Pensions 10:00am
Fri	8	12	11 Environmental Scrutiny 10:00am	8	13 Flood & Drainage Management Scrutiny 10:00am	10 Environmental Scrutiny 10:00am	8	12	9 Children & Young People Scrutiny 10:00am	14 Environmental Scrutiny 10:00am	11	9 Flood & Drainage Management Scrutiny 10:00am
Sat/Sun	9 & 10	13 & 14	12 & 13	9 & 10	14 & 15	11 & 12	9 & 10	13 & 14	10 & 11	15 & 16	12 & 13	10 & 11
Mon	11 Planning & Regulation 10:30am	15 Planning & Regulation 10:30am	14 Planning & Regulation 10:30am	11 Planning & Regulation 10:30am	16	13 Highways & Transport Scrutiny 10:00am	11 Highways & Transport Scrutiny 10:00am	15	12 Highways & Transport Scrutiny 10:00am	17	14	12
Tue	12 Economic Scrutiny 10:00am	16	15	12 Economic Scrutiny 10:00am	17	14	12 Economic Scrutiny 10:00am	16	13 Economic Scrutiny 10:00am	18 Economic Scrutiny 10:00am	15	13
Wed	13 Community & Public Safety Scrutiny 10:00am	17 Health Scrutiny 10:00am	16 Health Scrutiny 10:00am	13 Community & Public Safety Scrutiny 10:00am	18 Health Scrutiny 10:00am	15 Health Scrutiny 10:00am	13 Community & Public Safety Scrutiny 10:00am	17	14 Community & Public Safety Scrutiny 10:00am	19 Adults Scrutiny 10:00am	16	14
Thu	14	18	17	14	19	16	14 Pensions 10:00am	18	15	20	17	15
Fri	15 Children & Young People Scrutiny 10:00am	19 County Council 10:00am	18	15 Children & Young People Scrutiny 10:00am	20 County Council (AGM) 10:30am	17	15 Children & Young People Scrutiny 10:00am	19	16 County Council 10:30am	21 Children & Young People Scrutiny 10:00am	18	16 County Council 10:30am
Sat/Sun	16 & 17	20 & 21	19 & 20	16 & 17	21 & 22	18 & 19	16 & 17	20 & 21	17 & 18	22 & 23	19 & 20	17 & 18
Mon	18 Highways & Transport Scrutiny 10:00am	22 Value for Money Scrutiny 10:00am	21 Audit 10:00am	18 Highways & Transport Scrutiny 10:00am	23	20 Audit 10:00am	18 Audit 10:00am	22	19 Audit 10:00am	24 Highways & Transport Scrutiny 10:00am	21 Audit 10:00am	19
Tue	19	23 Economic Scrutiny 10:00am	22 Health & Wellbeing Board 2:00pm	19	24 Economic Scrutiny 10:00am	21 Value for Money Scrutiny 10:00am	19	23	20	25	22 Value for Money Scrutiny 10:00am	20 Executive (Budget) 10:30am
Wed	20 Health Scrutiny 10:00am	24 Adults Scrutiny 10:00am	23	20 Health Scrutiny 10:00am	25 Adults Scrutiny 10:00am	22	20 Health Scrutiny 10:00am	24	21 Health Scrutiny 10:00am	26 Health Scrutiny 10:00am	23 Health Scrutiny 10:00am	21 Health Scrutiny 10:00am
Thu	21	25 Overview & Scrutiny Management 10:00am	24 Overview & Scrutiny Management 10:00am	21	26 Overview & Scrutiny Management 10:00am	23	21	25	22 Flood & Drainage Management Scrutiny 10:00am	27 Overview and Scrutiny Management 10:00am	24 Overview & Scrutiny Management 10:00am	22 Overview & Scrutiny Management 10:00am
Fri	22	26 Flood & Drainage Management Scrutiny 10:00am	25	22	27 Children & Young People Scrutiny 10:00am	24	22	26	23	28	25 Children & Young People Scrutiny 10:00am	23
Sat/Sun	23 & 24	27 & 28	26 & 27	23 & 24	28 & 29	25 & 26	23 & 24	27 & 28	24 & 25	29 & 30	26 & 27	24 & 25
Mon	25 Audit 10:00am	29	28	25	30	27	25 Planning & Regulation 10:30am	29	26	31	28 Highways & Transport Scrutiny 10:00am	26
Tue	26 Value for Money Scrutiny 10:00am		29	26 Value for Money Scrutiny 10:00am	31	28	26 Value for Money Scrutiny 10:00am	30	27 Value for Money Scrutiny 10:00am Health & Wellbeing Board 2:00pm		29 Economic Scrutiny 10:00am	27
Wed	27 Adults Scrutiny 10:00am		30	27		29 Adults Scrutiny 10:00am	27	31	28		30 Adults Scrutiny 10:00am	28
Thu	28 Overview & Scrutiny Management 10:00am		31	28 Overview & Scrutiny Management 10:00am		30 Overview & Scrutiny Management 10:00am	28 Overview & Scrutiny Management 10:00am		29 Overview & Scrutiny Management 10:00am			29
Fri	29 Environmental Scrutiny 10:00am			29 Environmental Scrutiny 10:00am			29 Environmental Scrutiny 10:00am		30			30
Sat/Sun	30 & 31			30			30 & 31			31		31

**Open Report on behalf of Richard Wills, Executive Director with responsibility for Democratic Services**

Report to:	<b>County Council</b>
Date:	<b>15 May 2015</b>
Subject:	<b>Appointment to Outside Bodies</b>

**Summary:**

This report requests that the Council review its appointments to outside bodies as detailed at Appendix A.

**Recommendation(s):**

That the Council approves the appointments as circulated at the meeting.

## **1. Background**

The Council's Constitution provides the Council with responsibility for appointing representatives of the Council to outside bodies unless the appointment is an Executive function under Part 3 of the Constitution, or has been delegated by the Council.

Under Part 3 of the Constitution the Executive has responsibility to make appointments to all outside bodies except joint committees of one or more local authorities or politically balanced bodies. The bulk of the outside body appointments will therefore be made by the Executive. However, under the Council's Constitution it falls to the Council to make appointments to joint committees and to those bodies, the membership of which is politically balanced.

Council Procedure Rules advise that the Council shall make appointments to outside bodies at the Annual General meeting.

A list of organisations to which the full Council must make appointments is attached at Appendix A, showing the number of appointments that the Council is entitled to make to each.

The Council is requested to make appointments as required. A populated copy of Appendix A will be circulated at the meeting.

## 2. Conclusion

The appointments to outside bodies will assist Councillors participating strategically and in the wider community. It will also provide Councillors with additional knowledge and expertise which can be shared with fellow Councillors.

### 3. Legal Comments:

The making of appointments to the bodies set out in Appendix A is within the remit of the Council.

### 4. Resource Comments:

There are no direct financial implications arising from the adoption of the recommendations in this report.

## 5. Consultation

### a) Has Local Member Been Consulted?

n/a

### b) Has Executive Councillor Been Consulted?

Yes

### c) Scrutiny Comments

n/a

### d) Policy Proofing Actions Required

n/a

## 6. Appendices

These are listed below and attached at the back of the report

Appendix A	Outside Bodies Statutory and Other
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## 7. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Katrina Cope, who can be contacted on 01522 552104 or [katrina.cope@lincolnshire.gov.uk](mailto:katrina.cope@lincolnshire.gov.uk).

**STATUTORY ORGANISATIONS**

<b><u>NAME OF BODY</u></b>	<b><u>NUMBER OF APPOINTMENTS</u></b>
Anglian (Northern) Regional Flood and Coastal Committee	3 + 1 jointly with North Lincolnshire Council <i>(each for a 1 year period Lincolnshire County Council to make the joint appointment for 2015 - 2016)</i>
Eastern Inshore Fisheries & Conservation Authority <i>(politically balanced)</i>	2
Lincolnshire Police and Crime Panel <i>(politically balanced)</i>	3
Lincolnshire Standing Advisory Council for Religious Education (SACRE)	3
Secure Accommodation Review Panel	2 (+ 2 substitutes)

## OTHER ORGANISATIONS

<u>NAME OF BODY</u>	<u>NUMBER OF APPOINTMENTS</u>
Central Lincolnshire Joint Strategic Planning Committee <i>(politically balanced)</i>	3 (+1 substitute)
Eastern Shires Purchasing Organisation - Management Committee (ESPO) <i>(politically balanced)</i>	2
Eastern Shires Purchasing Organisation - (ESPO) Finance and Audit Sub-Committee	1 <i>(appointment to be made from the members of the ESPO Management Committee)</i>
Gibraltar Point Joint Advisory Committee <i>(politically balanced)</i>	4
Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB) Member Joint Advisory Committee <i>(politically balanced)</i>	2
Snipe Dales Joint Advisory Committee <i>(politically balanced)</i>	4
South East Lincolnshire Joint Strategic Planning Committee <i>(politically balanced)</i>	3 (+3 substitutes)

**Open Report on behalf of the Richard Wills, Executive Director responsible for Democratic Services**

Report to:	<b>County Council</b>
Date:	<b>15 May 2015</b>
Subject:	<b>Amendments to the Council's Constitution arising from Legislative Changes</b>

**Summary:**

The purpose of this report is to ask the Council to approve the changes as detailed at Appendices A, B, C and D to this Report

**Recommendation(s):**

That the Council

1. approves the amendments to the Council's Constitution detailed at Appendices A, B, C and D to this Report;
2. approves the appointment of one or more additional independent persons under section 28(7) of the Localism Act 2011; and
3. delegates to the Monitoring Officer authority to carry out the necessary recruitment process for such independent persons and report the outcome for decision to a future meeting of the Council.

## **1. Background**

In accordance with the Council's Constitution, the Monitoring Officer shall review the Constitution annually with a view to recommending any such amendments to the Annual Meeting of the Council.

Since June 2013, the Council has received and approved reports from the work carried out by the Constitution Review Group and the Overview and Scrutiny Management Committee.

The Constitution has since been reviewed from the point of view of changes in legislation and the amendments contained in Appendices A, B, C, and D for Council's consideration are considered necessary to ensure compliance with the following Regulations:

- The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015;
- The LGPS (Transitional Provisions, Savings and Amendments) Regulations 2014; and
- The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014.

**Amendments as a result of The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015;**

These Regulations amend the process which Councils must follow in relation to the dismissal of statutory officers – i.e. the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer also known as the section 151 Officer.

Prior to these Regulations, which come into force on 11 May 2015, the Council, in pursuing any disciplinary action against such officers was required to appoint a designated independent person to investigate (DIP) and could only act in accordance with the recommendation of the DIP.

The changes made by the new Regulations can briefly be described as follows.

- The dismissal of the Head of Paid Service, the Monitoring Officer or the Chief Finance Officer must be approved by the full Council before any notice of dismissal is given. Previously this only applied to the Head of Paid Service
- There is no longer a requirement to appoint a DIP or act on its recommendations
- The Council must now establish a Panel of at least two independent persons and convene that Panel at least 20 working days prior to the meeting at which any proposal to dismiss is to be considered and
- The Council must, in reaching a decision on a proposal to dismiss, consider the views of the Panel alongside the results of any investigation and the representations of the officer concerned.

The Panel is to be an advisory committee of the Council and must be drawn in a certain priority order from the independent persons appointed by the Council (and in certain circumstances from outside the Council) to advise in relation to the standards regime for members. This has implications for the number of such independent persons retained at present by the Council which is returned to later in this Report.

In order for the new Regulations to be introduced the following parts of the Constitution have been amended:

Part 2

Paragraph 4.02 – Functions of the Full Council - has been amended to reflect the Standing Order Regulations.

Paragraph 7.04 – The Terms of Reference for the Appointments Committee has been duly amended to remove references to the DIP and to replace it with responsibility for overseeing the new Panel. The Committee would therefore have delegated authority to exercise the functions of the Council in relation to such a dismissal up to the point at which full Council would consider whether to approve it.

The new Regulations are now silent on the question of how the Council must exercise its functions in relation to disciplinary action against the Head of Paid Service, Monitoring Officer or Chief Finance Officer which falls short of dismissal. This was previously within the remit of the Appointments Committee through their oversight of the DIP process and the amendments at paragraph 7.04 would leave the Appointments Committee with delegated authority to exercise those functions without the need to refer to full Council for approval.

Paragraph 7.08 – The inclusion of the new Panel in the Regulatory and Other Committees, as the Regulations require it to be an advisory committee established under section 102(4) of the 1972 Act. The amendments to the Constitution provide for this Panel to be constituted as and when required as appears to be envisaged by the Regulations.

All the above changes are shown within Appendix A to the report.

### Part 3

Table 1 – Matters which it is the Responsibility of the Full Council to Discharge – A slight amendment has been made to reflect the redrafting of the Standing Orders and make the paragraph consistent with Article 4.02 of Part 2 referred to above.

These changes are shown in Appendix B to the Report

### Part 4

The Regulations operate by requiring the Council to adopt Standing Orders that meet the requirements of the Regulations. The relevant Standing Orders of the Council are contained in the Officer Employment Procedure Rules in Part 4.

These have therefore been amended as follows – Paragraph 1 – Definition, Paragraph 2 – Employment and Dismissal of Senior Officer; and Paragraph 4 – Disciplinary Action – Head of paid Service, Chief Finance Officer and Monitoring Officer. These changes directly reflect the drafting in the Regulations.

The Changes are shown within Appendix C to the report.

## **Amendments as a result of The LGPS (Transitional Provisions, Savings and Amendments) Regulations 2014**

### Part 6

Page 6/4 – Pensions for Councillors paragraph has been amended to reflect the 2014 Regulations which removed the right of Councillors to be members of the

Local Government Pension Scheme with effect from 1 April 2014 except for Councillors who were members of the Scheme prior to 31 March 2014 who are able to remain members of the Scheme until the end of their term of office.

This amendment is required to bring Part 6 of the Constitution into line with the law.

This amendment is shown at Appendix D to the report.

### **Amendments as a result of The Local Authorities Standing Orders) (England) (Amendment) Regulations 2014**

#### Part 4

These Regulations introduced a requirement essentially for a recorded vote to be taken where the vote is taken on any decision related to the setting of Council tax. The Council is required by Regulations to amend its internal procedures to provide for this to happen. The wording reflects the wording of the Regulations.

This amendment is at paragraph 15(g) of the Council Procedure Rules and is shown in Appendix C to this Report.

#### **Establishing the Statutory Officers' Employment Advisory Panel.**

As referred to above the Statutory Officers' Employment Advisory Panel is required to be made up of independent persons appointed under section 28(7) of the Localism Act 2011 to advise on standards matters under the Members' Code of Conduct.

The Panel as convened must consist of at least two such independent persons and must be established in the following priority order

- an independent person who has been appointed by the Council and who is a Local Government Elector;
- any other independent person who has been appointed by the Council;
- an independent person who has been appointed by another local authority or authorities.

The Council currently has one such independent person. While it would in principle be possible to establish a Panel from that person and an independent person appointed by another authority the fact that the Council only has one such independent person presents two difficulties. Firstly, the priority in the Regulations is for independent persons appointed by the Council and as things stand the Council cannot appoint a Panel from such independent persons. Secondly, the reliance on other authorities introduces a lack of resilience in the arrangements.

Approval is therefore sought for the Council to initiate the process for appointing one or more additional independent persons under the Localism Act.

The Act requires the independent person to be appointed by a majority of the Council so the final decision will rest with full Council. Delegation is, however, sought to the Monitoring Officer to carry out the appointments process up to the point of approval by full Council.

Consideration has been given to issues of conflict of interest given the role of the independent person in the dismissal process for statutory officers including the Monitoring Officer. However, the appointment of one or more additional independent persons will be under the statutory provisions governing the standards regime for which the Monitoring Officer has particular responsibility. In addition the independent persons will be working with the Monitoring Officer on standards issues. The law has created the potential for conflict by giving the independent person a dual role but it is considered that this is sufficiently managed by the full Council having final approval.

## **2. Conclusion**

Amendments to the Council's Constitution are the responsibility of Full Council. Councillors are therefore asked to consider the recommended amendments appended to the report.

### **3. Legal Comments:**

The changes to the Constitution are required to bring the Constitution into line with changes in the law. The issues are rehearsed within the Report.

Changes to the Council's Constitution is a matter reserved for the full Council.

### **4. Resource Comments:**

There should be no additional costs arising from the proposed changes and the new processes can be met from existing budgets.

## **5. Consultation**

### **a) Has Local Member Been Consulted?**

n/a

### **b) Has Executive Councillor Been Consulted?**

Yes

### **c) Scrutiny Comments**

n/a

### **d) Policy Proofing Actions Required**

n/a

## 6. Appendices

These are listed below and attached at the back of the report	
Appendix A	Changes to Part 2 - Articles of the Constitution
Appendix B	Changes to Part 3 - Responsibility for Functions
Appendix C	Changes to Part 4 - Rules of Procedure
Appendix D	Changes to Part 6 - Members' Allowances Scheme

## 7. Background Papers

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015	Legal Services Lincolnshire
The LGPS (Transitional Provisions, Savings and Amendments) Regulations 2014	Legal Services Lincolnshire
The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014	Legal Services Lincolnshire

This report was written by David Coleman (Chief Legal Officer) who can be contacted on 01522 552134, [David.Coleman@Lincolnshire.gov.uk](mailto:David.Coleman@Lincolnshire.gov.uk) and Katrina Cope (Team Leader –Democratic and Civic Services), who can be contacted on 01522 552104, [Katrina.Cope@Lincolnshire.gov.uk](mailto:Katrina.Cope@Lincolnshire.gov.uk)

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**Part 2**

**ARTICLES OF THE CONSTITUTION**

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2/1

*approved version 19.12.2014*

2/2

*approved version 19.12.2014*

## ARTICLE 4 – THE FULL COUNCIL

### 4.01 Meanings

#### (a) **Policy Framework**

The policy framework means the following plans and strategies:

- (i) Those required by law to be adopted by the Council
  - Annual Review of Pay Policy
  - Council Business Plan
  - Local Transport Plan
  - The Youth Justice Plan
  - Waste Local Plan
  - Mineral Local Plan
  - Joint Municipal Waste Strategy
  - Financial Strategy
  
- (ii) Those other plans and strategies which the Council has determined should be part of the Policy Framework:
  - Adult Learning Plan
  - Quality Protect Management Plan
  - Asset Management Plan
  - Children & Young Persons Plan
  - Financial Strategy
  - Community Engagement Strategy 2013/18

2/3

*approved version 19.12.2014*

(b) **Budget**

The budget includes the allocation of financial resources to different services and projects, proposed contingency funds, the Council Tax base, setting the Council Tax and decisions' relating to the control of the Council's borrowing requirement, the control of its capital expenditure and the setting of virement limits.

**4.02 Functions of the full Council**

The Council and only the Council will exercise the following functions:

- (a) adopting and changing the Constitution;
- (b) approving or adopting the policy framework and the budget or changing the policy framework and the budget except those changes to the policy framework which are necessary to ensure compliance with the law, ministerial direction or government guidance which may be made by the Executive, a Committee of the Executive, an individual Executive Councillor or an Officer in accordance with rule 8 of the Budget and Policy Framework Procedure Rules in Part 4 of this Constitution.
- (c) making any Executive decisions about any matter in the discharge of an Executive function where the decision maker is minded to make it in a manner which would be contrary to the policy framework or contrary to/or not wholly in accordance with the budget; except where such decision is subject to the urgency procedure contained in Rule 16 of the Access to Information Procedure Rules in Part 4.
- (d) electing and removing the Leader of the Council;
- (e) agreeing and/or amending the terms of reference for Committees, deciding on their composition and making appointments to them including appointment of Chairman and Vice Chairman, but excluding the Chairman and Vice Chairman of the Health Scrutiny Committee for Lincolnshire, the Lincolnshire Health and Wellbeing Board and the Bourne Town Hall Trust Management Committee who will be appointed by the Committee/Board;
- (f) appointing representatives of the Council to outside bodies unless the appointment is an Executive function under Part 3 of this Constitution or has been delegated by the Council.;
- (g) adopting a Scheme of Members' Allowances;
- (h) changing the name of the area;
- (i) ~~confirming~~ approving the appointment ~~and dismissal~~ of Head of Paid

2/4

Service;

(j) approving the dismissal of the Head of Paid Service, Section 151 Officer and Monitoring Officer

(k) making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills in Parliament;

(kl) adopting or changing the Members' Code of Conduct;

(lm) appointing the Returning Officer for County Council elections;

(mn) submission of proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000;

(o) power to confer title of honorary alderman;

(op) functions relating to sea fisheries;

(p) power to make standing orders;

(q) duty to make arrangements for proper administration of financial affairs, etc;

(rs) power to appoint Officers for particular purposes (appointment of "Proper Officers");

(st) duty to designate Officer as the head of authority's paid service, Section 151 Officer, Monitoring Officer, Statutory Scrutiny Officer, Director Adult Social Services, Director of Children's Services, Traffic Manager, and a duty (acting jointly with the Secretary of State) to appoint a Director of Public Health, and to provide staff to them;

(tu) consideration of a Report from a Local Commissioner under section 31 or a further Report under section 31A of the Local Government Act 1974 and of actions taken or proposed to be taken in response; and

(v) all other matters which, by law, must be reserved to Council.

#### **4.03 Council meetings**

There are three types of Council meeting:

(a) the annual meeting;

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- (b) ordinary meetings;
- (c) extraordinary meetings;

and they will be governed by and conducted in accordance with the Council Procedure Rules in Part 4 of this Constitution.

#### **4.04 Responsibility for functions**

The Council will maintain the tables in Part 3 of this Constitution setting out the responsibilities for the Council's functions.

#### **4.05 Development of the Budget and Policy Framework**

The Budget and Policy Framework will be developed in accordance with Budget and Policy Framework Procedure Rules set out in Part 4 of this Constitution.

#### **4.06 Role and function of the Chairman of the Council**

The Chairman will be elected by the Council annually. The Chairman's responsibilities will include:

1. to uphold and promote the purposes of the Constitution, and to interpret the Constitution when necessary;
2. to preside over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of Councillors and the interests of the community;
3. to ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which Councillors who are not on the Executive are able to hold the Executive to account;
4. to promote public involvement in the Council's activities;
5. to be the conscience of the Council;
6. to attend such civic and ceremonial functions as the Council and he/she determines appropriate; and
7. to be consulted on any matter where consultation with the Chairman of the County Council is required under this Constitution.

**4.07** The Chairman shall in the conduct of meetings and otherwise seek to protect the interests of all Councillors and added members of the County Council in contributing to and involvement in the work of the Council and particularly

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those Councillors who are not Executive Councillors.

- 4.08** To support the independence of the role, the Chairman of the Council will not hold other offices during his/her term.

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## **ARTICLE 7 – REGULATORY AND OTHER COMMITTEES AND BODIES OF THE COUNCIL**

### **7.01 Regulatory and Other Committees**

The Council will appoint the Committees set out in paragraphs 7.02 to 7.05 inclusive below to discharge the functions listed under each by reference to Part 3 of this Constitution and with the delegated powers shown.

- Each of the said Committees will conduct its business in accordance with the Council Procedure Rules and Access to Information Rules in Part 4 and will meet in public unless the nature of the business is such that the press and public must be excluded or the Committee determine that the press and public should be excluded in accordance with the Access to Information Procedure Rules.

Each of the Committees referred to shall be entitled to appoint such sub-Committees or panels or joint panels as each body considers appropriate to fulfil its functions.

Please see Annex A for composition.

### **7.02 Pensions Committee**

There will be a Pensions Committee having 11 members. 8 shall be Councillors representing the political balance of the Council overall in accordance with the terms of the Local Government and Housing Act 1989, together with three co-optees representing both the non County Council employers in the Fund and individual Fund participants.

All members of the Committee including co-opted members shall be entitled to vote.

#### Functions:

- To set investment policies for the Fund, including the establishment and maintenance of a strategic benchmark for asset allocation, drawing upon appropriate professional advice.
- To appoint and review the performance of all Fund Managers and associated professional service providers.
- To approve the annual Report and Statement of accounts of the fund.

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- To consider any other matters relevant to the operation and management of the fund.
- To respond to any relevant consultations impacting upon the benefit provisions of the Local Government Pension Scheme.

In fulfilling its functions the Committee shall have regard to the advice of the Lincolnshire Local Pension Board established in accordance with the Local Government Pension Scheme (Amendment) (Governance) Regulations 2015.

### **7.03 Planning and Regulation Committee**

There will be a Planning and Regulation Committee. The Committee shall comprise 15 Councillors representing the political balance of the Council overall in accordance with the terms of the Local Government and Housing Act 1989.

#### Functions:

- To exercise those functions of the Council which cannot be exercised by the Executive and are not reserved to the Council or delegated to any other Committee of Council in this Constitution and those functions allocated to the Committee in Part 3 of this Constitution including to:
  - exercise powers in relation to Traffic Regulation Orders and the management of traffic within Lincolnshire;
  - determine provision of pedestrian crossings that do not meet policy criteria;
  - deal with Planning development control matters;
  - implement the County Council's Speed Limit Policy;
  - give full consideration to the Council's overall environmental policies;
  - exercise various powers and duties in relation to the management, maintenance and enforcement of the public rights of way network and the continuous review of the Definitive Map and Statement of Public Rights of Way.

#### **7.03.01 Definitive Map and Statement of Public Rights of Way Sub-Committee**

There will be a Definitive Map and Statement of Public Rights of Way Sub-Committee. The Sub-Committee shall comprise seven Councillors who are members of the Planning and Regulation Committee who shall represent the political balance of the Council overall in accordance with the terms of the

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Local Government and Housing Act 1989.

Functions:

- To consider appeals, by applicants who have applied to the County Council to modify the Definitive Rights of Way Map and Statement for Public Rights of Way, in relation to the priority order in which officers will deal with such applications for Orders.

#### 7.04 **Appointments Committee**

There will be an Appointments Committee. The Committee shall comprise 12 Councillors representing the political balance of the Council overall in accordance with the terms of the Local Government and Housing Act 1989.

At least one member of the Appointments Committee shall be an Executive Councillor.

Functions:

- To discharge on behalf of the Council the function of the appointment ~~and dismissal~~ of
  - the Chief Executive as the County Council's Head of Paid Service (subject to approval by the Council) and
  - Chief Officers as defined in Article 9

in accordance with provisions of the Local Authorities (Standing Orders) (England) Regulations 1993-2001 and thereby to act as appointor for the purposes of the said Regulations and the Officer Employment Procedure Rules at Part 4 of this Constitution in relation to such appointments.

- To suspend the Chief Executive, ~~as the County Council's Head of Paid Service~~ Monitoring Officer and Section 151 Officer whilst an investigation takes place into allegations against them.
- To discharge on behalf of the Council the function of taking disciplinary action against or (subject to approval by the Council) the dismissal of the Chief Executive as the County Council's Head of Paid Service, the Section 151 Officer and the Monitoring Officer in accordance with provisions of the Local Authorities (Standing Orders) (England) Regulations 2001 and thereby to act as dismissor for the purposes of the said Regulations and the Officer Employment Procedure Rules at

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Part 4 of this Constitution in relation to such dismissals.

- To fulfil the function of constituting and convening the Statutory Officers' Employment Advisory Panel in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001 and the Officer Employment Procedure Rules at Part 4 of this Constitution to advise the Council on any proposal to dismiss the Chief Executive as the County Council's Head of Paid Service, the Section 151 Officer or the Monitoring Officer. ~~appoint when requested by the Council, a designated independent person to investigate a complaint of misconduct by the Council's Head of Paid Service, Monitoring Officer and Section 151 Officer and to consider and make recommendations to the Council on receipt of a report from such designated independent person.~~

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#### **7.04.01 Pay Policy Sub-Committee**

There shall be a Pay Policy Sub-Committee of the Appointments Committee. The Sub-Committee shall comprise of seven Councillors from the Appointments Committee representing the political balance of the Council overall in accordance with the terms of the Local Government and Housing Act 1989.

Functions:

- To undertake an annual review of Chief Officers' salaries
- To exercise oversight of Pay Policy
- To recommend the annual Pay Policy Statement and any amendments to Council

#### **7.05 The Members Appeal Hearing Panel**

An employee dismissed from their employment with the Council has a right of appeal against that decision. Appeals against dismissal except those relating to dismissals during an employee's probationary period and dismissals of the Chief Executive as Head of Paid Service, Statutory Officers and Chief Officers as defined in Article 9 shall be heard by Elected Members. Full details of the procedure are available in the Appeals Policy.

The Panel will consist of a Panel of three Elected Members, one of whom will chair the meeting. The Group Leaders will nominate Members to be eligible to sit on Appeals Panels. Any Member nominated will receive training prior to sitting as a Member of the Panel. There is no requirement for training to be provided following an election unless a member nominated has not received

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training previously. The Panel will reflect the political balance of the Council whenever possible. No Member of the Executive can be nominated to sit on a Panel. Democratic Services shall maintain a list of Members nominated.

Democratic Services shall be responsible for making the necessary administrative arrangements for the appeals.

#### **7.05 Audit Committee**

There will be an Audit Committee consisting of eight members. Seven of the members will be Non-Executive Councillors and reflect the political balance overall, 1 member shall be an independent person who is not a Councillor or Officer of the Council.

##### Role:

- To fulfil the role of an Audit Committee in respect of the work of the Council

##### Functions:

##### Audit Activity

- to consider the Head of Internal Audit's annual report and opinion, and a summary of internal audit activity (actual and proposed) and the level of assurance it can give over the Council's corporate governance arrangements
- to consider summaries of specific internal audit reports of significance or as requested
- to consider reports dealing with the management and performance of internal audit
- to consider a report from internal audit on agreed recommendations not implemented within a reasonable timescale
- to consider the external auditor's annual letter, relevant reports, and the report to those charged with governance
- to consider specific reports as agreed with the external auditor
- to comment on the scope and depth of external audit work and to ensure it gives value for money
- to liaise with the Audit Commission over the appointment of the Council's external auditor

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### Regulatory Framework

- to maintain an overview of the Council's Constitution.
- to review any issues referred to it by the Chief Executive, Director, or any Council body
- to monitor the effective development and operation of risk management and corporate governance in the Council
- to monitor Council policies on confidential reporting code, anti-fraud and anti-corruption policy and Council's complaint process
- to oversee the production of the Council's Annual Governance Statement and to recommend its adoption
- to consider the Council's arrangements for corporate governance and agreeing necessary actions to ensure compliance with best practice
- to consider the council's compliance with its own and other published standards and controls

### Accounts

- to review the annual statement of accounts. Specifically to consider whether appropriate accounting policies have been followed and whether there are any concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council
- to consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts
- duty to approve the authority's statement of accounts, income and expenditure and balance sheet

### Standards

- promoting and maintaining high ethical standards by Councillors and non-elected members;
- assisting the Councillors and added members to observe the Members' Code of Conduct;
- advising the Council on the adoption or revision of the Members'

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Code of Conduct;

- monitoring the operation of the Members' Code of Conduct;
- advising, training or arranging to train Councillors and added members on matters relating to the Members' Code of Conduct;
- determining complaints of breaches of the Code of Conduct for Members referred for hearing by the Monitoring Officer.

#### **7.06 Health and Wellbeing Board**

There will be a Health and Wellbeing Board. The Board will comprise:

The Executive Councillor for NHS Liaison, Community Engagement

The Executive Councillor for Adult Care and Health Services, Children's Services

The Executive Councillor for Libraries, Heritage, Culture, Registration and Coroners Service

Five further County Councillors

The Director of Public Health

The Director of Children's Services

The Director of Adult Social Services

A designated representative from each clinical commissioning group in Lincolnshire

A designated representative from the NHS Commissioning Board

One designated District Council representative

A designated representative of Healthwatch

#### Functions

- To encourage persons who arrange for the provision of any health and social care services in the area to work in an integrated manner
- To provide such advice, assistance or other support as it thinks appropriate for the purpose of encouraging joint commissioning
- To prepare and publish a Joint Strategic Needs Assessment
- To prepare and publish a Joint Health and Wellbeing Strategy

#### Quorum

One third of the membership of the Board to include a representative from the clinical commissioning groups, a Lincolnshire County Council Executive Councillor and either the Chairman or the Vice-Chairman.

### Frequency of Meetings

The Board shall meet no less than four times each year including an AGM.

### Chairman and Vice-Chairman

The Board shall elect its Chairman and Vice Chairman at its AGM.

### Voting

Each member of the Board shall have one vote and decisions will be made by a simple majority. The Chairman will have a casting vote.

### Substitutes

Each member of the Board can nominate a named substitute. Two working days advance notice that a substitute member can attend a meeting of the Board will be given to the Democratic Services Manager. Substitute members will have the same powers as Board members.

## **7.07 Bourne Town Hall Trust Management Committee**

There will be a Bourne Town Hall Trust Management Committee. The

Committee will comprise of

- a) a minimum of 5 Councillors not being Councillors elected by the residents of Bourne town ("the Voting Members") as appointed by the Council. The five Councillors appointed by the Council are not required to reflect the political balance of the Council as set out in the Local Government and Housing Act 1989; and
- b) such members of staff and supporting officers as selected and considered reasonable and appropriate by the Council from time to time, having regard to all relevant circumstances ("the Supporting Members").

The Supporting Members shall not have voting rights and as such, shall not be able to vote on any decision of the Committee.

### Functions

The Bourne Town Hall Trust Management Committee shall carry out the following tasks on behalf of the Council as trustee of the Charity and any other tasks as shall be referred to the Committee by the Council from time to time:

- a) undertake an appraisal of the options relating to Bourne Town Hall and its

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- future use;
- b) undertake public consultation with the residents of Bourne town in respect of the options for and future use of the Hall;
- c) deliver a comprehensive report to the Council setting out the Committee's recommendations as to the future use of the Hall, such recommendations to have regard to the outcome of the Committee's public consultation with the residents of Bourne. The report shall include:
- significant issues considered by the Committee in respect of each of the options;
  - an explanation of how the Committee has reached its recommendation;
  - any issues that may have arisen during the public consultation.

#### Quorum

The Quorum of the Committee shall be three Voting Members in person or by proxy.

#### Frequency and Notice of Meetings

The Committee shall hold monthly meetings. Notice of such meetings must be given at least 14 days in advance and must specify the date, time and place of the meeting. Notice may be given electronically and the Voting Members may agree to accept a lesser period of notice by way of simple majority.

#### Chairman and Vice-Chairman

A Chairman and Vice Chairman") shall be selected by the Committee at the beginning of the first meeting of the Committee by way of simple majority.

#### Voting

Each Member of the Committee shall have one vote and decisions will be made by a simple majority. The Chairman (or in the Chairman's absence the Vice Chairman) shall have a casting vote.

#### **7.08 Statutory Officers' Employment Advisory Panel**

There shall be a Statutory Officers' Employment Advisory Panel established under section 102(4) of the Local Government Act 1972.

The Panel shall consist of not less than two Relevant Independent Persons as

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defined in the Officer Employment Procedure Rules in Part 4 of the Constitution ("the Rules").

The Panel shall be constituted and convened if and when required to advise

the Council in relation to a proposal to approve the dismissal of the County Council's Head of Paid Service, the Chief Finance Officer or the Monitoring Officer each as defined in the Rules.

The Panel shall fulfil the function conferred on it by the Rules and shall be constituted and convened in accordance with the Rules.

## **ARTICLE 11 – FINANCE, CONTRACTS AND LEGAL MATTERS**

### **11.01 Financial management**

The management of the Council's financial affairs will be conducted in accordance with the Financial Regulations set out in Part 4 of this Constitution.

### **11.02 Contracts**

Every contract made by the Council will comply with the Contract Regulations set out in Part 4 of this Constitution.

### **11.03 Legal proceedings**

The Assistant Practice Director for Shared Services is authorised to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Council or in any case where the Assistant Practice Director for Shared Services considers that such action is necessary to protect the Council's interests.

### **11.04 Authentication of documents**

Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it will be signed by the Assistant Practice Director for Shared Services or other person authorised by him/her, unless any enactment otherwise authorises or requires, or the Council has given requisite authority to some other person.

### **11.05 Common Seal of the Council**

The Common Seal of the Council will be kept in a safe place in the custody of the Assistant Practice Director for Shared Services. A decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal will be affixed to those documents, which in the opinion of the Assistant Practice Director for Shared Services should be sealed. The affixing of the Common Seal will be attested by the Assistant Practice Director for Shared Services or some other person authorised by him/her.

## ANNEX A

### COMPOSITION OF COUNTY COUNCIL COMMITTEES AND SUB-COMMITTEES

Committees	Composition
Overview and Scrutiny Management Committee	18 Councillors (+ 5 added non-elected members for education matters) Politically balanced
Adults Scrutiny Committee	11 Councillors – Politically balanced
Children and Young People Scrutiny Committee	18 Councillors (+ 5 added non-elected members for education matters) Politically balanced
Economic Scrutiny Committee	11 Councillors – Politically balanced
Environmental Scrutiny Committee	11 Councillors – Politically balanced
Flood and Drainage Management Scrutiny Committee	11 Councillors - Politically balanced (+7 other voting members each appointed by a District Council)
Health Scrutiny Committee for Lincolnshire	8 Councillors – Politically balanced (+ 7 other voting members each appointed by a District Council and a member of Healthwatch Lincolnshire (non-voting))
Highways and Transport Scrutiny Committee	11 Councillors – Politically balanced
Community and Public Safety Scrutiny Committee	11 Councillors – Politically balanced
Value for Money Scrutiny Committee	11 Councillors – Politically balanced
Audit Committee	7 Councillors – Politically balanced (+ 1 independent person who is not a Councillor or an officer of the Council)
Pensions Committee	8 Councillors – Politically balanced (+ 3 non-elected members)
Planning and Regulation Committee	15 Councillors – Politically balanced
Definitive Map and Statement of Public Rights of Way Sub-Committee	7 Councillors – Politically balanced
Appointments Committee	12 Councillors - Politically balanced
Pay Policy Sub-Committee	7 Councillors – Politically balanced
Health and Wellbeing Board	See Article 7.06

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Bourne Town Hall Trust Management Committee	See Article 7.07
<u>Relevant Officers Dismissals Advisory Panel</u>	<u>See Article 7.08</u>

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**Part 3**

**RESPONSIBILITY FOR FUNCTIONS**

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**TABLE 1**

**MATTERS WHICH IT IS THE RESPONSIBILITY OF THE FULL COUNCIL TO DISCHARGE**

<b>Function</b>	
<b>1.</b>	Adopting and Changing the Constitution.
<b>2.</b>	Approving or adopting the Budget and the Policy Framework.
<b>3.</b>	Changing the Budget or the Policy Framework except those changes to the Policy Framework which are necessary to ensure compliance with the law, ministerial direction or government guidance which may be made by the Executive, a Committee of the Executive, an individual Executive Councillor or an Officer in accordance with rule 8 of the Budget and Policy Framework Procedure Rules in Part 4 of this Constitution.
<b>4.</b>	Subject to the urgency procedure contained in Rule 16 of the Access to Information Procedure Rules in Part 4 of this Constitution, making any Executive decisions about any matter in the discharge of an Executive function where the decision maker is minded to make it in a manner which would be contrary to the Policy Framework or contrary to/not wholly in accordance with, the Budget.
<b>5.</b>	Electing and removing the Leader of the Council.
<b>6.</b>	Agreeing and/or amending the terms of reference for Committees, Sub Committees Groups and Panels, deciding on their composition and making appointments to them including appointment of Chairmen and Vice Chairmen but excluding the Chairman and Vice Chairman of Health Scrutiny Committee for Lincolnshire, the Health and Wellbeing Board and the Bourne Town Hall Trust Management Committee who will be appointed by that Committee or Board.
<b>7.</b>	Appointing representatives of the Council to outside bodies unless the appointment is an Executive function under this Part 3 of this Constitution or has been delegated by the Council.
<b>8.</b>	Appointing Special Interest Councillors.
<b>9.</b>	Adopting a Scheme of Members Allowances.
<b>10.</b>	Changing the name of the area.
<b>11.</b>	Confirming the appointment <del>and dismissal</del> of the Head of Paid Service.
<b>12.</b>	<u>Approving the dismissal of the Head of Paid Service, Section 151 Officer and Monitoring Officer.</u>
<b>1213.</b>	Making, amending, revoking, re-enacting or adopting byelaws and promoting or opposing the making of local legislation or personal Bills in Parliament.
<b>1314.</b>	Adopting or changing the Members' Code of Conduct, subject to advice from the Audit Committee.

<b>1415.</b>	Appointing the Returning Officer for County Council elections.
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<b>Function</b>	
<b>1516.</b>	Submission of proposals to the Secretary of State for an order under Section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000.
<b>1617.</b>	Power to confer title of honorary alderman.
<b>1718.</b>	Functions relating to sea fisheries.
<b>1819.</b>	Power to make standing orders.
<b>1920.</b>	Duty to make arrangements for proper administration of financial affairs, etc.
<b>2021.</b>	Power to appoint Officers for particular purposes (appointment of "Proper Officers").
<b>2122.</b>	Duty to designate Officer as the head of authority's paid service, Section 151 Officer, Monitoring Officer and to provide staff to them.
<b>2223.</b>	Consideration of a Report from a Local Commissioner under Section 31 or a further Report under Section 31A of the Local Government Act 1974 and of actions taken or proposed to be taken in response.
<b>2324.</b>	All other matters which, by law, must be reserved to Council.

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## Part 4

# RULES OF PROCEDURE

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# COUNCIL PROCEDURE RULES

## 1. SCOPE OF THESE PROCEDURE RULES

- 1.1 All of the rules set out in these Council Procedure Rules apply to all meetings of the full Council.
- 1.2 None of the rules set out in these Council Procedure Rules apply to meetings of the Executive or Committees of the Executive.
- 1.3 Rules 5–9 inclusive and Rules 12-20 inclusive (but not Rule 19.1) of these Council Procedure Rules apply to meetings of all
- Overview and Scrutiny Committees as referred to in Article 6
  - Regulatory and Other Committees referred to in Article 7 (but Rules 5 and 9 do not apply to the Health and Wellbeing Board) and
  - Sub-Committees or joint committees or joint panels of any Overview and Scrutiny Committee or Regulatory or other Committee referred to above
- 1.4 Where these Council Procedure rules apply to any other body other than the full Council then in their application to that body the term “Councillor” shall be taken to include any non-elected member of that body.

## 2. ANNUAL MEETING OF THE COUNCIL

- 2.1 In a year when there is an ordinary election of Councillors, the annual meeting will take place within 21 clear working days of the retirement of the outgoing Councillors. In any other year, the annual meeting will take place in March, April or May.

The annual meeting will:

- (a) elect a person to preside if the Chairman of Council is not present;
- (b) elect the Chairman of Council;
- (c) elect the Vice Chairman of Council;
- (d) approve the minutes of the last meeting;
- (e) receive any announcements from the Chairman;
- (f) elect the Leader in accordance with paragraph 5.03 of Article 5;

- (g) receive from the Leader details of the appointments and delegations made by him/her for inclusion in the Council's Scheme of Responsibility for Functions at Part 3 to this Constitution in accordance with the requirements of the Executive Procedure Rules at Part 4 of this Constitution;
- (h) deal with the matters set out in paragraph 2.2 below;
- (i) approve a programme of ordinary meetings of the Council for the year;
- (j) to agree a scheme for the payment of members allowances in accordance with Regulation 10(1) of the Local Authorities (Members Allowances) Regulations 2003;
- (k) receive the annual review of the Council's Constitution and make amendments if necessary;
- (l) receive Statements/Announcements by the Leader and members of the Executive;
- (m) receive questions to the Chairman, the Leader and members of the Executive, Chairmen of Committees and Sub-Committees; and
- (n) consider any business set out in the notice convening the meeting.

## 2.2 **Selection of Councillors on Committees and outside bodies**

At the annual meeting, the Council meeting will:

- (a) decide which Committees and Sub-Committees to establish for the municipal year;
- (b) decide the size and terms of reference for those Committees and Sub-Committees including reviewing the terms of reference of existing Committees and Sub-Committees;
- (c) decide the allocation of seats to political groups in accordance with the political balance rules;
- (d) appoint Chairmen and Vice-Chairmen of Committees and Sub-Committees, excluding the Health Scrutiny Committee for Lincolnshire and the Lincolnshire Health and Wellbeing Board;
- (e) receive nominations of Councillors to serve on each Committee, Sub-Committee and outside body; and
- (f) appoint to those Committees, Sub-Committees and outside bodies except where appointment to those bodies has been delegated by the Council or is exercisable only by the Executive.

### **3. ORDINARY MEETINGS**

Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's annual meeting. Ordinary meetings will:

- (a) elect a person to preside if the Chairman and Vice Chairman are not present;
- (b) approve the minutes of the last meeting;
- (c) receive any declarations of interest from Councillors;
- (d) receive any announcements from the Chairman;
- (e) receive Statement/Announcements by the Leader and Members of the Executive;
- (f) (subject to paragraph 10.2) receive questions to the Chairman, the Leader and Members of the Executive, Chairmen of Committees and Sub-Committees;
- (g) deal with any business from the last Council meeting;
- (h) receive petitions in accordance with Article 2.01(f) of this Constitution
- (i) receive reports from the Executive and the Council's Committees and Panels and receive questions and answers on any of those reports;
- (j) consider motions;
- (k) consider any other business specified in the summons to the meeting, including consideration of proposals from the Executive in relation to the Council's Budget and Policy Framework and reports of the Overview and Scrutiny Committees for debate;
- (l) consider proposals for the appointment of a Select Committee to carry out functions as specified in Article 6 of this Constitution and to appoint such Committee, its members and Chairman and approve its terms of reference; and
- (m) deal with any proposals to create, amend or dissolve any Committee or Sub-Committee, and to decide their size and terms of reference, to decide the allocation of seats in accordance with the political balance rules and to appoint members to those bodies.

### **4. EXTRAORDINARY MEETINGS**

#### **4.1 Calling extraordinary meetings**

Those listed below may request the Proper Officer to call Council meetings in addition to ordinary meetings:

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- (a) the Council by resolution;
- (b) the Chairman of the Council;
- (c) the Monitoring Officer; and
- (d) any five Members of the Council if they have signed a requisition presented to the Chairman of the Council and he/she has refused to call a meeting or has failed to call a meeting within seven clear working days of the presentation of the requisition.

#### 4.2 **Business**

The only business to be conducted at an extraordinary meeting of the Council shall be the business specified in the summons to the meeting.

### **5. APPOINTMENT OF FIXED TERM MEMBERS OF COMMITTEES AND SUB-COMMITTEES**

The Chief Executive (or an Officer authorised by the Chief Executive to act on his or her behalf) will appoint Councillors to Overview and Scrutiny, Regulatory and other Committees and Sub-Committees in accordance with nominations made to him or her in writing by the appropriate Group Leader, Deputy Group Leader or Group Whip.

The nomination must state that it is the Group's wish that the nominated Councillor sit on the Committee or Sub-Committee

- for that meeting only after which the original member will automatically be re-appointed to the committee or sub-committee or
- for a specified period after which the original member will automatically be re-appointed to the committee or sub-committee or
- until further notice in which case if the originally appointed Councillor is to return to the committee or, sub-committee, he/she will be reappointed by nomination to the Chief Executive in accordance with this Rule

To be valid a nomination in accordance with this paragraph 5 must be in the possession of the Chief Executive, or an officer authorised by the Chief Executive to act on his/her behalf, before the start of the meeting to which the nomination relates.

There cannot be "replacement Members" for Executive Councillors

The Chief Executive will not be required to and shall not appoint to the Planning and Regulation Committee, Definitive Map and Statement of Public Rights of Way Sub-Committee or Pensions Committee or Audit Committee any Councillor nominated in accordance with this rule unless that Councillor has undergone the relevant training. Earlier training will be considered to

have expired two months after the quadrennial election to the County Council, and only members who have received training after the said election may be appointed to the above bodies.

## **6. TIME AND PLACE OF MEETINGS**

Subject to any other provision of this Constitution, the time and place of meetings will be determined by the Chief Executive and notified in the summons.

## **7. NOTICE OF AND SUMMONS TO MEETINGS**

The Chief Executive will give notice to the public of the time and place of any meeting of a body to whom these Council Procedure Rules apply in accordance with the Access to Information Rules.

At least five clear working days before any such meeting, Chief Executive will send a summons signed by him or her by post to every Councillor and also to any non-elected member of the Council who is a member of the body in question or leave it at their usual place of residence.

The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

## **8. CHAIRMAN OF MEETING**

The person presiding at the meeting may exercise any power or duty of the Chairman. Where these rules apply to Committee and Sub-Committee meetings, references to the Chairman also include the Chairman of Committees and Sub-Committees.

## **9. QUORUM**

The quorum of a meeting (except for that of the Executive) will be one quarter of the whole number of members of the body concerned (including non-elected members of that body) rounded up to the nearest whole number. For example, the quorum of Lincolnshire County Council while it has 77 seats is 20.

During any meeting if the Chairman counts the number of members (including non-elected members) of the body present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chairman. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting of the body concerned.

## **10. QUESTIONS BY MEMBERS IN FULL COUNCIL**

### **10.1 On reports and recommendations of the Executive or Committees**

A Councillor may ask the Leader or the Chairman of a Committee any question without notice upon an item of the report and recommendations of the Executive or a Committee when that item is being received or under consideration by the Council.

### **10.2 Questions at full Council**

At any meeting of the Council except the meeting to consider the Council's annual revenue budget and capital programme, any Councillor may ask any question of:

- the Chairman;
- the Leader or any other member of the Executive; or
- the Chairman of any Committee or Sub-Committee;
- on any matter in relation to which the Council has powers or duties or which affects the area.
- The Chairman shall ensure that any time set aside for questions at a meeting of the Council includes provision for the asking of questions relating to the Council's obligations as fire authority.

10.3 The Chairman will ask Councillors to indicate whether any Councillor wishes to ask a question of the Leader, an Executive Councillor, Chairmen of Committees and Sub-Committees. The Chairman will then invite those Councillors who have indicated a wish to do so to ask his/her question in turn. The Chairman will then invite the Councillor to whom the question is addressed to respond. This process will continue until the end of the time allowed for questions.

## **11. MOTIONS ON NOTICE IN FULL COUNCIL MEETINGS**

### **11.1 Notice**

Except for motions, which can be moved without notice under Rule 12, written notice of every motion, must be delivered to the Monitoring Officer (and a copy to the Democratic Services Manager) no later than noon on the third working day before the meeting. These will open to public inspection.

### **11.2 Motion set out in agenda**

Motions for which notice has been given will be listed on the agenda in the order in which notice was received. The Councillor who gave notice of the

motion may subsequently give notice in writing that they propose to move it to a later meeting or withdraw it. The order in which the motions will be debated will be determined by the Chairman in consultation with the Group Leaders.

### 11.3 **Scope**

- (a) No motion or question shall be put unless it relates to some question over which the Council has power or which affects the County.
- (b) Any Councillor moving a motion or an amendment shall state the reason for it.
- (c) The Chairman may decide whether any particular motion is improper or out of order, and that it should not be included on the agenda for consideration by the Council.

## **12. MOTIONS WITHOUT NOTICE**

The following motions may be moved without notice:

- (a) to appoint a Chairman of the meeting at which the motion is moved;
- (b) in relation to the accuracy of the minutes;
- (c) to change the order of business in the agenda;
- (d) to refer something to an appropriate body or individual;
- (e) to appoint a Committee or Councillor arising from an item on the summons for the meeting;
- (f) to receive reports or adoption of recommendations of Committees or Panels or Officers and any resolutions following from them;
- (g) to withdraw a motion;
- (h) to amend a motion;
- (i) to proceed to the next business;
- (j) that the question be now put;
- (k) to adjourn a debate;
- (l) to adjourn a meeting;
- (m) to suspend a particular Council procedure rule;
- (n) to exclude the public and press in accordance with the Access to Information Rules;

- (o) to not hear further a Councillor named under Rule 19.3 or to exclude them from the meeting under Rule 19.4; and
- (p) to give the consent of the Council where its consent is required by this Constitution.

## **13. RULES OF DEBATE**

### **13.1 No speeches until motion seconded**

No speeches may be made after the mover has moved a proposal and explained the purpose of it, until the motion has been seconded.

### **13.2 Right to require motion in writing**

Unless notice of the motion has already been given, the Chairman may require it to be written down and handed to him/her before it is discussed. The motion or amendment shall include the reasons for it.

### **13.3 Seconders' speech**

When seconding a motion or amendment, a Councillor may reserve their speech until later in the debate.

### **13.4 Content and length of speeches**

Speeches must be directed to the question under discussion or to a personal explanation, point of order or information. A Councillor proposing a motion, including the moving of an amendment, or a Chairman or Executive Councillor responding shall not speak for more than 6 minutes and no other speech shall exceed 3 minutes except with the consent of the meeting.

### **13.5 When a Councillor may speak again**

A Councillor who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- (a) in exercise of a right of reply;
- (b) on a point of order or information; and
- (c) by way of personal explanation.

### **13.6 Amendments to motions**

- (a) An amendment to a motion must be relevant to the motion and will either be:
  - (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;

- (ii) to leave out words;
- (iii) to leave out words and insert or add others; or
- (iv) to insert or add words.

as long as the effect of (ii) to (iv) is not to negate the motion.

- (b) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- (c) If an amendment is not carried, other amendments to the original motion may be moved.
- (d) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments may be moved.
- (e) After an amendment has been carried, the Chairman will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

### 13.7 **Alteration of motion**

- (a) A Councillor may alter a motion of which he/she has given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- (b) A Councillor may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- (c) Only alterations which could be made as an amendment may be made.

### 13.8 **Withdrawal of motion**

A Councillor may withdraw a motion which he/she has moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No Councillor may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

### 13.9 **Right of reply**

- (a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- (b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.

- (c) The mover of the amendment has no right of reply to the debate on his or her amendment.

### 13.10 **Motions which may be moved during debate**

When a motion is under debate, no other motion may be moved except the following procedural motions:

- (a) to withdraw a motion;
- (b) to amend a motion;
- (c) to proceed to the next business;
- (d) that the question be now put;
- (e) to adjourn a debate;
- (f) to adjourn a meeting;
- (g) to exclude the public and press in accordance with the Access to Information Rules; and
- (h) to not hear further a Councillor named under Rule 19.3 or to exclude them from the meeting under Rule 19.4.

### 13.11 **Closure motions**

- (a) A Councillor may move, without comment, the following motions at the end of a speech of another Councillor:
  - (i) to proceed to the next business;
  - (ii) that the question be now put;
  - (iii) to adjourn a debate; or
  - (iv) to adjourn a meeting.
- (b) If a motion to proceed to next business is seconded and the Chairman thinks the item has been sufficiently discussed, he or she will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- (c) If a motion that the question be now put is seconded and the Chairman thinks the item has been sufficiently discussed, he/she will put the procedural motion to the vote. If it is passed he/she will give the mover of the original motion a right of reply before putting his/her motion to the vote.

- (d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chairman thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

#### **13.12 Point of order**

A Councillor may raise a point of order at any time. The Chairman will hear them immediately. A point of order may only relate to an alleged breach of these Council Procedure Rules or the law. The Councillor must indicate the rule or law and the way in which he/she considers it has been broken. The ruling of the Chairman on the matter will be final.

#### **13.13 Point of information**

When a Councillor is speaking, and is obviously proceeding on the basis of information which is wrong, or of which he is ignorant, another Councillor may properly seek to intervene to provide the correct or missing information, thereby saving the Council from being misled and saving its time.

Asking for information is not a Point of Information; a Councillor who has spoken may be able to request a colleague who has not yet spoken to ask.

#### **13.14 Personal explanation**

A Councillor may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the Councillor which may appear to have been misunderstood in the present debate. The ruling of the Chairman on the admissibility of a personal explanation will be final.

### **14. PREVIOUS DECISIONS AND MOTIONS**

#### **14.1 Motion to rescind a previous decision**

No motion or amendment shall be proposed which has the effect or intention of rescinding any resolution passed within the preceding six months, or has the same effect as one which has been negatived within the preceding six months unless significant new information has been received.

This Order shall not apply to motions moved in pursuance of the report or recommendation of a Committee or Panel.

### **15. VOTING**

- (a) Unless this Constitution provides otherwise, any matter will be decided by a simple majority of those Councillors entitled to vote voting and present in the room at the time the question was put. Subject to Rule 15(b) below, each Councillor entitled to vote shall have one vote.

- (b) If there are equal numbers of votes for and against, the Chairman will have a second or casting vote. There will be no restriction on how the Chairman chooses to exercise a casting vote.
- (c) Every proposition shall be determined by voices or at the discretion of the Chairman by a show of hands.
- (d) Where the decision of the Chairman is challenged upon voices the Chairman shall take a fresh vote by show of hands.
- (e) Where immediately after a vote is taken at a meeting, any Councillor so requires, there shall be recorded in the minutes of the proceedings of that meeting whether that Councillor cast his vote for the question or against the question or whether he abstained from voting.
- (f) At the request of any 15 Councillors at a meeting of the full Council (or 20% of Councillors at any other meeting) who signify their support by rising in their places the voting on any question shall be recorded so as to show how each Councillor present and voting cast his or her vote or if he or she abstains.
- (g) The voting shall be recorded so as to show how each Councillor present and voting cast his or her vote or if he or she abstains after any vote is taken on any decision related to the making of a calculation under sections 42A, 42B, 45 to 49 and 52ZJ of the Local Government Finance Act 1992 or the issuing of a precept under Chapter 4 of Part 1 of that Act at a meeting of the Council at which it makes such a calculation (whether originally or by way of substitute) or issues such a precept.
- (h) Where three or more persons are nominated for any position and there is not a majority in favour of one person, the person having the least number of votes shall be disregarded and a fresh vote taken, and so on, until there is a majority in favour of one person.

## 16. MINUTES

### 16.1 Signing the minutes

The Chairman will sign the minutes of the proceedings at the next suitable meeting. The Chairman will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.

### 16.2 No requirement to sign minutes of previous meeting at extraordinary meeting of the Council

Where the next meeting of the Council is an extraordinary or special meeting, the next following meeting shall be treated as a suitable meeting for the purposes of signing of minutes.

### 16.3 **Form of minutes**

Minutes will contain all motions and amendments in the exact form and order the Chairman put them.

## 17. **RECORD OF ATTENDANCE**

A record of Councillors attending a meeting will be kept by the Proper Officer.

## 18. **EXCLUSION OF PUBLIC**

Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 4 of this Constitution or Rule 20 (Disturbance by Public).

## 19. **COUNCILLORS' CONDUCT**

### 19.1 **Standing to speak**

When a Councillor speaks at full Council they must stand and address the meeting through the Chairman. If more than one Councillor stands, the Chairman will ask one to speak and the others must sit. Other Councillors must remain seated whilst a Councillor is speaking unless they wish to make a point of order, a point of personal explanation or a point of information.

### 19.2 **Chairman standing**

When the Chairman stands during a debate, any Councillor speaking at the time must stop and in a meeting of full Council sit down. The meeting must be silent.

### 19.3 **Councillor not to be heard further**

If a Councillor persistently disregards the ruling of the Chairman by behaving improperly or offensively or deliberately obstructs business, the Chairman may move that the Councillor not be heard further. If seconded, the motion will be voted on without discussion.

### 19.4 **Councillor to leave the meeting**

If the Councillor continues to behave improperly after such a motion is carried, the Chairman may move that either the Councillor leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

### 19.5 **General disturbance**

If there is a general disturbance making orderly business impossible, the Chairman may adjourn the meeting for as long as he/she thinks necessary.

## **20. DISTURBANCE BY PUBLIC**

### **20.1 Removal of Members of the Public**

If a Member of the Public interrupts proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room.

### **20.2 Clearance of part of meeting room**

If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared.

## **21. SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES**

### **21.1 Suspension**

All of these Council Procedure Rules except Rule 15(e) 15(f) and 16.2 may be suspended by motion on notice or without notice if at least one half of the whole number of Councillors are present. Suspension can only be for the duration of the meeting.

### **21.2 Amendment**

Any motion to add to, vary or revoke these Council Procedure Rules will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.



Disciplinary Action	In relation to a member of staff of the County Council, any action occasioned by alleged misconduct which, if proved, would according to the usual practice of the County Council, be recorded on the member of staff's personal file, and includes any proposal for dismissal of a member of staff for any reason other than redundancy, permanent ill health or infirmity of mind or body, but does not include failure to renew a contract of employment for a fixed term unless the County Council has undertaken to renew such a contract.
Employee	Person appointed to or holding a paid office or employment under the authority.
Head of County Council's Paid Service	The officer designated under section 4(1) of the Local Government and Housing Act 1989.
<u>Independent Person</u>	<u>A person appointed under section 28(7) of the 2011 Act.</u>
<u>Local Government Elector</u>	<u>A person registered as a local government elector in the register of electors in the Council's area in accordance with the Representation of the People Acts.</u>
Monitoring Officer	The officer designated under section 5(1) of the Local Government and Housing Act 1989.
<u>Panel</u>	<u>A committee appointed by the Council under Article 7 of the Constitution to carry out the functions required under these Rules.</u>
Proper officer	An officer appointed by the County Council for the purposes of the provisions in this Order.

<u>Relevant Independent Person</u>	<u>Any Independent Person who has been appointed by the Council or, where there are fewer than two such persons, such Independent Persons as have been appointed by another local authority or authorities as the Council considers appropriate.</u>
<u>Relevant Meeting</u>	<u>Means a meeting of the full Council to consider whether or not to approve a proposal to dismiss a Relevant Officer.</u>
<u>Relevant Officer</u>	<u>The Chief Finance Officer, the Head of the County Council's Paid Service or the Monitoring Officer as the case may be.</u>

## 2. EMPLOYMENT AND DISMISSAL OF SENIOR OFFICERS

- 2.1. Subject to paragraphs 2.2, 2.3 and 2.4 the function of appointment and dismissal of, and taking disciplinary action against, a member of staff of the authority must be discharged, on behalf of the authority, by the Head of Paid Service and his nominees.
- 2.2 Paragraph 2.1 shall not apply to the appointment or dismissal of, or disciplinary action against employees within the description of paragraph 3 of Part II of Schedule 1 of the Local Authorities (Standing Orders) (England) Regulations 2001 (SI 3384 of 2002), which may be summarised as:
- (a) Chief Executive as Head of Paid Service;
  - (b) Chief Officers;
  - (c) Officers (other than clerical and administrative staff) who report directly to the Chief Executive;
  - (d) Officers who directly advise the Council;
  - (e) Officers who report directly to the above officers;
  - (f) Political assistants.
- 2.3 Where a committee, sub-committee or officer is discharging, on behalf of the ~~authority~~Council, the function of the appointment ~~or dismissal~~ of an officer designated as the Head of the ~~authority's County Council's~~ Paid Service, the ~~authority~~full Council must approve that appointment before an offer of appointment is made to ~~him~~that person. ~~or, as the case may be, must approve that dismissal before notice of dismissal is given to him.~~

2.3A Where a committee, sub-committee or officer is discharging, on behalf of the Council, the function of the dismissal of an officer designated as the Head of the County Council's Paid Service, as the Council's Chief Finance Officer or as the Council's Monitoring Officer, the full Council must approve that dismissal before notice of dismissal is given to that person.

2.4 Where a committee or a sub-committee of the ~~authority~~Council is discharging, on behalf of the ~~authority~~Council, the function of the appointment or dismissal of any officer referred to in paragraph 2.2 other than in relation to political assistants, at least one member of the Executive must be a member of that committee or sub-committee.

2.5 In paragraphs 2.5 and 2.6 “appointor” means, in relation to the appointment of a person as an officer of the County Council, the Council or where a committee, sub-committee or officer is discharging the function of appointment on behalf of the County Council, that committee, sub-committee or officer, as the case may be.

2.6 An offer of an appointment as an officer referred to in paragraph 2.2 other than in relation to political assistants, must not be made by the appointor until:

(a) The appointor has notified the Proper Officer of the name of the person to whom the appointor wishes to make the offer and any other particulars which the appointor considers are relevant to the appointment;

(b) The Proper Officer has notified every member of the Executive of:

(i) the name of the person to whom the appointor wishes to make the offer;

(ii) any other particulars relevant to the appointment which the appointor had notified to the proper officer; and

(iii) the period within which any objection to the making of the offer is to be made by the Leader on behalf of the Executive to the Proper Officer; and

(b) either:

(i) the Leader has, within the period specified in the notice notified the appointor that neither s/he nor any other member of the Executive has any objection to the making of the offer;

(ii) the Proper Officer has notified the appointor that no objection was received by him/her within that period from the Leader; or

(iii) the appointor is satisfied that any objection received from the Leader within that period is not material or is not well-founded.

- 2.7 In paragraphs 2.7 and 2.8, “dismissor” means, in relation to the dismissal of an officer of the County Council, the Council or, where a committee, sub-committee or another officer is discharging the function of dismissal on behalf of the County Council, that committee, sub-committee or other officer, as the case may be.
- 2.8 Notice of the dismissal of an officer referred to in sub-paragraph 2.2 other than in relation to political assistants, must not be given by the dismissor until:
- (a) the dismissor has notified the Proper Officer of the name of the person who the dismissor wishes to dismiss and any other particulars which the dismissor considers are relevant to the dismissal;
  - (b) the Proper Officer has notified every member of the Executive of:
    - (i) the name of the person who the dismissor wishes to dismiss;
    - (ii) any other particulars relevant to the dismissal which the dismissor has notified to the Proper Officer; and
    - (iii) the period within which any objection to the dismissal is to be made by the Leader on behalf of the Executive to the Proper Officer; and
  - (c) either:
    - (iv) the Leader has, within the period specified in the notice notified the dismissor that neither s/he nor any other member of the Executive has any objection to the dismissal;
    - (v) the Proper Officer has notified the dismissor that no objection was received by him/her within that period from the Leader; or
    - (vi) the dismissor is satisfied that any objection received from the Leader within that period is not material or is not well-founded.
- 2.9 Nothing in paragraph 2.1 shall prevent a person from serving as a member of any committee or sub-committee established by the authority to consider an appeal by:
- (a) another person against any decision relating to the appointment of that other person as a member of staff of the authority; or
  - (b) a member of staff of the authority against any decision relating to the dismissal of, or taking disciplinary action against, that member of staff.

### **3 APPOINTMENT OF OFFICERS**

- 3.1 All appointments must be made on merit and, except in exceptional circumstances, will be open to competition by any suitably qualified person. Any appointment made under 3.2 shall be on merit.

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3.2 Exceptionally, an appointment may be limited to existing officers where:

- the appointment is for temporarily added duties including for example, a temporary secondment/development opportunity; or
- there is a need to consider redeployment following redundancy or reorganisation (where existing officers are “At Risk.”) and where there are employees with a disability under the Equality Act 2010. Preference will be given to those employees with a disability and to internal candidates at risk of redundancy or potential redundancy;

a post is advertised internally and externally open to both existing officers and to external candidates. Preference in terms of gaining an interview will be given to internal and external candidates with a disability under the Equality Act 2010.

3.3 Where the Council propose to appoint an officer to any post the Council will:

- (a) draw up a statement specifying:
  - (i) the duties of the Officer concerned; and
  - (ii) any qualifications or qualities to be sought in the person to be appointed;
- (b) make arrangements for the post to be advertised in such a way that is likely to bring it to the attention of persons who are qualified to apply for it; and
- (c) make arrangements for a copy of the statement mentioned in paragraph (a) to be sent to any person on request.

3.4 Every appointment of a Chief Officer shall be made by the Appointments Committee, save that the appointment of a Head of Paid Service must be approved by Council.

#### **4. DISCIPLINARY ACTION – HEAD OF PAID SERVICE, CHIEF FINANCE OFFICER AND MONITORING OFFICER**

4.1 ~~No disciplinary action in respect of the Head of the County Council's Paid Service, its Monitoring Officer, or its Chief Finance Officer, except action described in Standing Order 4.2, may be taken by the County Council or by a committee, sub-committee, a joint committee on which the County Council is represented, or any other person acting on their behalf, other than in accordance with a recommendation in a report made by a designated independent person under the Local Authorities (Standing Orders) (England) Regulations 2004A Relevant Officer may not be dismissed by the Council unless the procedure set out in the following paragraphs is complied with.~~

- ~~4.2 The action mentioned in the above Standing Order 4.1 is suspension of the officer for the purpose of investigating the alleged misconduct occasioning the action; and any such suspension shall be on full pay and terminate no later than the expiry of two months beginning on the day on which the suspension takes effect. The Council must invite Relevant Independent Persons to be considered for appointment to the Panel with a view to appointing at least two such persons to the Panel.~~
- ~~4.3 Subject to paragraph 4.4 the Council must appoint to the Panel such Relevant Independent Persons who have accepted an invitation issued in accordance with paragraph 4.2 in accordance with the following priority order~~
- ~~(a) a Relevant Independent Person who has been appointed by the Council and who is a Local Government Elector;~~
  - ~~(b) any other Relevant Independent Person who has been appointed by the Council;~~
  - ~~(c) a Relevant Independent Person who has been appointed by another local authority or authorities.~~
- ~~4.4 The Council is not required to appoint more than two Relevant Independent Persons in accordance with paragraph 4.3 but may do so.~~
- ~~4.5 The Council must appoint a Panel at least 20 working days before a Relevant Meeting.~~
- ~~4.6 Before the taking of a vote at a Relevant Meeting on whether or not to approve a dismissal of a Relevant Officer the Council must take into account in particular~~
- ~~(a) any advice, views or recommendations of the Panel;~~
  - ~~(b) the conclusions of any investigation into the proposed dismissal; and~~
  - ~~(c) any representations from the relevant officer.~~
- ~~4.7 Any remuneration, allowances or fees paid by the Council to a person appointed to the Panel shall not exceed the level of remuneration, allowances or fees payable to that person in respect of that person's role as an Independent Person.~~

# **OFFICER EMPLOYMENT PROTOCOL INCLUDING THE COUNCILLOR'S ROLE**

## **1. INTRODUCTION**

The County Council is a very substantial employer and, from time to time, Councillors may be required to get involved in employee matters in the areas of appointment or appeals against dismissal as described at paragraph 7.05 of Article 7, of Part 2. It is important that any involvement in staffing matters by Councillors is within the spirit and the constraints of the Council's existing employee relation procedures. Councillors need to be aware that inappropriate actions may prejudice a Councillor's ability to be involved in officer appointments or disciplinary appeals.

Although Councillors are in the position of employer in relation to all the officers of the County Council, it is the senior officers of the Council who are responsible for the day-to-day line management control, appointment, development and disciplinary arrangements for staff. Councillors should therefore not seek to involve themselves in day-to-day staffing matters.

## **2. A COUNCILLOR'S ROLE IN STAFFING MATTERS**

Councillors should conduct their business with the County Council and any of its officers in a way which enhances good relationships between Councillors, the managers employed by the County Council and the officers generally. The County Council has established sound personnel functions and effective machinery to facilitate good relationships with its employees and with those trade unions which are recognised as the employees' representatives. Various joint Committees exist in which joint discussions take place between Councillors, Senior Officers and representatives of the employees. The involvement and advice of the Executive Director with responsibility for People Management in such consultations ensures a professional and consistent approach to this key aspect of employer relations.

In addition, every employee has available for use a grievance procedure which may be exercised in relation to employment, provided it is not a matter concerning the grading of a post. As far as grading is concerned, this is a matter for the application of the National and/or Local Conditions of Service on the advice of the Executive Director with responsibility for People Management and in accordance with the Council's Rules and Procedures. In this area too, there are established arrangements for consultation with recognised trade unions as appropriate.

In the light of all of the above, Councillors should ensure that they only become involved in staffing matters within the established arrangements and procedures. If Councillors are:

- (a) concerned about the conduct of an officer or group of officers;

- (b) concerned about the working arrangements of an officer or group of officers;
- (c) approached by an officer, even as one of their constituents, regarding any matter affecting employment or working conditions; or
- (d) approached by a trade union official on behalf of a trade union or an individual officer;

they should make no comment or commitment and refer the matter in writing or by discussion to the Chief Officer who is responsible for the day-to-day management of the service in which the officer is employed.

It is then the Chief Officer's responsibility, in consultation with other professional advisers as appropriate, to investigate and resolve matters.

Exceptionally, there may be matters of such delicacy or seriousness that Councillors should report them directly to the Chief Executive.

In all cases Councillors must ensure that they take no action and should make it clear to those officers or others who approached them that the matter will be referred to the appropriate Chief Officer for resolution in accordance with the Council's normal procedures. Likewise officers should not raise any employment matters with Councillors or seek to lobby Councillors on matters such as staff appointments, gradings or promotion.

Mutual respect between Councillors and Officers is essential to good local government. Close personal familiarity between individual Councillors and Officers can damage this relationship and prove embarrassing to other Councillors and Officers.

### **3. RECRUITMENT AND APPOINTMENT**

The law and the Employment Procedure Rules of this Constitution lay down rules for the appointment, discipline and dismissal of officers. These must be observed scrupulously at all times. If a Councillor is called upon to take part in appointing an Officer, the only question he/she should consider is which candidate would best serve the whole Council. Councillors should not let their political or personal prejudices influence their judgement. They should not canvass the support of colleagues for any candidate and they should resist any attempt by others to canvass their support.

#### **3.1 Declarations**

- (i) The Council requires any candidate for appointment as an Officer under the Council to state in writing whether they are related to an existing Councillor or Senior Officer of the Council;

- (ii) Any candidate who fails to make any disclosure required under subparagraph (i) above shall be disqualified for such appointment and, if appointed, shall be liable to dismissal without notice.
- (iii) Every Councillor and Senior Officer of the Council shall disclose to the Council any relationship, as in (i) above, known to him to exist between himself and a candidate for an appointment in which he may be involved.
- (iv) It shall be the duty of every Chief Officer and Senior Officer to whom such relationship is disclosed to record the disclosure and to notify the Monitoring Officer accordingly.
- (v) No candidate so related to a Councillor or a Senior Officer will be appointed without the authority of the relevant Chief Officer or an Officer nominated by him.
- (vi) Where such relationship to a Councillor exists the Councillor concerned shall not take part in the consideration, or discussion of, or vote on, any question with respect to the appointment.
- (vii) For the purpose of this paragraph 3.1 'Senior Officer' means the holder of any politically restricted post as defined in the Local Government and Housing Act 1989.

### 3.2 **Seeking support for appointment**

- (i) The Council will disqualify any applicant who directly or indirectly seeks the support of any Councillor, Chief Officer or other Officer for any appointment with the Council.
- (ii) No Councillor will seek support for any person for any appointment with the Council.

3.3 The content of paragraphs 3.1 (i) (ii) and (iii) will be stated in the advertisement inviting applications for appointment and/or in any form of application supplied for use by candidates.

3.4 Nothing in paragraph 3.1 (i) shall preclude a Councillor from giving a written testimonial on a candidate's ability, experience or character for submission with or in connection with that candidate's application.

## **4. RECRUITMENT OF HEAD OF PAID SERVICE AND CHIEF OFFICERS**

4.1 Where the Council intends to appoint the Head of Paid Service or a Chief Officer and it is not proposed that the appointment will be made exclusively from among its existing Officers, the Council will:

- (a) draw up a statement specifying:
  - (i) the duties of the Officer concerned; and

- (ii) any qualifications or qualities sought in the person to be appointed;
  - (b) make arrangements for the post to be advertised in such a way that it is likely to bring it to the attention of persons who are qualified to apply for it; and
  - (c) make arrangements for a copy of the statement mentioned in paragraph (a) to be sent to any person on request.
- 4.2 For the purpose of these Rules, the term “Chief Officer” means the holder of posts of Chief Officer within the meaning of these terms in the Local Government and Housing Act 1989 and therefore includes the holder of the post of Monitoring Officer to the Council.
- 4.3 For posts of Chief Officer, the Chief Executive will draw up a shortlist of suitably qualified applicants for consideration and interview by the Appointments Committee.
- 4.4 The full Council will approve the appointment of the Head of Paid Service following the recommendation of such an appointment by the Appointments Committee.
- 4.5 The full Council may only approve the appointment of the Head of Paid Service where no well-founded objection has been made from any member of the Executive.
- 4.6 The Appointments Committee shall make appointments to the posts of Chief Officer.
- 4.7 An offer of employment as a Chief Officer shall only be confirmed where no well-founded objection has been made by any member of the Executive.

## **5. APPOINTMENTS OTHER THAN CHIEF OFFICERS**

- 5.1 Appointments of Officers below Chief Officer are the responsibility of the Head of Paid Service and his nominees, and shall not be made by the Appointments Committee.
- 5.2 Appointments to posts of Deputy Chief Officer as defined in Section 2 of the Local Government and Housing Act 1989 are delegated to the Head of Paid Service and his nominees. The Head of Paid Service will normally nominate the relevant Chief Officer who shall establish a suitable selection process within which the appropriate Executive Councillor, opposition spokesmen and Chief Executive shall be consulted. Such appointments are subject to Executive referral as set out in paragraph 2 of the Employment Procedure Rules of this Constitution.

## **6. DEPUTY CHIEF FINANCE OFFICER AND DEPUTY MONITORING OFFICER**

These appointments are reserved by law to be made by the Chief Finance Officer and Monitoring Officer respectively.

## **7. POWERS OF CHIEF OFFICERS IN RELATION TO EMPLOYMENT MATTERS**

- 7.1 Subject to the Employment Procedure Rules of this Constitution, the Chief Executive and his nominees have delegated authority to take decisions relating to staffing and personnel matters. Decisions related to the early retirement or redundancy of one or more officers, must be made in accordance with the arrangements set out in 'Early Retirement and Redundancy Policy - Notes of Guidance' issued by the Executive Director of Finance and Public Protection .
- 7.2 Before exercising delegated authority in respect of the following, the Officer must consult as indicated:
- (a) With the relevant Executive Councillor and any other Councillors he may consider appropriate where an employment matter may be sensitive or controversial e.g. redundancy.
  - (b) Decisions taken by the Chief Executive and his nominees, using the powers delegated to them, must be consistent with County Council staffing policy and the relevant legislation. Where an Officer is unclear on policy or on the interpretation or application of legislation, or is concerned that a particular course of action may have implications for other Departments or attract public comment, then before taking a decision he must consult the Executive Director with responsibility for People Management. This applies whether or not the decision relates to one of the areas listed (c) to (g) below.
  - (c) Before including in fixed term contracts clauses requiring the waiver of the right to claim unfair dismissal and/or entitlement to redundancy pay/compensation lump sum, Chief Officers should consult the Executive Director with responsibility for People Management as to the efficacy of this course of action and, as appropriate, the form of wording to be used.
  - (d) The Executive Director of Finance and Public Protection shall be consulted where it is proposed to pay honoraria/ex-gratia payments to a pensionable employee in the final year of service other than in circumstances where the employee is carrying out the duties of a higher graded post.

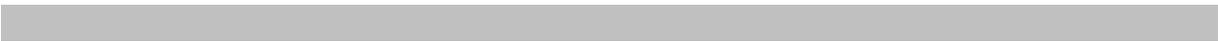
- (e) Overseas visits by Officers must be approved in advance and before departure by the Executive Director of Finance and Public Protection, who will prepare an annual schedule of such visits for the information of Group Leaders.
- (f) Before authorising discretionary payments to officers under the Local Authority (Discretionary Payments) Regulations 1996, the Local Government Pension Scheme Regulations, the Injury Benefits Scheme or the scheme of the reimbursement of legal costs (violence against staff), the Officer must consult the Executive Director of Finance and Public Protection.
- (g) Redundancy excepted, Officers shall consult the Executive Director with responsibility for People Management before dismissing an employee in circumstances which could give rise to the right to claim unfair dismissal.

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**Part 6**

**MEMBERS' ALLOWANCES SCHEME**





## **Members' Allowances and Travel and Subsistence Scheme**

### **General**

This Members' Allowance Scheme for Lincolnshire County Council has been prepared in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 ('the 2003 Regulations') and other appropriate legislation. In particular, the Scheme takes account of recommendations of an Independent Remuneration Panel reporting to Council in February 2014.

This Scheme is effective from 1 April 2014. It is applicable to all elected Members of the County Council. Specific provisions relating to co-opted members are also included.

Within the scheme:

- 'year' refers to the financial year ending on the 31 March and
- 'day' and 'daily' refers to a 24 hour period beginning at 3am
- 'approved duties' are those defined in Schedule 2

An Elected Member who is a member of two separate authorities may not receive an allowance from each authority in respect of the same duties or for the same purpose.

Administrative guidelines relating to Members allowances, travel and subsistence will be published separately.

Members should initially seek advice from the Democratic Services Manager if necessary. In all cases of interpreting this Scheme, the decision of the Monitoring Officer shall be final.

### **Record of allowances**

The 2003 Regulations require the County Council to maintain records of payments made under this scheme specifying the name of the recipient of the payment, the amount and the nature of each payment. The records must be available for inspection at any reasonable time by members of the public.

The 2003 Regulations also require annual publication of the total paid to each recipient for each of the types of allowance and expenses in this scheme. Lincolnshire County Council publishes these on our website.

Government transparency legislation may require additional information regarding Members' allowances to be published.

## **Allowances for Elected Members**

There is no power to pay an attendance allowance to Members.

There are three types of Elected Members allowance in this Scheme:

*Basic Allowance* payable to all Elected Members – see Schedule 1 for values.

*Special Responsibility Allowance* payable in addition to those Elected Members who hold the posts shown in Schedule 1 to the values shown in that Schedule. In the event of one Member holding more than one Special Responsibility post, only one Special Responsibility Allowance, whichever is the greater, will be paid.

*Childcare and Dependants' Carers' Allowance* payable in addition to reimburse Elected Members for the cost of caring for their children or dependent relatives whilst undertaking approved duties. The maximum rate payable is set out in Schedule 1.

## **Claims and payments**

Basic and Special Responsibility Allowances will normally be paid monthly into Members' bank accounts. Such allowances are paid in respect of each year or part year. For example, in the event of a Member giving up a Special Responsibility Allowance mid-year the part-year allowances are paid on a pro-rata daily basis for the period of a year to which they apply.

Claims for travel and subsistence expenses and for Childcare and Dependant's Carer's Allowance should be supported by receipts and made in accordance with any guidance issued by the County Council. Claims must normally be made within two months of the duty for which the claim is made.

## **Renouncing allowances**

A Member may elect to forego any or all of their entitlement to any allowance under this Scheme. Election must be made by written notice to the Democratic Services Manager and will continue until amended by a further notice.

## **Travel and Subsistence Expenses**

Travel expenses incurred whilst on approved duties as defined in Schedule 2 will be paid in accordance with rates set out in Schedule 3.

Subsistence expenses incurred whilst on approved duties as defined in Schedule 2 will be paid in accordance with rates set out in Schedule 3 except that subsistence expenses will not be paid for '*County Councillors' activities within their Division including surgeries, formal meetings of any relevant Parish Council, Residents Association or similar organisation.*'

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All reasonable steps should be taken to minimise the need to travel by using telephone or video conferencing, telephone or e-mail or by combining meetings at the same location.

### **Pensions for Councillors**

~~The County Council has resolved that any~~Since 1 April 2014 Elected Members of the Council ~~will be~~are not entitled to ~~a pension in accordance with a scheme made under section 7 of the Superannuation Act 1972 and that both basic and special responsibility allowances will be taken into account~~membership of the Local Government Pension Scheme unless they were a member of the Council on 31 March 2014 in which case they may continue to accrue rights until the end of the term of office which that member was serving on 1 April 2014.

### **Suspension of Payments to Members**

The County Council has resolved to exercise the power available to it under the 2003 Regulations to withdraw all allowances (including travel & subsistence) from any Member of the Council who has been or is in custody pursuant to a custodial sentence.

In the event that any Member is in custody pursuant to a custodial sentence, their entitlement to allowances will cease from the point of conviction. Allowances will only recommence at a point when they are no longer in custody and are able to perform the full range of duties. No retrospective payment of allowances forgone will be made in any circumstances.

Where payment of any allowance has already been made in respect of any period during which the member concerned ceases to be a member of the County Council; or is in any other way not entitled to receive the allowance in respect of that period, the County Council may require that such part of the allowance as relates to any such period be repaid to the County Council.

### **Annual Increases (Indexing) of Allowances**

The County Council has resolved to exercise the power available to it under the 2003 Regulations to increase allowances annually in line with the movement in an appropriate index.

The index to be applied is the average % increase in pay for employees covered by the National Joint Council for Local Government Services for the previous 12 months (usually referred to as 'Green Book' employees).

Indexation will be applied to the basic, special responsibility and co-opted members' allowances for the four-year period up to May 2018 unless the Council resolves

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otherwise. (The 2003 Regulations allow indexing for a maximum of four years but also require that Council votes to adopt a Scheme of Members' Allowances each year.)

### **Backdating Of Allowances**

The County Council has resolved to adopt the backdating provisions in the 2003 Regulations.

Where an amendment is made which affects an allowance payable for the year in which the amendment is made, the amendment will apply from the beginning of the year in which the amendment is made or such later date as specified by the County Council.

### **Co-opted Members Allowance**

The County Council has resolved to exercise the power available to it under the 2003 Regulations to pay a co-optee's allowance in respect of the attendance of individuals co-opted onto committees, select committees, sub-committees, working groups and task and finish groups of the Council. The allowance will cover attendance at such meetings and any other activity arising directly from that role (e.g. seminars, conferences, training courses, etc.).

The Co-opted Members Allowance is set out in Schedule 1.

The Council Committees etc. relevant to this allowance are those set out in the Articles of the Constitution.

Entitlement to this allowance will be restricted to co-optees who are not remunerated by way of an allowance, salary, etc. from another body as a direct result of their membership of the Committee in question. For example, a District Councillor representing that body would not qualify for this allowance.

The allowance will be paid monthly and in the case of part year service, pro-rata to the service undertaken.

Where a co-optee undertakes any role that would otherwise qualify for receiving a Special Responsibility Allowance set out in Schedule 1 they will receive the relevant Special Responsibility Allowance (but not the basic allowance) that would have been paid to an Elected Member discharging that role. In such circumstances the co-optee will not also receive the standard co-optees allowance for the period they are in receipt of the Special Responsibility Allowance.

The provisions of this scheme relating to renunciation, travel and subsistence expenses, suspension of payments, annual increases and backdating also apply to the Co-Opted Members Allowance.

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## **IT Related expenses**

The Council will facilitate use of Information Technology to assist Elected Members and Co-opted Members (Members) in their approved duties.

Where Members' personal IT equipment is approved and used for Council purposes, the Council will meet the costs of facilitating such use, such as installation and maintenance of synchronisation software. No allowances or depreciation will be paid for use of their own equipment by a Member. Where Members incur expenditure on consumables (such as printer cartridges) for their personal IT equipment used for Council purposes, actual expenditure will be reimbursed supported by receipts.

Where the Council supplies IT equipment, costs will be met by the Council. IT consumables used for such equipment (such as printer cartridges) will normally be supplied by the Council, but if not supplied, actual expenditure will be reimbursed supported by receipts.

Members are expected to meet the cost of their own broadband connection.

## Schedule 1 – Allowances

Responsibilities and allowances within bands 1-10 in the table below are 'Special Responsibility Allowances'

<b>Band</b>	<b>Responsibility</b>	<b>Allowance</b>
-	Basic Allowance	£10,322.28
1	Leader of the Council	£32,704.08
2	Deputy Leader of the Council	£21,462
3	Members of the Executive	£18,396
4	Chairman of the County Council	£12,386.64
	Chairman of the Overview and Scrutiny Management Committee	
	Chairman of the Health Scrutiny Committee for Lincolnshire	
	Chairman of the Audit Committee	
5	Chairmen of the Scrutiny Committees	£9,290.04
	Chairman of the Planning & Regulation Committee	
	Leader of the Opposition	
	Chairman of the Pensions Committee	
6	Executive Support Councillor	£8,176.08
7	Minority Group Leaders	£5,110.08
	Chief Whip	
8	Vice-Chairman of the County Council	£4,128.96
	Vice-Chairman of the Overview and Scrutiny Management Committee	
	Vice-Chairman of the Health Scrutiny Committee for Lincolnshire	
	Vice-Chairman of the Audit Committee	
	Chairman of the Definitive Map & Statement of Public Rights of Way Sub Committee	
	Vice-Chairmen of the Scrutiny Committees	£3,096.72
	Vice-Chairman of the Planning & Regulation Committee	
	Vice-Chairman of the Pensions Committee	
10	Vice-Chairman of the Definitive Map & Statement of Public Rights of Way Sub Committee	£1,032.24
	Member of the Shadow Executive	

-	<p>Childcare and dependants' carers' allowance</p> <p>The Monitoring Officer has discretion to increase the rate in particular cases of need.</p>	<p>An hourly rate equivalent to the National Minimum Wage for the time being</p>
-	Co-opted Member	£766.56

## **Schedule 2 – Approved Duties**

The 2003 Regulations specify the circumstances in which dependant's carer's allowance, travel and subsistence expenses may be paid. These are all encompassed in the definition of 'approved duties' below.

Approved duties are duties undertaken in exercise of the role of County Councillor

That includes, but is not limited to:

- Meetings of, and activities related to, the County Council, any of its Committees, Executive functions or any bodies of which the County Council is a Member or appoints members
- Any legislative requirement for Members to be present
- Any Standing Orders of the County Council
- The exercise of any function of the County Council
- Any meeting where two or more political groups are invited by an Officer
- Any meeting where one political group is invited by the Chief Executive or an Executive Director
- County Councillors' activities within their Division including surgeries, formal meetings of any relevant Parish Council, Residents Association or similar organisation

Meetings and other activities related to the management or operation of any political group or political party are not approved duties.

## **Schedule 3 - Travelling & Subsistence and Other Allowances**

### **Public Transport**

Travel by public transport should be made at the lowest rate available for the journey(s) in question.

Air travel, foreign travel and, in exceptional cases, travel at rates higher than lowest available fares should be approved in advance by Democratic Services Manager.

Travel costs will be reimbursed at the actual cost incurred with claims supported by receipts.

Members are encouraged to order tickets for travel by public transport through their administrative support who will use the County Council's travel procurement arrangements to secure good value for money that will normally be paid direct by the County Council.

### **Private vehicles and car parking**

Rates payable for travel by a private vehicle used by a Member and for official passengers will be those equivalent to HM Revenue & Customs Approved Mileage Rates for the time being. Rates and changes in rates will be notified to Members.

Members are responsible for ensuring that private vehicles used by them comply with all relevant legislation for the purposes for which they are used including safety, taxation and insurance.

Car parking will be reimbursed at the actual cost incurred with claims supported by receipts.

### **Taxis**

In cases of urgency, or where no public transport is reasonably available, Members may travel by taxi and claim the amount of the actual cost incurred, supported by receipts.

### **Subsistence Expenses**

In cases where the County Council provides a meal or a voucher for a meal no other meal allowance will be paid. On County Council meeting days Members will be provided with a lunch in the County Restaurant and will consequently not be entitled to claim expenses.

In other cases, the County Council will reimburse reasonable costs of meals incurred whilst undertaking approved duties except that subsistence expenses will not be paid for *'County Councillors' activities within their Division including surgeries, meetings of any relevant Parish Council, Residents Association or similar organisation.'*

Claims must be for actual costs incurred supported by receipts.

Overnight accommodation should be booked in advance on behalf of the Member by their administrative support using the County Council's standard procurement arrangements to secure best value for money that will normally be paid direct by the County Council.

In cases where a Member incurs reasonable costs for overnight accommodation, it will be reimbursed at actual cost incurred with claims supported by receipts.

**Open Report on behalf of Richard Wills, Monitoring Officer**

Report to:	<b>Full Council</b>
Date:	<b>15 May 2015</b>
Subject:	<b>Monitoring Officer's Annual Report 2014-15</b>

**Summary:**

The Monitoring Officer has to report a number of matters to councillors as part of his statutory duties and as a result of his responsibilities within the Council's Constitution. This has been done in a brief Annual Report to the Council. The Council is invited to receive the report. Mr Wills will be pleased to discuss any part of the report with councillors individually.

**Recommendation(s):**

1. The Council receives the report.

## **1. Background**

The law requires the County Council to designate one of its senior officers as the Monitoring Officer. Richard Wills, the Executive Director for Environment & Economy, was appointed by the Council in February 2014 and commenced his duties on 1 April last year.

Under the law and Constitution of this Council, the Monitoring Officer's duties include:

- Maintaining the Council's Constitution;
- Ensuring the Council operate within the law;
- Reporting to relevant people findings of maladministration by the Local Government Ombudsman;
- Promoting and maintaining high standards of conduct within the Council;
- Ensuring that councillors maintain a register of their interests; and that officers declare interests;
- Ensuring that decisions are properly recorded and accessible to the public;
- To act as the Senior Responsible Person in relation to the operation of the Regulation of Investigatory Powers Act (2000);
- To act as the Responsible Person for the Council's Confidential Reporting Code.

## **2. Conclusion**

The Monitoring Officer has prepared an annual report that gathers into one place all the issues that he may report to councillors. This provides a means to enable councillors to satisfy themselves that the Council is complying with the law and have sight of any issues that should be brought to their attention.

In 2014-15, there were no occasions where the Monitoring Officer had to write a report warning the Council that it might infringe the law. There were no breaches of the Councillor's Code of Conduct that required a formal Hearing Panel to be constituted.

There was one Judicial Review that found a decision of the Council on its Library Service was taken in an unlawful manner.

There were no Reports from the Local Government Ombudsman that I am obliged to report formally to the Council. 9 final or draft findings of maladministration were made by the Local Government Ombudsman.

Officers in Trading Standards authorised 8 operations under the Regulation of Investigatory Powers Act.

The Annual Report, attached as Appendix A, contains other detailed information.

### **3. Legal Comments:**

The Report provides a means to enable councillors to satisfy themselves that the Council is complying with the law.

### **4. Resource Comments:**

There are no financial consequences arising from this report.

## **5. Consultation**

### **a) Has Local Member Been Consulted?**

n/a

### **b) Has Executive Councillor Been Consulted?**

n/a

### **c) Scrutiny Comments**

n/a

### **d) Policy Proofing Actions Required**

n/a

## **6. Appendices**

These are listed below and attached at the back of the report	
Appendix A	Monitoring Officer's Annual Report 2014-15

## **7. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Richard Wills, who can be contacted on 01522 553001 or [richard.wills@lincolnshire.gov.uk](mailto:richard.wills@lincolnshire.gov.uk).

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REPORT TO COUNCIL

## Monitoring Officer's Annual Report 2014-15

### Role of The Monitoring Officer

The law requires the County Council to designate one of its senior officers as the Monitoring Officer. I was appointed by the Council in February 2014 and commenced my duties on 1 April that year.

As the Monitoring Officer I maintain an up-to-date version of the Constitution and ensure that it is widely available for consultation by Councillors, Officers and the public.

One of my main duties as the Monitoring Officer is to ensure that the County Council acts and operates within the law. I advise on whether decisions of the Executive are in accordance with the Budget and Policy Framework. I have to report to the full Council or to the Executive if I consider that any proposal, decision or omission would give rise to unlawfulness. Such a report would have the effect of stopping the proposal or decision being implemented until the report has been considered.

I report to full Council where the Local Government Ombudsman issues a Public Report in respect of maladministration or a failure to provide services or a failure in any services provided, under section 31 of the Local Government Act 1974.

I also help promote and maintain high standards of conduct by Council members, officers, partners and contractors. When required I process complaints about alleged breaches of

the code of conduct in accordance with the local arrangements and work with the Audit Committee to deal with breaches and to achieve high standards.

The standards regime also requires that councillors register their disclosable pecuniary interests. I need to ensure that the register is being maintained and consider applications in relating to the granting of dispensations.

### Proper Officer functions

I have a number of duties that do not necessarily result from the statutory functions of the Monitoring Officer but for which the person in that role is best placed to be the proper officer.

I ensure that Executive decisions, together with the reasons for those decisions and relevant Officer reports and background papers are made publicly available as soon as possible.

I am the Senior Responsible Officer in respect of the Regulation of Investigatory Powers Act. I have to report on Covert Surveillance to the Council.

I am also the Responsible Officer for the Council's Whistle Blowing Policy (Confidential Reporting Code). I ensure that the Audit Committee receives an Annual Report from the Head of Corporate Audit.

# REPORT FOR 2014-15

## Constitution

A working party of members considered each part of the Constitution over the course of the year. The Council adopted changes over a number of meetings, with the final amendments resulting from the review being adopted at the December Council Meeting.

## Statutory Monitoring Officer Reports

I am pleased to report that there were no occasions where I had reason to believe that there was a likelihood that the Council was about to take a decision that would be unlawful or give rise to maladministration. Consequently, I did not have to issue any report to the council under Section 5(2) of the Local Government and Housing Act (1989).

## Judicial Review

There was a referral to the Court for a Judicial Review of the Executive's decision relating to the Library Service. The judgement was that the Council had not made the decision in a lawful way.

A number of actions were taken as a result including:

- The Council carried out an additional period of consultation on its proposals for the Library Service
- The Chief Executive commissioned an internal audit report into the decisions leading up to the judicial review. This has now reported to the Audit Committee, which has considered the response to the report from the Corporate Management Board.

The Council has received a pre-action protocol letter on behalf of a resident giving notice of intent to submit another application for Judicial Review into the decision taken by the Executive on 3<sup>rd</sup> February 2015. The Council intends to defend any such review if leave is given for a hearing.

## Local Government Ombudsman's findings of maladministration

In 2014-15 there were 54 referrals to the Local Government Ombudsman. Of these:

- 26 were considered by the LGO to be premature or irrelevant to LCC;
- 18 no fault was found by the LGO
- 4 were on going
- 4 cases of maladministration were found.
- 2 draft decisions of maladministration that the Council has accepted as being at fault

There were also 5 decisions from the LGO in 2014-15 that had been referred in 2013-14:

- 3 decisions of fault or partial fault
- 2 no fault

Of the cases of maladministration, I am pleased to report that none resulted in a Public Report under section 31. Consequently, there is no obligation on me to report any results to full Council under the Act.

However, I set out in the box on the next page brief details of the decisions of maladministration published by the Ombudsman in 2014/15. The Ombudsman publishes all of its decision notices on its website in anonymised form whether or not a finding is made against the Council.

## Standards

### Councillors' Code of Conduct

In 2014-15 I have dealt with a number of informal and formal complaints that councillors had allegedly breached the Code of Conduct. In most cases I found that the complaint did not fall within the Code of Conduct scheme and were largely matters of perceived harassment and interpersonal relationships between councillors, which are matters for relevant Group Leaders to resolve.

No investigation reports were submitted to a Standards Panel of the Audit Committee for consideration.

### Register of Councillors' disclosable pecuniary interests

All Councillors had made entries on their register of disclosable pecuniary interests. A number of councillors amended their entries during the year as their circumstances changed. I made an informal inspection of the register shortly after becoming the Monitoring Officer. It appeared that most entries were adequate but officers in democratic services asked for a little more detail in a few cases.

### Register of Officers' Interests

An internal audit of Officers' Register of Interests has been carried out and as a result a number of recommendations made, which have been actioned by managers to ensure that officers are aware of their obligations in this respect and that the register is regularly reviewed.

## PUBLISHED FINDINGS BY THE LOCAL GOVERNMENT OMBUDSMAN

- i. Ms A complained that the Council failed to properly protect and support her after it included information on her in a submission to a Court. The LGO found there to be no fault by the Council that led to injustice to Ms A, however the Council agreed with the LGO to make some changes to future practice in the investigation of statutory complaints.
- ii. Ms X complained that the Council unfairly charged Mr Y for care he did not receive between 2010 and 2012. The LGO found that the Council improperly overcharged for care which Mr Y failed to receive. The Council agreed to refund overpaid charges and apologise.
- iii. The complainants, Mr and Mrs C, said that the Council failed to properly assess their son's special educational needs. The LGO found that the Council failed to ensure that a young person was receiving necessary support in a post-16 education. The Council agreed to put this right and pay Mrs and Mrs C £200 for their time and trouble and a further £300 to their son..
- iv. Mr B complained that the Council delayed carrying out a review of his carer's assessment and then failed to pay the allowance quickly. The LGO found fault and the Council paid £250 by way of remedy as well as service improvement.
- v. Mrs Q complained about the Council's failure to increase her father's care services and about service problems. The LGO recommended that the council should acknowledge and apologise for the failures, which was accepted by the Council.
- vi. Miss C complained about the way the Council acted towards her while they were overseeing the contact arrangements with her mother. The LGO found fault in the way the Council carried out its responsibilities in safeguarding Miss C. The Council agreed to pay £500 each to of Miss C and her brother to remedy the stress caused by the delay in reviewing the contact arrangements.
- vii. Mr and Mrs J complained that the Council failed to support them properly when they were caring for their grandchildren. LGO found fault and made recommendations that are being considered.
- viii. Mrs B complained that the Council shared information prior to a child protection conference. The LGO's draft decision was that the Council was at fault and a proposed remedy of £200 has been agreed by the Council.
- ix. Mr C complained that the Council failed to provide him a remedy following an investigation and review into his complaints under the statutory children's services complaints procedure. The LGO's draft decision upholds some parts of the complaint and partially upheld other parts. The Council has already paid £500 by way of remedy and apologised for the injustice.

## Regulation of Investigatory Powers Act (RIPA)

Statistics for 2014-15

Trading Standards were the only department to use covert surveillance during 2014-15. In total 8 operations were authorised:

- 6 directed surveillance operations;
- 2 Covert Human Intelligence Sources (CHIS) operations.

The Council was inspected by the Officer of the Surveillance Commissioner in January this year. The resulting recommendations are indicated in the box. I have accepted these on behalf of the Council and I am preparing an action plan to address them.

## Whistleblowing

The administration of the Confidential Reporting policy is undertaken by Internal Audit. The last report was submitted to the Audit Committee in November 2014. The report for 2014-15 will be submitted in the autumn.

**MONITORING OFFICER**  
***Richard Wills***

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## OSC RECOMMENDATIONS (RIPA)

- Create a Central Record matrix in two parts, one to reflect *directed surveillance* and the other *CHIS*.
- Correct the existing *CHIS* forms and check all other forms in use to ensure they correspond to the current Home Office forms.
- The *SRO* and *RIPA Co-ordination Officer* should exercise more robust oversight on all authorisations and the authorisation process.
- Improve *RIPA* awareness throughout the Council.
- Consider reduction of the number of authorising officers and ensure all who may authorise are adequately trained.
- Ensure that a controller, handler and record keeper (who may be either controller or handler) is appointed to manage each *CHIS* and that risk assessments are undertaken in each such case.
- Establish a training programme and address the weaknesses disclosed in the documentary examination by further training.
- Amend the Corporate Policy and Procedures Document on *RIPA*.

**Open Report on behalf of Richard Wills, Executive Director for Economy and Environment**

Report to:	<b>County Council</b>
Date:	<b>15 May 2015</b>
Subject:	<b>Minerals and Waste Plan Core Strategy and Development Management Policies Development Plan Document: Submission Draft</b>

**Summary:**

This report seeks approval of the Core Strategy and Development Management Policies DPD for submission to the Planning Inspectorate. This follows public consultation on the content of the plan and proposed modifications, all of which will be considered at an Examination in Public (EiP) later in 2015.

**Recommendation(s):**

That the Council:

1. Consider and approve the Minerals and Waste Core Strategy and Development Management Policies for submission to the Planning Inspectorate; and
2. Approve the Statement of Representations and Schedule of Proposed Minor Modifications; and,
3. Authorise the Strategic Planning Manager to make any further minor modifications to the Plan and supporting documents, to address any errors and ensure consistency before submission of the Plan; and,
4. Authorise the Strategic Planning Manager to make further modifications as necessary to address issues raised during the EiP hearing sessions and to allow consultation on those proposed modifications.

**1. Background**

1.1 Within its role as Minerals Planning Authority and Waste Planning Authority for the County, Lincolnshire County Council has the statutory responsibility of producing a Minerals and Waste Local Plan. The Council is currently working on an emerging Minerals and Waste Local Plan (MWLP) which will eventually replace the existing Minerals Local Plan (1991) and Waste Local Plan (2006). The MWLP will

consist of 2 documents: the 'Core Strategy and Development Management Policies'; and 'Site Locations'. The MWLP will cover the period up to 2031.

1.2 The *Core Strategy and Development Management Policies* document (Appendix A) sets out the key principles to guide the future winning and working of minerals and the form of waste management development in the county, and includes Development Management Policies setting out the criteria against which planning applications for minerals and waste development will be considered.

1.3 The Environmental Scrutiny Committee met on 19 September 2014 and considered a report concerning the Minerals and Waste Local Plan: Pre-Submission Core Strategy and Development Management Policies Consultation. This document was subsequently approved for public consultation by the Executive on 7 October 2014.

1.4 Key proposals in the Submission Core Strategy include:

- Provision for some 69 million tonnes of sand and gravel over the plan period based on anticipated future growth in the County.
- Future provision divided between 3 production areas taking account of where this growth is expected to occur.
- Concentrated supply from three Areas of Search, one within each of the main production areas in the county.
- No specific provision identified for other minerals.
- In respect of waste, forecasts indicate that a range of waste facilities may be required to deal with the treatment of waste over the plan period.
- No requirement for further landfill capacity identified.
- Waste spatial strategy to locate new waste facilities in and around main urban areas within the County.
- A limited number of facility types would however be acceptable outside these areas, such as facilities for the biological treatment of waste, including anaerobic digestion and open-air windrow composting; the treatment of waste water and sewage; and small scale waste facilities.

1.5 The consultation took place between 5 January and 16 February 2015. A total of 254 written responses to the Pre-Submission Core Strategy and Development Management Policies consultation have been received. These comprise 60 respondents in total, with 24 from councils (including 4 from Lincolnshire Districts and 10 from Lincolnshire parish/town councils), and the rest from the minerals industry, other organisations and private individuals/ landowners. These comments are contained in the *Statement of Representations* (Appendix B)

1.6 These responses have been carefully considered and have resulted in a number of minor modifications to the Plan. These are included in a separate schedule. However, the overall approach of the Core Strategy is unaltered and proposed changes reflect relatively minor factual corrections, updates and omissions. These can be compared to the Pre-Submission document using the *Schedule of Modifications* (Appendix C).

1.7 Where proposed changes from consultees are not considered to be in the interests of the Plan, officers will provide responses to the consultees and will continue to negotiate in advance of the Examination in Public. Consultees who do not feel that their responses have been appropriately addressed will have the opportunity to raise them at the EiP and this may lead to further modifications.

1.8 Owing to the sheer volume of material to be considered, paper copies of the following documents have been placed in the Members' Room at County offices. These documents are also available on the LCC website:

- a. *Pre-Submission Core Strategy and Development Management Policies*
- b. *Statement of Representations*
- c. *Schedule of proposed Minor Modifications*

## **2. Conclusion**

2.1 The *Core Strategy and Development Management Policies* document is an important tool which allows Lincolnshire County Council to make informed decisions on future minerals and waste development based on an up to date statutory plan. After submitting this document to the Planning Inspectorate, an Examination in Public will be held later in 2015. Following the close of the hearing sessions, consultation will be undertaken on the proposed modifications and the findings of this will then be passed to the Inspector to assist in his consideration of the soundness of the Plan. This will eventually lead to a proposal to full Council for an adopted Local Plan in spring 2016.

### **3. Legal Comments:**

The Minerals and Waste Local Plan including the Core Strategy and Development Management Policies form part of the Policy Framework and its approval therefore is reserved to full Council.

The decision is therefore within the remit of full Council.

### **4. Resource Comments:**

There are no material financial implications arising from the acceptance of the recommendations in this report.

## 5. Consultation

### a) Has Local Member Been Consulted?

n/a

### b) Has Executive Councillor Been Consulted?

Yes

### c) Scrutiny Comments

n/a

### d) Policy Proofing Actions Required

n/a

## 6. Appendices

These are listed below and attached at the back of the report (Please Note: due to the size of the documents they have not been printed and are available electronically at [www.lincolnshire.gov.uk/committeerecords](http://www.lincolnshire.gov.uk/committeerecords))

Appendix A	Pre-Submission Core Strategy and Development Management Policies
Appendix B	Statement of Representations
Appendix C	Schedule of Proposed Minor Modifications

## 7. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Phil Hughes, who can be contacted on 01522 554806 or [phil.hughes@lincolnshire.gov.uk](mailto:phil.hughes@lincolnshire.gov.uk).



Core Strategy and Development  
Management Policies (Pre-Submission Draft)  
Lincolnshire Minerals and Waste Local Plan  
January 2015





# LINCOLNSHIRE MINERALS AND WASTE LOCAL PLAN

## CORE STRATEGY AND DEVELOPMENT MANAGEMENT POLICIES (PRE-SUBMISSION DRAFT)

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## 1 INTRODUCTION

- 1.1 Lincolnshire County Council is responsible for minerals and waste planning in the County and is in the process of reviewing planning policies dealing with mineral extraction and waste management. The Lincolnshire Minerals and Waste Local Plan will replace the Minerals Local Plan (1991) and the Waste Local Plan (2006).
- 1.2 The new plan is being developed in two parts:
- **Core Strategy and Development Management Policies.** The Core Strategy will set out the key principles to guide the future winning and working of minerals and the form of waste management development in the County up to 2031. It also sets out the development management policies against which planning applications for minerals and waste development will be considered.
  - **Site Locations.** This will include specific proposals and policies for the provision of land for mineral and waste development.
- 1.3 This is the pre-submission/publication draft of the Local Plan **Core Strategy and Development Management Policies**. This is the version of the document that the Council wishes to submit to the Secretary of State for examination. Comments are invited on this document for a six week period beginning on 5 January 2015 and ending on 16 February 2015. This is a statutory stage of the Plan making process under regulation 19 of the Town and County Planning (Local Planning) (England) Regulations 2012 and it is the opportunity for comments to be made on the version of the document that the Council wish to proceed with. Representations must primarily be on the soundness of the document or its legal compliance and views on any changes considered necessary to the document.

### **The Scope and Nature of the Core Strategy and Development Management Policies**

- 1.4 This document includes the vision, objectives, spatial strategy and development management policies for minerals and waste development in Lincolnshire over the period to the end of 2031. It should provide the minerals and waste industry, the general public, interest groups and all other interested parties with a clear understanding of the strategy in Lincolnshire regarding the future scale and pattern of mineral working and waste facilities, and how they will be controlled. It does not include site allocations as these will be identified through the Site Locations document.
- 1.5 The document consists of a written statement and reasoned justification in support of the policies and proposals. The document also includes a monitoring framework which identifies the targets and indicators to review the effectiveness of the policies.
- 1.6 The document is to be read as a whole and policies should not be interpreted in isolation. Phrases or terms with a particular meaning within the policies are defined in the glossary. Policies are not listed in priority

order and where a policy includes specific criteria or proposals these are not in any order of priority, unless specifically stated. The document has been developed in line with national legislation and policy. However, national policy is not repeated in policies.

- 1.7 The document is supported by the following background and evidence base documents:
- Sustainability Appraisal
  - Habitats Regulations Assessment
  - Local Aggregate Assessment
  - Waste Needs Assessment
  - Minerals Background Paper
  - Minerals Safeguarding Background Paper
  - Restoration Background Paper
  - Consultation Statement
  - Duty to Cooperate Statement

### **Work undertaken so far**

- 1.8 Preparation of the Lincolnshire Minerals and Waste Local Plan began in 2008. The following work has been undertaken.
- 1.9 An **Issues and Options** paper was published in 2008. This document set out a range of key "Issues and Options" that the County Council considered are likely to influence the future strategy for minerals and waste planning in Lincolnshire.
- 1.10 A **revised Issues and Options** paper was published in 2009 setting out the spatial options for minerals and waste development in more detail. A 'call for sites' exercise was carried out in conjunction with this paper.
- 1.11 In June 2010, the Council's **Preferred Strategy** for future minerals and waste development was published for consultation. In conjunction with this consultation, a separate consultation was carried out on the minerals and waste sites that were put forward together with a proposed site assessment methodology.
- 1.12 These earlier documents make reference to the Minerals and Waste Development Framework, which was the previous terminology used for Local Plans before the introduction of the Localism Act 2011.
- 1.13 In November 2013 the Council consulted on a **draft Core Strategy and Development Management Policies** document. Comments received at this stage have been taken into account in the preparation of this pre-submission draft document.
- 1.14 A "refresh" of the previous call for sites exercise was carried out between March and April 2014 to inform the Site Locations document, which is now being prepared in parallel with the Core Strategy and Development Management Policies. Following assessment of all sites put forward, it is anticipated that a 'Preferred Sites' consultation document will be published at the end of 2014.

## Sustainability Appraisal

- 1.15 The production of a Sustainability Appraisal (SA) report is mandatory under Section 39(2) of the Planning and Compulsory Purchase Act 2004. The purpose of an SA is to promote sustainable development through the integration of social, environmental and economic considerations into the preparation of planning policy documents. It also fulfils the requirements of the EU Strategic Environmental Assessment Directive. The Council has to date had sustainability reports carried out on all the consultation documents listed above. This document has also been subject to sustainability appraisal. A key element of this is the testing of Mineral and Waste policies against SA objectives in order to identify likely impacts of the policies and any mitigation required.

## Habitats Regulations Assessment

- 1.16 Appropriate Assessment/Habitat Regulations Assessment (HRA) of land use plans is required under the European Communities (1992) Council Directive 92/43/EEC (the 'Habitats Directive'). HRA provides for the protection of 'European Sites' (also known as 'Natura 2000' or 'N2K' sites), these are sites which are of exceptional importance in respect of rare, endangered or vulnerable natural habitats and species within the European Community.
- 1.17 A Habitat Regulations Assessment (HRA) Scoping Report of the potential effects of the emerging Local Plan Core Strategy and Development Management Policies on the *Natura 2000* network has been undertaken. The policies within the pre-submission draft document have been 'screened out' as not requiring a full Appropriate Assessment, largely due to the wording of the policy regarding the protection of internationally important biodiversity sites (DM7). The HRA concludes that there are no likely significant effects from the policies either alone or in combination with other projects and plans.
- 1.18 A HRA Scoping Report was prepared for the previous draft Core Strategy and Development Management Policies document. Changes were made to policies at that stage in the light of the recommendations contained in the HRA. One European Site ('Baston Fen' SAC) falls within a proposed area of search for Sand and Gravel extraction. This consists of a 2km long main drain, the Counterdrain, which runs alongside the Fen. The HRA recommends that any proposals for new sand and gravel extraction/washing works within the catchment of Baston Fen SAC should either ensure that they remain above the water table and/or do not abstract water for gravel washing or undertake a project-level HRA to demonstrate that no likely significant effects on the SAC will occur. Reference to project level HRA is included in paragraph 7.56 of this pre-submission draft document and the nature of working at new sites within the areas of search will be looked at further as part of the development of the Site Locations document when specific sites are to be identified.

## **Duty to Co-operate**

1.19 Under Section 33A of the Planning and Compulsory Purchase Act 2004, as inserted by s110 of the Localism Act 2011, the Council is now required to formally co-operate with other local planning authorities and bodies prescribed in regulation 4(1) of The Town and Country Planning (Local Planning) (England) Regulations 2012. This is to maximise the effectiveness of the preparation of the Local Plan and supporting activities so far as it relates to a strategic matters. The Council and others are required to engage constructively, actively and on an ongoing basis. Regard must also be had, under section 33A(9) and regulation 4(2), to the activities of the Local Enterprise Partnership as they relate to the Local Plan and supporting activities. The Council has carried out engagement with other local planning authorities and bodies throughout the preparation of the Local Plan.

## **What happens next?**

1.20 Following the end of the consultation period the Council will prepare the Local Plan Core Strategy and Development Management Policies for submission to the Secretary of State for examination. This will include preparing any proposed modifications the Council consider necessary to the pre-submission draft policies, in light of comments received during the pre-submission consultation. Any comments made on the pre-submission draft Core Strategy and Development Management Policies and a summary of the main issues raised will also be submitted to the Secretary of State.

1.21 Once submitted an Independent Inspector will be appointed to examine whether the document meets the required legal and soundness tests including duty to co-operate and procedural requirements. The Inspector will make an initial assessment of the document submitted and if there are no significant issues identified hearing sessions into the document will be convened. Those who make representations seeking a change to the pre-submission draft document will be given the opportunity to attend the hearing sessions.

1.22 Following the end of the examination process, if the Planning Inspector finds the document to be sound and legally compliant, the Council can proceed to adopting the Local Plan Core Strategy and Development Management Policies. It will then form part of the statutory development plan for the area.

## **2 LEGISLATIVE AND POLICY CONTEXT**

### **Introduction**

2.1 The Planning and Compulsory Purchase Act 2004 sets out the legislative framework for the preparation of Local Plans whilst European and National policies and strategies provide guidance on their content. The Minerals and Waste Local Plan must be consistent with European and National policy.

### **Sustainable Development**

2.2 Sustainable Development is at the centre of the planning system. The UK Sustainable Development Strategy "Securing the Future" has five guiding principles, namely living within the planet's environmental limits; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly. This builds upon strategies and policies in place at the international level to promote sustainable development and tackle climate change.

### **European Legislation**

2.3 The Minerals and Waste Local Plan must reflect and where appropriate comply with European directives and legislation. This includes those relating to waste and environmental protection.

2.4 The EU Waste Directive<sup>1</sup> is the overarching legislative framework for the collection, transport, recovery and disposal of waste and sets out the requirements of Member States in relation to the management of waste and the basic waste management definitions. These regulations have been transposed into English law under the Waste (England)(Wales) Regulations. Guidance on the implementation of the planning requirements of the Waste Framework Directive has been published by the Department of Communities and Local Government<sup>2</sup>. In addition the Landfill Directive<sup>3</sup> sets targets for the reduction of biodegradable waste going to landfill and sets the technical criteria for preventing and reducing the adverse effects of landfilling on the environment as well as a reduction in the amount of waste being sent to landfill. Other relevant Directives include those relating to the management of end of life of vehicles and waste electrical and electronic equipment (WEEE)<sup>4</sup>.

2.5 For plan making the requirements of the Strategic Environmental Assessment Directive and the Habitats Directive must be taken into

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<sup>1</sup> Directive on Waste (2008/98/EC) (transposed into English law under the Waste (England and Wales) Regulations 2011 and the Waste (England and Wales) Amendment Regulations 2012)

<sup>2</sup> Guidance for local authorities on implementing planning requirements of the European Union Waste Framework Directive (2008/98/EC)

<sup>3</sup> Directive on the Landfill of Waste (99/31/EC) (transposed into English law under the landfill (England & Wales) Regulations 2002

<sup>4</sup> Waste Electrical and Electronic Equipment Directive (2002/96/EC); Restriction of Hazardous Substances in Electronic and Electronic Equipment (RoHS) (2002/95/EC)

account<sup>5</sup>. A Sustainability Appraisal incorporating the requirements of the Strategic Environmental Assessment Directive and a Habitats Regulation Assessment Screening Report as required by Habitats Directive has been carried out. The policies in the plan must also take into account Directives in relation to wild birds, noise, air quality and water<sup>6</sup>.

## **National Planning Policy**

- 2.6 The National Planning Policy Framework (NPPF, March 2012), known as the Framework, sets out the Government's overarching planning policies for England. This is supported by online Planning Practice Guidance. The overarching aim of the NPPF is to achieve sustainable development by ensuring economic, social and environmental gains are sought jointly and simultaneously through the planning system. At the centre of this is a presumption in favour of sustainable development. For plan making this means that Local Plans must positively seek to meet the development needs of the area with clear guidance on how the presumption in favour of sustainable development will be applied locally.
- 2.7 The Framework includes general policies that must be taken into account in plan making as well as specific policies for minerals development. However, it does not contain specific waste policies, as these are set out in the separate National Planning Policy for Waste (October 2014).
- 2.8 In relation to minerals the Framework sets out how Local Planning Authorities should facilitate the sustainable use of minerals. Local Plans should include policies for the extraction of minerals of local and national importance in the plan's area and wherever possible substitute primary for secondary and recycled materials to preserve natural resources. Mineral safeguarding areas must also be identified to safeguard mineral resources from non-mineral development as well as policies setting out the environmental criteria and requirements for restoration and aftercare against which planning applications for mineral development will be assessed.
- 2.9 For waste planning, the National Planning Policy for Waste sets the national framework for planning for waste management. It outlines the planning system's key roles in delivering the new facilities that are essential for implementing sustainable waste management and protecting the environment and human health. The emphasis is on delivering sustainable development, driving waste up the waste hierarchy, seeing waste as a resource and disposal as the last option. It requires communities to take responsibility for their own waste and for planning authorities to assist in delivering waste management facilities required. These must be in appropriate locations and for a range of waste management facilities including for disposal.

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<sup>5</sup> The Conservation of Natural Habitats and Wild Flora and Fauna Directive (92/43/EC) (transposed into UK law under the Conservation of Habitats Species Regulations 2010); The Strategic Environmental Assessment Directive (transposed into UK law under the Environmental Assessment of Plans and Programmes Regulations 2004)

<sup>6</sup> Conservation of Wild Birds Directive (2009/147/EC); Water Framework Directive (2000/60/EC); Air Quality Directive (2008/50/EC), Environmental Noise Directive (2002/49/EC)

- 2.10 The National Planning Policy for Waste sits alongside the National Waste Management Plan, published in December 2013, which sets out how England will support and implement the requirements of the Waste Framework Directive including the application of the waste hierarchy and proximity principle. It includes the current waste management situation in England and an assessment of the need for new waste management infrastructure. The Plan includes a commitment to a more sustainable approach to the use of waste materials, delivering environmental benefits and supporting economic growth. It prioritises the management of waste in line with the waste hierarchy and in a manner that reduces the carbon footprint. There is also an emphasis on encouraging waste prevention and reuse and greater resource efficiency.

### **Existing Planning Policies and Strategies**

- 2.11 There are currently adopted Minerals and Waste Local Plans in place for Lincolnshire. Whilst policies in the Local Plan Core Strategy and Development Management Policies will replace the majority of these policies once adopted, some will be retained until the Site Location Document is also adopted. A table showing the relationship between the policies in this document, the Site Locations Document and policies to be retained in the MLP and WLP is set out in Appendix 1.
- 2.12 The **Minerals Local Plan** (MLP) was adopted in 1991 and most of its policies were saved by the Secretary of State in 2007. The Plan contains three distinct areas of Search; Lincoln/Trent Valley, Lower Bain Valley and South Lincolnshire. In terms of developing new sites, Policy M3 states that *'there will be a presumption in favour of extensions to existing workings with any new quarry normally only permitted where this replaces an existing quarry which has become worked out'*.
- 2.13 The **Waste Local Plan** (WLP) was adopted in 2006. All of its policies were saved by the Secretary of State in 2009. The WLP contains the following main aim: *'To provide a strategy and policy framework for sustainable waste management in Lincolnshire in accordance with the principles and objectives of the national waste strategy and the principles of regional self-sufficiency and the proximity principle.'*
- 2.14 The **Statement of Community Involvement** (SCI) was adopted in September 2007, and subsequently updated in Autumn 2014. It is a clear statement of how and when the County Council intends to achieve continuous, meaningful and mutually beneficial community involvement on planning matters. The SCI sets out what the community will be consulted on and when and how this will be carried out.
- 2.15 There are seven districts in Lincolnshire: Boston, City of Lincoln, East Lindsey, North Kesteven, South Holland, South Kesteven and West Lindsey. A new planning area has been agreed between the Districts of West Lindsey, City of Lincoln and North Kesteven District Councils to produce a Central Lincolnshire Local Plan, currently proposed to be adopted in 2016. South Kesteven DC adopted its Core Strategy in July

2010. East Lindsey DC consulted on a draft Core Strategy in October 2012. Boston BC and South Holland DC are also working together with the County Council to prepare a Local Plan for South East Lincolnshire and are hoping to adopt the Plan in 2016.

### **Relationship to other Council Plans and Strategies**

- 2.16 The Minerals and Waste Local Plan is one of the key delivery documents for the priorities and development needs of Lincolnshire. It supports the delivery of other plans and strategies of the County Council including the Corporate Plan, the Joint Municipal Waste Management Strategy and the Local Transport Plan.
- 2.17 The **Joint Municipal Waste Management Strategy** (JMWMS) provides a structure that will enable the eight partnering authorities of Lincolnshire and the Environment Agency to effectively manage the municipal waste produced in the County. Collectively these partnering authorities are known as the Lincolnshire Waste Partnership (LWP). The Strategy was adopted by the County Council in June 2008 and contains ten key objectives for the management of municipal waste.
- 2.18 The LWP are reviewing the JMWMS during 2014, including looking at options for closer joint working, and suitable objectives and targets which reflect the use of Energy from Waste as opposed to landfill.
- 2.19 **Lincolnshire County Council's Natural Environment Strategy** was published in 2012. The Strategy along with a number of other documents forms part of the Council's overarching Environmental Management Strategy. It sets out a clear set of priorities within a national framework, and within the Council's corporate vision and objectives, in order to provide Council services, local communities and businesses and partner organisations with clarity and confidence about the approach the Council will take in working with the natural environment.
- 2.20 The County Council, as Lead Local Flood Authority, is required to implement and monitor a Local Flood Risk Management Strategy. Accordingly, the Joint **Lincolnshire Flood Risk and Drainage Management Strategy** was developed through public and stakeholder consultation during 2011 and 2012, and was approved by the County Council's Executive on 4th December 2012. The purpose of the Strategy is to increase the safety of people across Lincolnshire by reducing the number of people at risk of flooding, increasing the resilience of local communities and reducing the impact of flooding.
- 2.21 NHS Lincolnshire and Lincolnshire County Council have now agreed the **Joint Health and Wellbeing Strategy for Lincolnshire 2013 – 2018**. This is the first Joint Health and Wellbeing Strategy (JHWS) for Lincolnshire. It has been produced by the Lincolnshire Shadow Health and Wellbeing Board and is based on the five priorities identified in the Joint Strategic Needs Assessment for Lincolnshire. The JHWS is a document that aims to inform and influence decisions about health and social care services in Lincolnshire so that they are focused on the needs of the

people who use them and tackle the factors that affect everyone's health and wellbeing.

2.22 Lincolnshire's 4<sup>th</sup> **Local Transport Plan** (LTP4) covers the Council's transport strategy for the period from 2013/14 to 2022/23. Its policies are set within an overall vision of how Lincolnshire's transport system will develop in the longer term beyond 2022/23. The 'Vision for 2030' shown below was adopted for previous LTPs and has been carried forward to LTP4:

- There is a good inter- and intra- regional access to support a growing economy.
- There is good access by a choice of modes to services, jobs and for leisure within Lincolnshire.
- Our streets in built-up areas are seen primarily as places where people can carry on their activities in a pleasant environment.
- There is a well managed and safe road network to maximise the reliability of journeys and reduce the impact of traffic on communities.
- Our sensitive rural areas are managed in ways that retain, and where possible, enhance the value of the natural environment.

### **3. SPATIAL PORTRAIT AND ENVIRONMENTAL ASSETS**

#### **Settlement Character**

- 3.1 The settlement pattern of Lincolnshire is made up of the Principal Urban Area of Lincoln; the Sub-Regional Centres of Boston, Grantham and Spalding and several market towns, smaller villages and hamlets. Growth Point status was previously granted to Lincoln, Grantham and Gainsborough. The East Midlands Regional Plan 2009 (revoked in 2013) listed Bourne, Gainsborough, Louth, Skegness, Sleaford and Stamford as 'Main Towns'. Although the RSS has been revoked, the Minerals and Waste Local Plan has retained reference to the 'main towns' to guide future waste and minerals requirements.

#### **Administrative Boundaries and Neighbours**

- 3.2 Lincolnshire is within the East Midlands Region, bounded by the Yorkshire and Humber Region to the north and the East of England Region to the south. Nottinghamshire, Leicestershire, Rutland, Northamptonshire, City of Peterborough, Cambridgeshire, Norfolk, North-East Lincolnshire and North Lincolnshire border the county – along with 80km of North Sea coastline.
- 3.3 There are seven districts in Lincolnshire: Boston, City of Lincoln, East Lindsey, North Kesteven, South Holland, South Kesteven and West Lindsey.
- 3.4 Lincolnshire is a predominantly rural shire covering 5,921sq km (2,286sq miles) with a population of 724,500<sup>7</sup>, dispersed across the County; it is the fourth largest county in England and the fourth most sparsely populated (density of approximately 122 per sq. km). This provides fundamental difficulties concerning the provision of a comprehensive and modern infrastructure network. Lincolnshire had 307,000 households as at the 2011 Census and the number is expected to grow significantly over the plan period to 2031.

#### **Transport**

- 3.5 The highway network in Lincolnshire is extensive, totalling over 9,000km of road; however there are no motorways in Lincolnshire and only 66km of dual carriageway. The A1 trunk road runs down the western boundary of the county and the A46, A57, A15, A16, A17 routes link settlements throughout Lincolnshire. Accessibility is an issue throughout Lincolnshire, but more so in the more rural isolated parts of the County. There are particular problems in travelling east/west.
- 3.6 Local rail services operate within the county and connect the main towns/villages to the surrounding regions. Midland Trains operate a daily direct service to London via Nottingham, as does East Coast Mainline from

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<sup>7</sup> Office for National Statistics – Mid-2013 Estimates

Lincoln to London. The East Coast Mainline runs along the western side of the county, through Grantham, to London.

- 3.7 There are ports at Boston and Sutton Bridge. The ports of Grimsby and Immingham, just outside the county, are also significant and generate commercial traffic that impacts on Lincolnshire's transport networks. The River Trent runs along some of the County's western border and has established routes for waterway traffic.

### **Land-use & the Economy**

- 3.8 Farming is still a major industry in Lincolnshire, as is manufacturing. A broad estimate (constructed from BRES 2010 and DEFRA data) suggests around 15,000 are employed in agriculture and around 31,500 in manufacturing. Both activities are restricted to certain parts of the County. The food industry is concentrated to the south of the County. Tourism is significant along the coast, in and around the Lincolnshire Wolds and historic settlements.
- 3.9 Unemployment rates have fallen recently, and are relatively low in Lincolnshire. The unemployment claimant rate for October 2014 was 1.9%, compared with 2.1% for England and Wales.
- 3.10 The Business Monitor PA1007, covering Minerals Extraction in Great Britain, indicates that 268 jobs were involved with mineral extraction in Lincolnshire in 2010. Of these, 67% were directly employed, 5% were contractors and 28% were drivers. Most jobs were at limestone and sand and gravel quarries, which employed 53% and 46% of total employees involved with mineral extraction respectively.
- 3.11 The south of the County contains some of the highest grade agricultural land in England; 44% of all agricultural land in the county is classified as being of either Grade 1 or 2 quality. Most of this land is within the eastern and southern parts of the County.

### **Landscape**

- 3.12 The county of Lincolnshire has a diverse and distinctive landscape. Landscape character – what makes a particular area unique – is an important aspect to be taken into account when considering the impacts of development; in this case the location, operation and restoration of mineral and waste sites.
- 3.13 England is divided into 159 National Character Areas (NCA), each defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity<sup>8</sup>. While several NCAs cover the county of Lincolnshire, three are of particular relevance to this Plan:
- NCA 44 – Central Lincolnshire Vale (covering the Central Lincolnshire Area of Search)
  - NCA 46 – The Fens (covering most of the South Lincolnshire Area of

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<sup>8</sup> <http://www.naturalengland.org.uk/publications/nca/default.aspx>

- Search)
  - NCA 48 – Trent and Belvoir vales (covering the Lincoln-Trent Valley Area of Search).
- 3.14 Environmental assets and "Statements of Environmental Opportunity" for each area, as published by Natural England, will be taken into account in the implementation of policies within this Plan, particularly those relating to the restoration of mineral sites.

## Natural Environment

- 3.15 The countryside and its associated natural environment have long been recognised as one of Lincolnshire's principal assets. In addition to nationally designated areas such as the Lincolnshire Wolds AONB, the Wash and Gibraltar Point, the county's whole character and distinctiveness is framed by its essentially open, rural and tranquil image. The coastal area of Lincolnshire is a defining feature of the county; it has a variety of land-uses linked to agriculture, settlements and tourism, and plays an important role in terms of the natural environment. The County's main assets, areas and features, along with associated landscape scale initiatives, are summarised below.
- 3.16 The **Lincolnshire Wolds Area of Outstanding Natural Beauty** (AONB) lies in the north-eastern quarter of the County, mid-way between Lincoln and the coast, surrounded by relatively flat fens, coastal marsh and the Lincoln Clay Vale. The AONB comprises an area of 558 km<sup>2</sup> (216 miles<sup>2</sup>), while the wider Lincolnshire Wolds National Character Area incorporates the two neighbouring areas of the 'Spilsby Crescent' to the south and the remaining chalk uplands to the north. The Lincolnshire Wolds is one of only two nationally protected landscapes in the East Midlands and provides the principal aquifers for the nationally important Lincolnshire Chalk Streams resource. The statutory Lincolnshire Wolds AONB Management Plan (2013-2018) includes the strategic and action plan for protecting and enhancing the highly scenic landscapes of the Wolds.
- 3.17 The **Coversands** of north-west Lincolnshire are fine windblown deposits laid down around the shores of a large lake which filled the Trent valley in late glacial times. The blown sand gave rise to special landscape features such as sandy warrens and inland dune systems. The Coversands heaths include dry heath, wet heath, lichen heaths and extensive communities of acid grassland, forming a rich mosaic of habitats. Historical evidence suggests there were once some 60,000 hectares of Coversands heaths, most of which would have been heathland. But there has been a dramatic loss due to competing land uses - primarily forestry, sand and gravel quarrying, intensive agriculture and urban expansion. Today, around 700 hectares of Coversands heathland remain. In 2003, a five-year project was launched to restore and re-create Coversands heathlands.
- 3.18 The **Lincolnshire Limewoods** area includes a concentration of woodland between Wragby, Bardney and Woodhall Spa to the east of Lincoln. The woodlands themselves cover 382 hectares and are collectively designated as the Bardney Limewoods National Nature Reserve. The woods in this

area are special because they are one of the few areas of woodlands characterized by small-leaved lime remaining in Britain. Many of the woods have ancient origins dating back to the Domesday Survey. Unfortunately, over time, many of the woods have been lost or dramatically changed. Those that remain are important habitats for species that are locally or nationally threatened. One of the aims of the Lincolnshire Limewoods Project, which started in 2005, was to restore habitat linkages by extending the existing woodlands. To date, over 130 hectares of new native woodland and over 26km of new hedgerows have been planted across the Limewoods area.

- 3.19 The **Lincolnshire Coastal Grazing Marshes** stretch from Grimsby to Gibraltar Point just inland from the coast. The marshes are particularly important for a number of wading and other bird species. For these birds, the seasonally wet grassland is key for feeding and roosting. Coastal and floodplain grazing marshes are identified as habitats of principal importance within the Natural Environment and Rural Communities Act (2006) and there are a number of important nature reserves in the area. Although much of the traditional grazing marsh has disappeared, there are still pockets of land which show us how this pastoral landscape would have looked 100 years ago, and where some of its native flora and fauna can still be found. The Lincolnshire Coastal Grazing Marshes Project, a partnership project hosted by East Lindsey District Council, supports local farmers and landowners to conserve the remaining traditional grazing marsh.
- 3.20 The **Lincolnshire Coastal Country Park** is located between Sandilands and Chapel St Leonard's, covering approximately five miles of coastline and up to 22 square miles of coastal hinterland. The area comprises working farmland, established nature reserves (reedbeds and wetlands) and coastal dunes, providing accessible natural greenspace for residents and visitors. The partnership, led by Lincolnshire County Council, is working to link together existing wildlife sites by creating new nature reserves with wetland, reedbed and grazing marsh habitats, along with creating new access routes and supporting the development of a year-round tourist destination.
- 3.21 Situated to the south-west of Lincoln, the concept of the **Witham Valley Country Park** is to create an easily accessible network of managed outdoor places to encourage residents and visitors to make the most of the green spaces, historic sites and leisure facilities that are available to them in and around Lincoln. The idea is not to create new facilities, but simply make the most of what Lincolnshire already has by improving accessibility and raising awareness. Restoration of mineral sites in the area will play an important role in developing the Park's assets.
- 3.22 The **South Lincolnshire Fenlands** covers approximately 7000 hectares centered on the existing nature reserves at Baston and Thurlby Fens. The partnership aims to restore and re-create up to 800 hectares of fenland landscape between Bourne and Market Deeping as part of the Fens for the Future partnership. Habitat restoration includes creation of wet grasslands utilized for grazing and hay production; reedbeds, wet woodland and open

water. Restoration of mineral sites in this area will provide opportunities for habitat creation as part of a wider landscape-scale initiative.

- 3.23 The **Kirby Moor / Bain Valley** area, centered on the Lincolnshire Wildlife Trust reserves at Kirkby Moor and Kirkby Gravel Pit, provides an opportunity to develop an extensive area of new wildlife habitat including heathland, wet woodland and acid grassland. Restoration of mineral sites along the River Bain will provide further opportunities for habitat creation in this area.
- 3.24 The **Trent Valley / floodplain** is an important area for mineral production, incorporating one of the "Areas of Search" for sand and gravel extraction. The RSPB's Trent and Tame Futurescape programme aims to create "a wetland corridor from Birmingham to the Humber that is rich in nature and an inspirational place to live, work and visit".

### **Internationally, nationally and locally protected nature conservation sites**

- 3.25 There are five Special Areas of Conservation (SACs) in Lincolnshire: Baston Fen, Grimsthorpe, part of the Humber Estuary, the Coast (Saltfleetby–Theddlethorpe Dunes and Gibraltar Point) and part of the Wash (and North Norfolk Coast). The Wash is the largest estuarine system in the UK. Gibraltar Point, Saltfleetby-Theddlethorpe Dunes, the Humber Estuary and the Wash (and North Norfolk Coast) are also Special Protection Areas (SPA) and Ramsar sites.
- 3.26 **The Wash**, shared between Lincolnshire and Norfolk, is one of the UK's most important estuaries. It is a complex ecosystem influenced by various factors such as the amount of marine water entering from the North Sea and the amount of fresh water entering from five rivers; Steeping, Witham, Welland, Nene and Great Ouse. In addition, the estuary is of international nature conservation significance.
- 3.27 Other natural features<sup>9</sup> within the county include:
- 94 Sites of Special Scientific Interest (SSSIs), several of which are in existing or disused quarries
  - 17 Local Nature Reserves (LNRs)
  - 5 National Nature Reserves (NNRs):
    - The Wash and North Norfolk Coast
    - Bardney Limewoods
    - Donna Nook
    - Gibraltar Point
    - Saltfleetby-Theddlethorpe Dunes
  - 1654 Local Sites (863 Local Wildlife Sites; 723 Sites of Nature Conservation Importance; 47 Local Geological Sites; 21 Regionally Important Geological and Geomorphological Sites).
- 3.28 In addition to statutorily protected sites, Local Sites are selected at a local level for their wildlife or geological value. Local Sites are referred to within

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<sup>9</sup> Natural England/Greater Lincolnshire Nature Partnership

national policy and guidance aimed at protecting biodiversity and geodiversity, and are recognised in local planning policy.

## Woodland

3.29 Only 4% of Lincolnshire is covered by woodland, making it one of the least wooded counties in Britain. Ancient woodland in England is defined as an area that has been wooded continuously since at least 1600 AD. Woodland of all kinds in Lincolnshire today only covers 22,500 hectares (ha) but only about 6,300ha (28% of the total) is considered to be ancient semi-natural woodland. Three concentrations of ancient woodland remain: the Bourne woods area on the Kesteven uplands, the Wragby to Woodhall Spa group (including the Limewoods) on the central Clay Vale and the eastern Wolds edge on the Middle Marsh.

## Biodiversity

3.30 The England Biodiversity Strategy (2011) exists to "halt overall biodiversity loss, support well-functioning ecosystems and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people". A key target is an increase in the overall extent of priority habitats by at least 200,000ha by 2020. Similarly, the Natural Environment White Paper, The Natural Choice (2011) recognizes the need to create a resilient ecological network across England. The National Planning Policy Framework (2012) requires local authorities, through the planning system / planning policies to:

- Contribute to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- Plan positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure;
- Plan for biodiversity at a landscape-scale across local authority boundaries;
- Identify and map components of local ecological networks;
- Promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recover of priority species populations.

3.31 The first **Lincolnshire Biodiversity Action Plan** (LBAP) was published in May 2000 by a partnership of organisations including the County Council. The LBAP places the emphasis towards action within the environment as a whole, to protect and enhance current natural resources and restore past losses. The Third Action Plan was published in October 2011; the update reflects the changes in wildlife legislation and sets the agenda for action, establishing priorities for increasing biodiversity in the county and the adjoining North Sea over the next ten years and beyond. Only small pockets of high quality habitat remain in Lincolnshire. The LBAP provides targets for priority habitat creation and restoration. As an LBAP partner, the County Council will work with others to achieve the aims of the LBAP and contribute to habitat creation targets. The landscape-scale initiatives outlined above contribute towards the development of resilient ecological

networks, including biodiversity enhancements, across Lincolnshire, and carried out as part of such long-term initiatives, the restoration of mineral sites has the potential to contribute significantly to these targets.

## **Geodiversity**

- 3.32 The first Lincolnshire Geodiversity Action Plan (LGAP) was published in May 2010 by a partnership of organizations including the County Council. The LGAP places the emphasis towards enhancing understanding and action to conserve and develop the geodiversity of Lincolnshire, whilst promoting and managing its sustainable use. Geodiversity in Lincolnshire encompasses not only the bedrock and superficial geological deposits, of most interest to the extractive industries and building trade, but also both inland and coastal geomorphology and soils.

## **Historic Environment**

- 3.33 Lincolnshire is a county rich in historic assets. The County is interspersed with Conservation Areas; has a Civil War battlefield at Winceby, near Horncastle; and is home to a varied archaeological heritage, including remains of national and international importance of all dates, from the Palaeolithic period to the last century. Lincolnshire has many pleasant and appealing market towns and villages, vernacular cottages, farm buildings and great country houses but the historic centre of Lincoln is one of the County's greatest attractions. These examples and the unique combinations of various architectural forms, styles and materials are representative of the economic, social and aesthetic influences on Lincolnshire during different periods in history. Many of these buildings are recognised as significant and are protected as Listed Buildings. There are 383 Grade I, 533 Grade II\* and 6052 Grade II listings in Lincolnshire.
- 3.34 Lincolnshire's wealth of very important archaeological remains include the flint tools of the early "Palaeolithic" inhabitants, the prehistoric burial mounds of the Wolds, the waterlogged landscapes of the Witham and Trent Valleys. Structures include medieval castles and monasteries and the industrial buildings of Lincolnshire's major towns and the agri-industrial buildings in the countryside, plus Second World War sites and defences.
- 3.35 There are 477 nationally important and legally protected Scheduled Monuments, as well as many thousands of locally important archaeological sites covering all types of site from pre-history to the recently modern period. Lincolnshire retains important examples of the nation's air-warfare heritage dating from the Second World War, in particular, and the Cold War.

## **Historic Landscape**

- 3.36 The historic fabric of the county's towns, villages and individual buildings, archaeological features, historic parks and gardens, battlefields and the wider historic landscape, together with wildlife and geological and land-form features, all need to be recognised, understood and conserved.

There are 162 designated Conservation Areas in the County. There is also one registered battlefield at Winceby in the Lincolnshire Wolds.

- 3.37 Historic landscapes are an important part of Lincolnshire's physical and cultural resource. They contain innumerable visible traces of human interaction with nature over several millennia. They contribute to the identity of the County, provide settings for everyday life, attract tourism and business, and are a source of enjoyment and inspiration.
- 3.38 The County Council has produced a Historical Landscape Character Assessment covering the whole historic county; this follows on from the mapping of The Wash Historical Landscape Character Assessment. The County Historic Landscape Characterisation project describes the modern landscape of the historic county of Lincolnshire in terms of the existing features seen today and of the processes by which they were formed.
- 3.39 Lincolnshire County Council in partnership with Groundwork Archaeology Ltd and English Heritage, completed a Lincolnshire Aggregates Landscape Project (LALP) in 2008 using funding from the Government's Aggregates Levy Sustainability Fund, derived from a tax on the aggregate industry. LALP aims to establish the archaeological knowledge for all the aggregate areas of the historic county of Lincolnshire, in order to provide the high quality information needed for its effective management in the face of pressures from the minerals industry.

### **Parks and Gardens**

- 3.40 There are 28 historic parks and gardens within the county which are listed on the National Heritage List for England database maintained by English Heritage. All of these are of at least national importance, some, such as that at Belton are of International importance. In total they cover about 2,948 hectares and constitute a unique Lincolnshire resource.

### **Heritage at Risk**

- 3.41 The English Heritage 'Heritage at Risk' Register records that there are 67 listed buildings at risk in Lincolnshire (Grade I and Grade II\* listed buildings and Places of Worship only). There are also 63 Scheduled Monuments, 2 Registered Parks and Gardens and 21 Conservation Areas recorded as at risk by English Heritage within the County.

## 4. SPATIAL VISION & STRATEGIC OBJECTIVES

- 4.1 The spatial vision shapes the overall direction of the Lincolnshire Minerals and Waste Local Plan. The spatial vision recognises the balance that must be struck in Lincolnshire between making provision for minerals and waste developments to meet future requirements, whilst at the same time ensuring that such developments are socially, environmentally and economically acceptable.
- 4.2 Future mineral extraction and waste management in the County must be based on the principles of sustainable development. The Minerals and Waste Local Plan will strive to ensure that minerals are available at the right time and in the right locations to support levels of growth in terms of new housing, commercial, industrial development and essential infrastructure; and that waste is managed near to where it is produced in accordance with the waste hierarchy. Lincolnshire County Council will through the policies in the Plan seek to provide for future minerals and waste needs; conserve the County's resources; maximise the recovery of waste; provide local jobs; and protect and improve the environment.
- 4.3 The Spatial Vision takes into account other plans and strategies that impact on minerals and waste planning, along with local issues relating to Lincolnshire.

### Spatial Vision

**Lincolnshire County Council will provide a strategic planning framework to facilitate the sustainable supply and use of minerals and to manage waste sustainably in accordance with the waste hierarchy and recognising it as a resource. This will ensure the economic, environmental and social benefits of mineral and waste development are considered whilst Lincolnshire's natural, built and historic environment is protected and enhanced, economic growth is supported, and the health and amenity of local communities is protected. New development will take positive action to mitigate and adapt to climate change.**

**The Council will identify and safeguard important minerals resources and provide a network of sustainable waste management facilities to provide certainty to both the minerals industry and local communities.**

### Strategic Objectives

- 4.4 To assist in the delivery of the Spatial Vision and in delivering sustainable development, the following key objectives provide a framework for policy development. The Minerals and Waste Local Plan must be consistent with national planning policy and take account of other relevant strategies and programmes such as the Lincolnshire Biodiversity Action Plan, Lincolnshire Geodiversity Action Plan and the national strategy Biodiversity 2020.

4.5 The Strategic Objectives are listed in no particular order and should be considered on an equal basis. **The Strategic Objectives of the Lincolnshire Minerals and Waste Local Plan are as follows:**

**a. Protect the environment and local communities from negative impacts of minerals and waste development, reduce residual impacts and deliver improvements where possible. Ensure new facilities include high standards of design and layout, sustainable construction methods, good working practices and environmental protection measures;**

**b. Ensure that the minerals extracted in Lincolnshire supplies industry in line with national guidance and contributes to local and national requirements;**

**c. Seek to ensure that minerals are supplied from appropriately located and environmentally acceptable sources;**

**d. Through prioritising movement of waste up the waste hierarchy, minimise greenhouse gas emissions by reducing the reliance on landfill; maximise opportunities for the re-use and recycling of waste; encourage new technologies to maximise the renewable energy potential of waste as a resource; and promote the use of carbon capture technology;**

**e. Deliver adequate capacity for managing waste more sustainably when it is needed; and promote net self sufficiency in Lincolnshire to ensure waste is managed as near as possible to where it is produced, including the need for waste water infrastructure;**

**f. Safeguard key mineral resources from sterilisation by other forms of development;**

**g. Provide for a steady and adequate supply of minerals and ensuring the efficient use of primary minerals and encourage the production and use of good quality secondary and recycled aggregates;**

**h. Protect Lincolnshire's high quality agricultural land and soil (Grades 1, 2 and 3a) where practicable from development; and encourage protection of soils through restoration schemes to biodiversity (where soils are cared for in a sustainable manner), enabling habitat creation in addition to soil preservation for future agricultural needs;**

**i. Consider the restoration of mineral sites at the beginning of the proposal; after-uses will be identified which best meet local circumstances. The enhancement of existing and the creation of new priority habitats, in line with National Guidance, the Lincolnshire Biodiversity Action Plan, Lincolnshire Geodiversity Action Plan; the national strategy Biodiversity 2020 and green infrastructure will be key objectives;**

- j. Ensure the unique historical heritage of Lincolnshire, including its built, archaeological and natural landscape features and their wider settings are protected from the adverse impacts of mineral and waste developments;**
- k. Ensure that local sources of building stone are available to contribute towards the maintenance and enhancement of locally distinctive buildings. Stone for Lincoln Cathedral will be specifically protected;**
- l. Protect Lincolnshire's coastal and fluvial high flood risk areas from inappropriate minerals and waste development and reduce flood risk through development opportunities wherever possible;**
- m. Protect and enhance the Lincolnshire Wolds AONB, coastline and other nature conservation areas ranging from International (Natura 2000 sites) through to local designations;**
- n. Sustainable alternative modes of transport will be given priority and vehicular-tonne miles movements will be minimised wherever practicable.**

## **5. PROVIDING FOR MINERALS**

- 5.1 The National Planning Policy Framework (NPPF) states that local planning authorities should identify and include policies for extraction of mineral resource of local and national importance in their area. Lincolnshire contains a wide variety of mineral resources and is a major minerals producer. Both aggregate and non-aggregate minerals are produced within the County. Aggregates are derived from sand and gravel, limestone or chalk and are used in the construction industry for building purposes. Sand and gravel and limestone are the most significant minerals produced in the County. Non-aggregate minerals in Lincolnshire currently include building stone and energy minerals such as oil and gas, but in the past also included clay and ironstone. There are also reserves of silica sand and coal within the county, although these are not exploited at present.
- 5.2 The NPPF states that minerals are essential to support sustainable economic growth and our quality of life. It is therefore important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. However, since minerals are a finite natural resource, and can only be worked where they are found, it is important to make best use of them to secure their long-term conservation.
- 5.3 In order to ensure continuity of supply, the Government advises that landbanks should be used as an indicator of when new permissions are likely to be needed. A landbank is the sum (in tonnes) of all the permitted reserves with valid planning permission (this includes sites that are currently not working, but excludes those sites which are dormant as set out under the Planning and Compensation Act 1991 and Environment Act 1995, for which a review is required before operations can resume).
- 5.4 The recommended landbank period for sand and gravel is at least seven years, while for crushed rock and silica sand sites it is at least 10 years. National Planning Practice Guidance on the Managed Aggregate Supply System advises that the landbank should be based on projected rates of future demand set out in the latest Local Aggregate Assessment (LAA), which should consider the past 10 years average sales and other relevant local information. Landbanks are not appropriate for energy minerals (coal, oil and gas) as the Government advises that it is not for the planning system to limit any particular source or level of energy supply. It is important to note that landbanks can only be maintained in practice if the minerals industry comes forward with planning applications in the right place and at the right time.
- 5.5 Extensions to existing mineral workings (comprising the extraction of minerals on land in close proximity to an existing quarry where extracted mineral is moved to an existing quarry processing plant and access via means other than the public highway) commonly have less environmental impacts than a wholly new proposal and there is the advantage of continuity of production as existing sites have infrastructure already in place. They can also help retain the existing workforce and provide a

mechanism for the full recovery of the resource thus avoiding the unnecessary sterilisation of the mineral. Proposals at sites which over time have become split between two or more operators will be assessed against the total permitted reserves remaining at the site.

- 5.6 Extensions can, however, have the disadvantage of prolonging mineral extraction within areas which have already been affected for many years by mineral operations, so having adverse impacts on local communities. This could lead to cumulative impacts in a concentrated area caused by incremental extensions to existing sites. In addition, if an existing site is not well located to the transport system the impacts could be exacerbated.

## **AGGREGATES**

- 5.7 The NPPF states that mineral planning authorities should plan for a steady and adequate supply of aggregates. It indicates that authorities should take account of published National and Sub National Guidelines on future provision which should be used as a guideline when planning for the future demand for and supply of aggregates
- 5.8 The latest National and Regional Guidelines for Aggregate Provision in England were published by the Government in June 2009 for the period 2005 to 2020. These set out guidelines for land won aggregates and assumptions for supplies of marine, alternative aggregates and those supplied from outside England. The Guidelines require the East Midlands region to provide 500 million tonnes of crushed rock, 174 million tonnes of sand and gravel, and 110 million tonnes of alternative materials between 2005 and 2020.
- 5.9 A revised Sub-Regional Apportionment (SRA) for the East Midlands was agreed by East Midlands Aggregates Working Party (EMAWP) on 8th January 2010. The SRA would require Lincolnshire to provide 52.48 million tonnes of sand and gravel and 18 million tonnes of crushed rock (specifically limestone) from 2005 to 2020. This amounts to an average of about 3.28 million tonnes of sand and gravel and 1.1 million tonnes of crushed rock each year over this 16-year period. Careful judgements will need to be made if these apportionment targets are to be achieved and the worst environmental impacts of minerals development avoided.
- 5.10 At its meeting on 5<sup>th</sup> March 2010, the East Midlands Regional Assembly's Housing, Planning & Transport Joint Board subsequently agreed that the revised SRA figures be included in the draft replacement Regional Plan Policies for submission to the Secretary of State. The Partial Review was submitted to the Secretary of State on 26th March 2010 as a Revised Draft East Midlands Regional Plan. However, the Secretary of State has not progressed this review following the revocation of Regional Spatial Strategies.

## **Recycled and Secondary Aggregates**

- 5.11 The NPPF states that local planning authorities should so far as practicable, take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials, before considering extraction of primary materials, whilst aiming to source minerals supplies indigenously.
- 5.12 It should be noted that the Environment Agency needs to be consulted when the recycling of soils and aggregate is being considered, as it may require permitting and some extraction activities may require Mining Waste permits.
- 5.13 The use of secondary and recycled aggregates in construction projects and highways development (sub-base for roads) contributes to more sustainable development. The substitution of part of the primary won aggregate by alternative products lessens the need for quarrying with the associated benefits of reduced social and environmental impacts.
- 5.14 Recycled aggregates can comprise of construction, demolition and excavation wastes, asphalt road planings and used railway ballast. The main source of alternative aggregates in Lincolnshire arises from construction, demolition and excavated waste (often referred to as CD & E waste). 'Secondary aggregates' are by-products of other processes, and will not have been used previously as aggregates.
- 5.15 The National and Regional Guidelines for Aggregate Provision have taken into account alternative (secondary/recycled) materials and so the subsequent sub regional apportionment figures already include deductions for these (see paragraph 5.8 above). Whilst the bulk of aggregates required for the construction industry are likely to continue to be won from primary resources, the Council recognises that a sustainable minerals supply strategy should make provision for maximising the recovery and use of recycled and secondary materials.
- 5.16 There are clear links between Policy M1, which encourages facilities for recycling and reprocessing of materials for use as aggregates, and the policies for the processing of construction and demolition waste, road planings and other waste suitable for aggregate production contained in Section 6, Providing for Waste (see in particular Policies W3 and W4). All new or expanded facilities for handling, recycling and distributing recycled and secondary aggregates will also need to be assessed against a range of policy criteria, as set out in Section 7, Development Management Policies.

### **Policy M1: Recycled and Secondary Aggregates**

**Planning Permission will be granted for recycling/reprocessing of materials for use as secondary or recycled aggregates in appropriate locations as specified in Policy W4, provided that proposals accord with all relevant Development Management Policies set out in the Plan.**

## Sand and Gravel

- 5.17 Sand and gravel resources are the most important of the County's aggregate minerals. Over the ten year period 2001 to 2010, sales from Lincolnshire averaged 2.74 million tonnes (Mt) per annum. This represented 30.5% of sand and gravel sales within the East Midlands. The resources are used primarily in the construction industry as building sand or in the manufacture of concrete and tend to serve local markets.
- 5.18 Whilst deposits occur across large parts of the County, historically sand and gravel production has been concentrated in three main areas: the Trent Valley generally southwest of Lincoln; the Lower Bain Valley (around Woodhall Spa and Tattershall); and the Baston-Langtoft/West Deeping area in the south of the County. Some sites within these areas have been active for very long periods of time. In terms of spatial changes, it is therefore unlikely that new areas of mineral workings over the plan period will alter to any large extent the overall spatial pattern of existing production.
- 5.19 As stated in paragraph 5.9 above, the recommended sub regional apportionment (SRA) for Lincolnshire is 3.28Mt per annum. At the end of 2010, the County had 20.93Mt of permitted reserves. These reserves would be more or less depleted by 2016 if sales achieved the recommended SRA rate and no further planning permissions were granted.
- 5.20 Table 1 below provides a calculation of potential future requirements for sand and gravel for the plan period up to 2031. The calculation assumes that the requirement will continue throughout this period at the same average rate as in the latest Sub-Regional Apportionment agreed by the East Midlands Aggregates Working Party. The calculation takes account of the level of permitted reserves as at 31<sup>st</sup> December 2010. The permitted reserves include active and inactive sites, but exclude dormant sites. The table indicates that there would be a shortfall of sand and gravel reserves over the period to 2031 of some 48 million tonnes.

**Table 1: Calculation of Sand and Gravel Provision 2011 – 2031**

<b>A</b>	Annual Requirement	<b>3.28Mt</b>
<b>B</b>	Total Requirement 2011-2031	<b>68.88Mt</b>
	<b>Reserves</b>	
<b>C</b>	Permitted Reserves at 31/12/2010	<b>20.93Mt</b>
	<b>Shortfall</b>	
<b>D(B-C)</b>	Shortfall 2011 – 2031	<b>47.95Mt</b>

- 5.21 The County Council recognises that calculating estimates of demand are increasingly uncertain when considering a period of 21 years. Whilst demand at the current time is low (1.79Mt in 2010) and average sales over the last 10 years are below the agreed apportionment level, it is crucial that sufficient mineral is provided to realise ambitions for growth

within the County. The projected population growth rate is higher than the national growth rate, which allied to increasing demand for new built development will result in more pressure on primary resources and the need to plan for the release of additional reserves to service this increased demand. The situation will however be carefully monitored as any increase in annual outputs very much depends on operational and economic factors outside the control of the County Council. This will be done annually through the County Council's Local Aggregate Assessment. If a lower production rate continues for an extended period, then the overall requirement will need to be re-evaluated through a review of this Plan.

- 5.22 A Call for Sites exercise was carried out by the Council between October 2009 and January 2010 and a "refresh exercise" between March 2014 and April 2014. This resulted in the minerals industry and other landowners submitting proposals for new/extended extraction areas. This exercise resulted in a significant amount of additional sand and gravel resource being proposed by the minerals industry. Provision will be made in the Site Locations Document for the release of additional sand and gravel reserves. This document will include specific proposals and policies for the release of sites, including the provision of appropriate safeguards and reclamation and after-use details.

### **Spatial Strategy for Sand and Gravel.**

- 5.23 The cost of transporting high bulk/low value materials such as aggregate means that, in general, sand and gravel quarries normally only serve relatively local markets. Therefore, given the large area covered by the County, together with the uneven distribution of active sand and gravel quarries (which are mainly clustered into three areas), the County has historically been subdivided into areas reflecting the markets served by the common centres of production. This practice began in the 1940s when the country was divided into gravel regions, each sub-divided into service areas, with Lincolnshire falling within three gravel regions and five service areas. By the time the 1991 Lincolnshire Minerals Local Plan was being prepared there had been a move away from a strict adherence to the historical service areas. However, based on information supplied by the industry relating to the patterns of distribution, it was recognised that production in the County should be divided between three broad areas. As a result, three Production Areas were established as shown on the key diagram, namely: Lincoln/Trent Valley; Central Lincolnshire; and South Lincolnshire.
- 5.24 The County Council will continue its approach of dividing the County into three Production Areas within which to allocate the overall County demand forecast as it considers that:
- the Production Areas broadly reflect the markets served;
  - it assists in spreading the burden of provision and dispersing the effects of mineral working to different areas (thereby avoiding an over concentration of works in a single area); and
  - it will facilitate any future comparative studies on aggregate sales/distribution.

- 5.25 The County demand forecast will be divided between the three Production Areas based on their relative contributions to sand and gravel sales in the County over the past 10 years, adjusted to take into account any anticipated growth.
- 5.26 Over the last 10 years (2001 to 2010), 43.5% of the County's sales have come from the Lincoln/Trent Valley Production Area, 35.7% from the South Lincolnshire Production Area and 20.8% from the Central Lincolnshire Production Area. Over this period, sales from Central Lincolnshire have generally been around 0.6Mt per annum, while sales from South Lincolnshire have been around 1Mt per annum. Sales from Lincoln/Trent Valley have been more variable, ranging from 1.8Mt in 2002 to 0.5Mt in 2008.
- 5.27 Growth in the County, and the associated demand for sand and gravel is assessed annually through the County Council's Local Aggregate Assessment. At present, the majority of growth in the county over the period of the Plan is expected to be in the central and western main urban centres of the county, comprising the area in and around the City of Lincoln, Gainsborough and Grantham. Both Lincoln and Gainsborough lie within the Lincoln/Trent Valley Production Area. Whilst Grantham lies just outside, in the South Lincolnshire Production Area, in practice it is likely that development in this area will at least in part be supplied by sand and gravel from sites in the Lincoln/Trent Valley Production Area.
- 5.28 A high percentage of new housing and associated infrastructure is likely to take place in the areas referred to above and in particular in and around the City of Lincoln, such as the Lincoln Eastern Bypass. As the sand and gravel resources in the Trent Valley are mainly located only 10 – 15 miles south west of Lincoln, they offer the most sustainable/economically viable option when meeting future demand for sand and gravel arising from this growth.
- 5.29 On the basis that much of the future growth in the County will be concentrated in or close to the Lincoln/Trent Valley Production Area, it is assumed that sales from Central and South Lincolnshire will continue to remain relatively constant over the plan period based on the level of sales experienced over the last 10 years. It is therefore proposed that the increased production needed to achieve future growth should be provided within the Lincoln/Trent Valley Production Area. Sales data from previous years indicate that this Production Area could accommodate the higher levels of production required to meet the forecast increase in demand without the need for additional quarry units.
- 5.30 Table 2 below provides a calculation of potential future requirements for sand and gravel for each production area for the period up to 2031. The county has sufficient quantities of sand and gravel in the three production areas to meet demand over the period of the plan. More than enough reserves have been put forward through the call for sites exercise to meet the potential shortfalls.

**Table 2: Calculation of sand and gravel provision for 2011-2031 by Production Area**

	<b>Lincoln/Trent Valley</b>	<b>Central Lincs.</b>	<b>South Lincs.</b>
Annual provision	1.68Mt	0.6Mt	1Mt
Required provision 2011-2031 (21yr period)	35.28Mt	12.6Mt	21Mt
Permitted Reserves @ 31/12/10	7.36Mt	5.32Mt	8.24Mt
Shortfall	27.92Mt	7.28Mt	12.76Mt

- 5.31 The County Council's preferred spatial strategy will be to secure the County's future supplies of sand and gravel from extensions to existing operational sites (Active Mining Sites) wherever possible and where this will not have unacceptable impacts on local communities or the environment. The County Council considers that this approach:
- avoids a proliferation of sites and ensures that future extraction is confined to areas where disturbance to the local environment has already taken place;
  - permits the County Council to exercise greater control over the release of reserves as a new quarry would invariably require the release of substantial reserves to justify expenditure in new plant and equipment; and
  - potentially provides an opportunity for higher overall standards of restoration.
- 5.32 The NPPF states that provision for land won aggregates in mineral plans should take the form of specific sites, preferred areas and/or areas of search and locational criteria as appropriate. Specific sites will generally be where viable mineral resources are known to exist, where landowners are supportive of mineral development taking place and where the Council considers that any planning applications which are made are likely to be acceptable in planning terms. Preferred areas are areas of known resources where planning permission might reasonably be expected. Areas of search will be broader areas where knowledge of mineral resources may be less certain but within which planning permission could be granted to meet any shortfall in supply.
- 5.33 The County Council has designated three areas of search, one in each Production Area as shown on the Key Diagram, namely:
- West of Lincoln and north/south of Gainsborough for the Lincoln/Trent Valley Production Area;
  - Tattershall Thorpe for the Central Lincolnshire Production Area; and
  - West Deeping/Langtoft for the South Lincolnshire Production Area.
- 5.34 The proposed Areas of Search extend those contained in the 1991 Minerals Local Plan to include the most viable sand and gravel resource based on a recent assessment of resources within the County carried out by the British Geological Survey (BGS) in 2010. These do, however,

exclude some areas shown as having a high grade resource. In particular, a large area of sub-alluvial sand and gravel covering the Witham Valley has not been included because this has not been subject to any industry interest and is known to contain extensive archaeological features. The sub-alluvial deposit in the South Lincolnshire area has similarly been excluded.

- 5.35 The County Council recognises that the BGS study does not cover the whole of the county. There will therefore be instances where there are existing permitted active sand and gravel sites with potential viable reserves not falling within the proposed areas of search. In these circumstances it is not the Council's intention to prevent such quarries operating in the future by refusing permission for extensions because the site is outside an Area of Search.
- 5.36 The County Council will make provision in the Sites Locations Document for the release of additional reserves sufficient to meet the provision set out in Table 2 adjusted to take into account the most up to date information on the landbank. This will include the latest Report of Annual Survey published by the East Midlands Aggregates Working Party, the County Council's latest Local Aggregate Assessment, and details of any additional reserves that have been granted following the publication of those documents.
- 5.37 In allocating sites in that document, the County Council will give preference to extensions to existing workings (Active Mining Sites) provided that these do not have unacceptable impacts on local communities or the environment. Where new sites are required to replace sites that will become exhausted during the plan period, preference will be given to sites located within the Areas of Search. This does not, however, imply that the new quarry must be operated by the company whose quarry it will replace.
- 5.38 The spatial strategy recognises that minerals can only be worked where they are found, and as such are restricted in their ability to achieve more sustainable transport options. However, the Areas of Search cover extensive areas so there may be potential for replacement sites to either reduce transportation distances or facilitate more sustainable means of transport. For example, a new quarry in the Gainsborough area could provide locally sourced aggregate to the town for building projects and could potentially utilise the Trent River for transportation purposes. Through policy DM 12: Encouraging Sustainable Transport Movements and its supporting text, the plan sets out its approach to achieving sustainable transport of minerals and this is a key consideration of the spatial strategy and any development which comes forward.

## **Policy M2: Providing for an Adequate Supply of Sand and Gravel**

**The County Council will ensure a steady and adequate supply of sand and gravel for aggregate purposes by making provision over the plan period (2011 to 2031) for the extraction of 68.88 million tonnes of sand and gravel (3.28 million tonnes per annum). This will be divided between the three Production Areas (as shown on the Key Diagram) as follows:**

- 35.28 million tonnes (1.68 million tonnes per annum) from the Lincoln/Trent Valley Production Area;**
- 12.6 million tonnes (0.6 million tonnes per annum) from the Central Lincolnshire Production Area; and**
- 21 million tonnes (1 million tonnes per annum) from the South Lincolnshire Production Area.**

**The County Council will make provision for the release of sand and gravel reserves in the Site Locations Document. This will give priority to extensions to existing Active Mining Sites. New quarries will be allocated where they are required to replace existing Active Mining Sites that will become exhausted during the Plan period and where they are located in the relevant Areas of Search as shown on the Key Diagram, namely:**

- west of Lincoln and north/south of Gainsborough for the Lincoln/Trent Valley Production Area;**
- Tattershall Thorpe for the Central Lincolnshire Production Area; and**
- West Deeping/Langtoft for the South Lincolnshire Production Area.**

5.39 Although the County Council will be making provision for the release of additional reserves sufficient to meet the Sub-Regional Apportionment (SRA) through allocations in the Site Locations Document, it needs to be recognised that growth in the County may not reach the levels anticipated at the time the SRA was agreed. Should this be the case, the annual output of sand and gravel may continue to be far lower than that envisaged by the SRA (expressed as an annual requirement), particularly in the Lincoln/Trent Valley Production Area that has been allocated a larger proportion of the SRA. This could have undesirable consequences if the SRA (divided between the three Production Areas) is used to calculate the level of the landbank in order to assess when new permissions are needed, resulting in the County Council having to grant planning permission for additional quarry units contrary to its spatial strategy. The County Council will therefore calculate the landbank at any point in time using the average of the previous 10 years' sales data provided in the County Council's Local Aggregate Assessment.

### **Policy M3: Landbank of Sand and Gravel**

**In order to ensure a steady and adequate supply of sand and gravel for aggregate purposes, the County Council will seek to maintain a landbank of permitted reserves of sand and gravel of at least 7 years within each of the Production Areas based on their past 10 years average sales.**

- 5.40 The County Council will seek to maintain the landbank of sand and gravel within each Production Area through granting planning permission for sites allocated in the Site Locations Document. These sites will be allocated on the basis that they represent the best means for the County Council to meet the provisions set out in Table 2 following a Strategic Environmental Assessment and Sustainability Appraisal. The County Council recognises that the 7 year landbank is a minimum, not a target, and that in order to maintain the level of output in each Production Area the landbank may on occasions need to significantly exceed this level. This is likely to arise particularly where the level of permitted reserves, although high overall, are unevenly distributed amongst the various quarries.
- 5.41 It is possible that a shortfall could develop in the landbank of a Production Area if an application for an allocated site is not forthcoming or is refused. In these circumstances the County Council will grant planning permission for unallocated sites provided that the development does not have unacceptable impacts on local communities or the environment.

### **Policy M4: Proposals for Sand and Gravel Extraction**

**Sites allocated in the Site Locations Document will be granted planning permission for sand and gravel extraction for aggregate purposes provided that in each case the site:**

- **is required to maintain the landbank of the relevant Production Area calculated in accordance with Policy M3; and**
- **in the case of a new quarry, is required to replace an existing Active Mining Site that is nearing exhaustion; and**
- **accords with all relevant Development Management Policies set out in the Plan.**

**For sites not allocated in the Site Locations Document, planning permission will be granted for sand and gravel extraction for aggregate purposes provided that the site is required to meet a specific shortfall in the landbank of the relevant Production Area calculated in accordance with Policy M3, and:**

- **the site forms an extension to an existing Active Mining Site; or**
- **where the proposal is for a new quarry, the site is required to replace an existing Active Mining Site that is nearing exhaustion; and:**
- **the proposal accords with all relevant Development Management Policies set out in the Plan.**

## Limestone

- 5.42 Crushed Lincolnshire Limestone aggregate is of relatively low strength with poor resistance to frost damage. It is therefore generally only suitable for use as constructional fill. Whilst the main use for the limestone is aggregate, a significant proportion of output is also used for non-aggregate purposes, notably agricultural lime.
- 5.43 Table 3 below provides a calculation of potential future requirements for limestone for aggregate purposes for the period up to 2031. The calculation assumes that the requirement will continue throughout this period at the same average rate as in the latest Sub-Regional Apportionment agreed by the East Midlands Aggregates Working Party (limestone being the sole component of Lincolnshire's 'crushed rock' apportionment). The calculation takes account of the level of permitted reserves as at 31<sup>st</sup> December 2010. The permitted reserves include active and inactive sites, but exclude dormant sites.

**Table 3: Calculation of Limestone (Aggregate) Provision 2011-2031**

<b>A</b>	Annual Requirement	<b>1.1Mt</b>
<b>B</b>	Total Requirement 2011-2031	<b>23.1Mt</b>
	<b>Reserves</b>	
<b>C</b>	Total permitted reserves, excluding reserves in dormant sites, at 31/12/2010	<b>46.97Mt</b>
	<b>Surplus</b>	
<b>D(B-C)</b>	Surplus 2011 – 2031	<b>23.87Mt</b>

- 5.44 The table indicates that there would be more than sufficient limestone reserves to meet future requirements (a surplus of around 24 million tonnes). This would suggest that there is no need for any additional provision to be made. There may however be exceptional circumstances over the life of the plan when the release of additional reserves may be justified, such as where the mineral deposit has special characteristics not found in other deposits being worked locally or where it is essential to maintain continuity of supply due to special demand factors which would have an impact on the local economy. There may also be benefits in allowing a "swap" whereby an existing permission for a site which is causing environmental damage would be revoked in exchange for new site with minimal environmental impact.

### Policy M5: Limestone

**Proposals for extensions to existing limestone extraction sites or new limestone extraction sites (other than primarily for building stone purposes) will be permitted provided that they meet a proven need that cannot be met by existing sites, and accord with all relevant Development Management Policies set out in the Plan.**

## Chalk

- 5.45 Chalk has been extracted within Lincolnshire for both aggregate and industrial purposes, including iron making, lime production for steel manufacture and industrial fillers, for constructional purposes and agricultural use. Chalk is of relatively low quality and the sites, which produce it, are either on the border or within the Lincolnshire Wolds AONB. There is only one currently operating within the Wolds and two operating quarries immediately adjacent.
- 5.46 At the end of 2010, there were 9.2Mt of permitted reserves of chalk in the County, 0.5Mt in active sites and 8.7Mt in inactive sites. Sales since 2005 have not exceeded 250,000 tonnes in any particular year and have fallen significantly since 2008. There is no specific regional apportionment for chalk in Lincolnshire.
- 5.47 The County Council therefore considers that there are more than sufficient chalk reserves to meet the low demand for chalk over the plan period. The County Council is also seeking the progressive reduction of mineral production within the AONB. As a result, the County Council does not propose to make any additional provision for chalk extraction.
- 5.48 As for limestone (see above), the County Council recognises that there may however be exceptional circumstances over the life of the plan when the release of additional chalk reserves may be justified.

## Policy M6: Chalk

**Proposals for extensions to existing chalk extraction sites or new chalk extraction sites will be permitted provided that they meet a proven need that cannot be met by existing sites, and accord with all relevant Development Management Policies set out in the Plan.**

## NON-AGGREGATES

### Building Stone

- 5.49 Historically, Lincolnshire has produced and used a wide range of indigenous stones for building purposes. Parts of Lincolnshire have developed their own unique and locally distinctive character which in many respects depends upon locally available building materials. English Heritage published the Lincolnshire Strategic Stone Study in July 2013 which provides a detailed analysis of building stone types within the County. Specific building stone is needed for repairing historic structures across the County and for maintaining local distinctiveness with appropriate new buildings. Stone selected for the repair of historic buildings and structures has to closely match the original stone to avoid differences in appearance. Building Stone therefore has an important role to play in the conservation, management and enhancement of the historic environment, and in tackling heritage at risk.

- 5.50 The only building stone resource that is exploited in the county is limestone from the Lincolnshire Limestone Formation. There are four “historic” limestone quarries in the County that exclusively produce building stone. These are the Cathedral Quarry located in the City of Lincoln and operated by the Dean and Chapter to supply stone principally for conservation work at the Cathedral; two quarries in the Wilsford/Heydour area that produce Ancaster Stone; and the Holywell Quarry near Stamford that produces Clipsham Stone. In addition, a number of aggregate and former aggregate quarries also produce building stone.
- 5.51 The NPPF states that local planning authorities should, when determining planning applications, consider how to meet any demand for small-scale extraction of building stone at, or close to, relic quarries needed for the repair of heritage assets, taking account of the need to protect designated sites; and recognise the small-scale nature and impact of building and roofing stone quarries, and the need for a flexible approach to the potentially long duration of planning permissions reflecting the intermittent or low rate of working at many sites.
- 5.52 The situation with building stone is not the same as for aggregates because there is no specific target output or apportionment required. The issue with building/dimension stone is therefore not so much *where* it is extracted from as to the *quality* of the mineral and the likely end market. For this reason, the County Council does not propose to restrict new building stone quarries geographically but to judge proposals on strict criteria on the quality of the stone, size of site/output and intended markets.
- 5.53 Any building stone proposals will have to demonstrate that they are genuine building/dimension stone quarries. In general such proposals should demonstrate a specific need for the stone which cannot be met from existing quarries as well as reflecting the Government’s view that such quarries should be small scale and of low impact. Proposals which are merely a means to extract aggregate will be discouraged.
- 5.54 The historic building stone quarries are significantly smaller than aggregate quarries in terms of scale of operation, and their levels of potential impacts such as noise, vehicle movements and dust, rate of working and scale of impacts on people and the environment are generally considerably less.

### **Policy M7: Building Stone**

**Proposals for small-scale, new or extended building stone quarries will be permitted where it can be demonstrated that:**

- **there is a specific need for the stone; and**
- **the stone cannot be obtained from existing permitted sites; and**
- **proposals accord with all relevant Development Management Policies set out in the Plan.**

## Silica Sand

- 5.55 Silica sand is sand which contains a high proportion of silica in the form of quartz and is marketed for purposes other than for direct use in the construction industry. Silica sands are essential raw materials for glassmaking and a wide range of other industrial and horticultural applications. Silica sand is geologically and geographically sparsely distributed and, consequently, the mineral is a valuable resource of recognised national importance.
- 5.56 The NPPF states that minerals planning authorities should plan for a steady and adequate supply of industrial minerals by providing a stock of permitted reserves of at least 10 years for individual silica sand sites (or 15 years where significant new capital is required) to support the level of actual and proposed investment required for new or existing plant and the maintenance and improvement of existing plant and equipment.
- 5.57 In the north of the County, there are deposits of blown sand which extend into the neighbouring North Lincolnshire Authority, where they have been extensively worked for silica sand in the Messingham area.

### Policy M8: Silica Sand

**Planning permission will be granted for silica sand extraction where required to provide a stock of permitted reserves of at least 10 years for an individual silica sand site (or 15 years where significant new capital is required), provided that proposals accord with all relevant Development Management Policies set out in the Plan.**

## ENERGY MINERALS

- 5.58 The Government's energy policy is to have a secure and diverse supply of energy sources. The Government does not consider it appropriate for planning policy to set targets for or limits on different technologies. Oil and gas are important mineral resources and primary sources of energy in the United Kingdom. Oil products provide around 33% of the primary energy used. Significant reductions in demand are not expected over the next 10-15 years because the transport sector, the main consumer of oil, will continue to be heavily dependent on it over this period.
- 5.59 Oil and Gas resources can be broadly split into two categories: Conventional and Unconventional. 'Conventional' oil and gas refers to oil and gas resources ('hydrocarbons') which are located in relatively porous rock formations such as limestone and sandstone. Conventional extraction methods generally involve drilling a borehole down to the porous rock where oil or gas has formed in a reservoir. The oil and gas resources are then pumped out of the ground using beam pumps (known as 'nodding donkeys') or electric pumps.
- 5.60 Lincolnshire has a long history associated with the production of conventional oil and gas going back to the 1940s, and large parts of the County are licensed for production. Welton oilfield is the second largest

on-shore field in the UK after Wytch Farm in Dorset. It started oil production in 1984 and to date peak production has reached 0.16mt per annum. Gas has also been previously produced from the Saltfleetby field, to the east of the county, on a significant scale. Currently permitted oil and gas sites are listed in Appendix 2 and shown on Figures 6-12 in Appendix 3.

- 5.61 "Unconventional" oil and gas resources require methods for extraction which are not normally necessary in the conventional extraction of hydrocarbons. Such resources are generally obtained from less porous rock formations that were previously considered too impermeable ('tight') to allow economic recovery, however technological advancements over the last decade have made them economically viable. Examples of unconventional hydrocarbons include Coal Bed Methane (CBM) and Shale Gas. Methods involved in the extraction of unconventional hydrocarbons can include hydraulic fracturing.
- 5.62 The deep coal reserves in Lincolnshire have the potential for Coal Bed Methane (CBM) extraction. CBM development provides an opportunity to extract methane from deep coal seams as part of the Government's strategy for clean coal technology. In recent years some interest has been shown in assessing the prospect of CBM in Lincolnshire, with exploration activities previously undertaken in an area to the north of Lincoln. However, at present no subsequent proposals or planning applications for production of CBM within Lincolnshire have come forward.
- 5.63 Shale Gas is a natural gas produced from shale rock, and is most commonly associated with the process of hydraulic fracturing in order to enable the gas to be extracted from the Shale rock. As unconventional hydrocarbons have become more economically viable in recent years, a number of studies have been undertaken to assess the potential for Shale Gas recovery across the UK. The British Geological Survey (BGS) has undertaken research in association with the Department of Energy and Climate Change (DECC), and in 2013 completed a study which estimates the resource (gas-in-place) of shale gas associated with the 'Bowland Shale' in Central Britain
- 5.64 The BGS study area includes the northern half of Lincolnshire, and identifies an area referred to as the 'Gainsborough Trough' as being prospective for shale gas. This area lies partly within Lincolnshire, to the south and east of Gainsborough, and extends westwards into adjoining Nottinghamshire and North Lincolnshire. Whilst interest has been shown in the above area, Shale Gas development does not currently take place in Lincolnshire, and until any exploratory wells are sought and drilled, the location and extent of any resource, and prospect for economic recovery in Lincolnshire is unknown.
- 5.65 Another emerging new technology is Underground Coal Gasification (UCG), the in situ conversion of deep coal resources into gases after ignition under pressure. This technology is still experimental and no such schemes are currently in operation within the County.

- 5.66 The regulatory process of obtaining consent to drill a well is the same whether the well is targeting conventional or unconventional hydrocarbons. The Department of Energy and Climate Change (DECC) issue Petroleum Exploration and Development Licence's (PEDL) in competitive offerings (licence rounds) which grant exclusivity to operators who receive a licence in the area. PEDL licences do not give consent for drilling or any other operations. An operator must seek Planning Permission from the Minerals Planning Authority. An operator can only seek planning permission in areas covered by a licence. The operator must also negotiate access with affected landowners.
- 5.67 The operator must also obtain a Permit from the Environment Agency (EA) but this is sought after planning permission is obtained. A requirement of the permit is that an appropriate planning permission is already in place. The Health and Safety Executive (HSE) are also involved in regulating well design and operation. The EA and HSE's regulatory roles in relation to conventional and unconventional hydrocarbon development are wide ranging and include for example the protection of surface water, and ground water (and its supply), from any negative impacts through comprehensive monitoring of well operations.
- 5.68 Conventional and unconventional hydrocarbon development has several different stages including the exploration of oil and gas prospects, appraisal of any oil and gas reserves found, and production and distribution. All stages require planning permission. There will be no presumption in favour of permission being granted for subsequent stages if an earlier stage be permitted, nor will possible effects of a later stage not yet applied for constitute grounds for refusal of an earlier stage.
- 5.69 Exploration activities involve drilling which is often the most intrusive part of the development through visual, lighting and noise disturbance and impacts on local roads. There will be a need for night time drilling to ensure the borehole does not close up during any break in drilling which would significantly extend the period the drilling rig remained on site. The limited duration of exploratory operations will be reflected in the nature of any planning permission that may be granted. Appraisal takes the form of longer-term testing of an exploratory well. The long-term suitability of the site of appraisal wells will be taken into account since such wells may subsequently be required for production purposes. The production phase generally involves additional facilities such as pipelines, storage facilities and export terminals.
- 5.70 Policy M9 is a criteria-based policy which seeks to ensure that activities related to the exploration, appraisal and production of conventional and unconventional hydrocarbons take place in an environmentally acceptable manner, in accordance with all relevant Development Management Policies set out in the Plan. Applications for energy mineral development should contain sufficient information to adequately assess the impact of the proposal on the local community and the environment, and include field development plans. Conditions and legal agreements, if necessary will be attached to planning permissions to ensure that operations do not

have an unacceptable impact on local residents or the environment. Permission for wells will be conditioned for the life of the well.

### **Policy M9: Energy Minerals**

**Planning permission will be granted for exploration, appraisal and/or production of conventional and unconventional hydrocarbons provided that proposals accord with all relevant Development Management Policies set out in the Plan.**

### **Underground Gas Storage**

- 5.71 The NPPF states that minerals planning authorities should encourage underground gas and carbon storage and associated infrastructure if local geological circumstances indicate its feasibility.
- 5.72 The most important type of gas storage is in underground reservoirs. There are three principal types — depleted gas reservoirs, aquifer reservoirs and salt cavern reservoirs. Each of these types possesses distinct physical and economic characteristics which govern the suitability of a particular type of storage type for a given application.
- 5.73 The hazards and risk associated with the storage of natural gas relate to many areas such as systems integrity, health and safety and environmental effects, economic risks and risks related to public perception and trust. The main hazard associated with underground gas storage is the leakage of gas through the surrounding strata and reaching ground surface, where it could represent a significant health and safety risk. Such developments are also comprehensively regulated by DECC, the HSE and EA.
- 5.74 In Lincolnshire, planning permission was granted in 2010 for an underground gas storage facility within the Saltfleetby gas field. The facility would provide up to 800 million cubic metres of storage and boost the UK's storage capacity by 15%.

### **Policy M10: Underground Gas Storage**

**Planning permission will be granted for the development of underground gas storage facilities provided that proposals accord with all relevant Development Management Policies set out in the Plan.**

### **OTHER MINERALS**

- 5.75 Lincolnshire has a long history of **clay** working. However, competition from the major brick-working areas of South Humberside and Peterborough led to the decline of these local industries and in 1945 only a handful of active clay workings survived. The last workings closed in the mid-1970s. There is now only one brickworks within the County at Stamford, although the clay supply for this comes from outside Lincolnshire.

- 5.76 Lincolnshire contains substantial deposits of **ironstone**. From the late nineteenth century to the 1970s, it was extensively worked both by underground and opencast methods. There are substantial areas of land with planning permission for ironstone working in the south west and north of the county but these areas are all dormant except for one site at South Witham which is worked exclusively for the overlying limestone. Because of the decline of the steel industry in the UK and the low grade quality of the ironstone in Lincolnshire, it is considered unlikely that ironstone working will take place in the foreseeable future, other than as a source of building stone.
- 5.77 A major part of the county is underlain by Lower and Middle **Coal** Measures strata entirely concealed by a thick Permian and Mesozoic cover. These coal measures have never been worked, although the Witham Prospect area, to the south west of Lincoln, may be classed as a valuable resource in the future.
- 5.78 Proposals for these minerals together with any other minerals not currently worked in Lincolnshire will be considered on their merits, judged against the policies in the Development Management and Restoration sections.

## **MINERAL SAFEGUARDING**

### **Safeguarding Mineral Resources**

- 5.79 The NPPF states that, in preparing Local Plans, local planning authorities should:
- define Minerals Safeguarding Areas and adopt appropriate policies in order that known locations of specific minerals resources of local and national importance are not needlessly sterilised by non-mineral development, whilst not creating a presumption that resources defined will be worked; and define Minerals Consultation Areas based on these Minerals Safeguarding Areas;
  - set out policies to encourage the prior extraction of minerals, where practicable and environmentally feasible, if it is necessary for non-mineral development to take place.
- 5.80 A Mineral Safeguarding Area is not a proposed area of extraction and does not mean that proposals will be permitted within the area. The main purpose of the MSA is to protect a mineral resource for the long term for future generations. It should also be borne in mind that just because there may be no economic need for the minerals now that may not be the case in the future.
- 5.81 The British Geological Survey (BGS) publication, 'Mineral safeguarding in England: good practice advice' (2011), recommends that a good starting point for identifying MSAs is the BGS's mineral resources maps. It suggests that modifications to the resource extent are most likely to result from the provision of additional or more detailed geological information obtained through consultation. The BGS good practice advice states that

MSAs that are not considered of any great national or regional importance and that occur extensively over the area of a MPA could be reduced in size.

- 5.82 A combination of expert geological opinion and knowledge on the extent of mineral resources together with consultation with the minerals industry has provided the County Council with broad geological resource information for minerals within Lincolnshire. Information contained on the Minerals Resources map published by the BGS in the 'Mineral Resource Information in Support of National, Regional and Local Planning: Lincolnshire' report (2002) has been supplemented by work carried out by the BGS for the County Council in 2010 to assess which sand and gravel deposits are of economic importance and where they are located.
- 5.83 The County Council has concluded that deposits of sand and gravel, limestone and blown sand in Lincolnshire are of current or future economic importance. The broad extent of these deposits is indicated on Figure 1.
- 5.84 The County Council does not have sufficient detailed knowledge of the nature and extent of suitable building stone resources to identify potentially workable materials. The quality of stone and suitability for working as building stone is very variable. It would therefore be difficult to identify potentially workable building stone resources for safeguarding except on a detailed site specific basis. In any event, building stone resources mainly occur in countryside locations where the risk of sterilisation by other development is low.
- 5.85 It is, however, proposed to safeguard potential sources of building stone for the repair and conservation of Lincoln Cathedral and Lincoln Castle, due to their importance not just as historic buildings but also as a major tourist attraction and symbol of Lincoln and indeed the County. The location of these potential sources is indicated on Figure 2.
- 5.86 The County Council does not consider that chalk is an economically important mineral in Lincolnshire and that, given its widespread occurrence, it does not need to be safeguarded. Chalk is not a nationally important resource, and it is not a scarce mineral. The majority of the chalk resource in Lincolnshire also lies within the Lincolnshire Wolds Area of Outstanding Natural Beauty.
- 5.87 Ironstone deposits in the county are not considered to have any future economic significance as a source of iron, given the decline of the steel industry in the UK and their low grade quality. Whilst they could be worked as a source of building stone or low quality aggregate, they are not considered to be of current or future economic importance.
- 5.88 It is not proposed to define MSAs for hydrocarbons as prospects can only be identified after extensive exploration activity. In any event, oil and gas deposits are found at much greater depths than other minerals exploited within the County and are therefore less threatened by surface development.

- 5.89 Incompatible development close to a MSA may lead to sterilisation of part of the resource. The BGS good practice advice suggests that it may therefore often be appropriate to extend the MSA beyond the resource boundary to take account of such risks, the extent of which will vary between minerals and the likely method of extraction. The County Council proposes to extend the boundary of MSAs beyond the area of the resource to prevent residential development encroaching on a mineral extraction to the extent that the amenity of residents could be affected by noise, visual intrusion or blast vibration. The resource areas shown on Figure 1 include a buffer zone of 250m around sand and gravel and blown sand resources and 500m around limestone resources to ensure an adequate safeguarding margin.
- 5.90 The BGS guidance advises that, in urban areas, MPAs should define MSAs to highlight the potential for extracting minerals beneath large regeneration projects and brownfield sites. In Lincolnshire, however, such opportunities are probably limited to small scale building stone operations to provide stone for Lincoln Cathedral/ Lincoln Castle. Other mineral resources that are present do not generally lend themselves to prior extraction in built-up areas because of the nature of their extraction methods, and the possibility of such circumstances arising seems too slim to warrant safeguarding. The resource areas shown on the Figure 1 consequently exclude mineral deposits within settlements with a population in excess of 1000 and a minimum area of 20 hectares.
- 5.91 In two-tier planning areas such as Lincolnshire, safeguarding of mineral resources can be achieved only through county and district councils co-operating in the exercise of their respective planning powers over land with potential for mineral extraction. This can be facilitated by defining Minerals Consultation Areas (MCA). This will provide the mechanism for district councils to consult the County Council before granting planning permission, on any planning applications they receive for non-mineral developments which fall within the boundary of a MCA, and which would be likely to affect the winning and working of minerals.
- 5.92 The County will therefore define Minerals Consultation Areas (MCA) covering the resources within the Mineral Safeguarding Areas. The MCA will also cover the safeguarding of mineral sites and associated infrastructure (Policy M12). Districts Councils within the County will be supplied with a copy of the MCA along with the development criteria that the County Council wish to be consulted on. It will be the responsibility of the District Councils to ensure that the MCA is used when considering planning applications or future developments and that the County Council is consulted on developments located within the MCA.
- 5.93 The Mineral Planning Authority may advise the District Council that any development on or near mineral reserves should not proceed before the mineral is extracted, or that steps are taken to avoid sterilisation of the deposit. A realistic judgment about the likelihood of the mineral being worked in an environmentally acceptable manner will be made, and the Mineral Planning Authority will not seek to prevent development where it

is unlikely that extraction of the mineral would occur in the future. Where mineral deposits are believed to exist but detailed geological information is not available, the existence or otherwise of potentially workable reserves may need to be established by the developer before any application for development that might sterilise the potential deposit is determined.

- 5.94 Minor developments are unlikely to sterilise mineral reserves. Developments of a minor nature will normally include extension to buildings or sites with a floorspace or site area below 10,000 sq. m (1ha). However, this will depend on the location of the development and the type and extent of the mineral concerned. For instance a building proposed in the middle of a small building stone resource could lead to sterilisation.

## **Policy M11: Safeguarding of Mineral Resources**

Sand and gravel, blown sand and limestone resources that are considered to be of current or future economic importance within the Minerals Safeguarding Areas shown on Figure 1, together with potential sources of dimension stone for use in building and restoration projects connected to Lincoln Cathedral/Lincoln Castle within the areas shown on Figure 2 will be protected from permanent sterilisation by other development.

Planning permission will be granted for development within a Minerals Safeguarding Area provided that it would not sterilise mineral resources within the Mineral Safeguarding Areas or prevent future minerals extraction on neighbouring land unless:

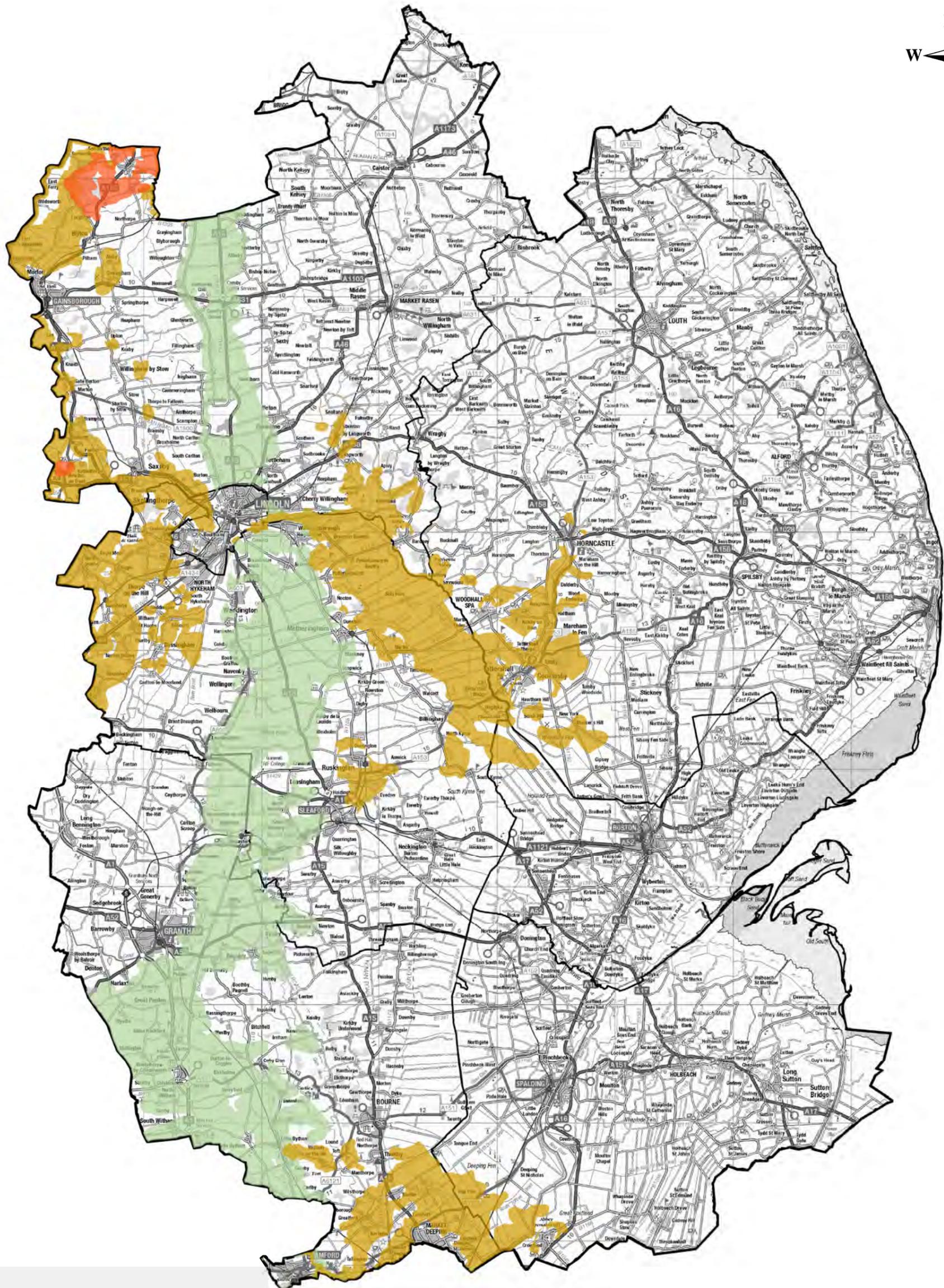
- the applicant can demonstrate to the Mineral Planning Authority that prior extraction of the mineral would make the development unviable, and that the development could not reasonably be sited elsewhere; or
- the incompatible development is of a temporary nature and can be completed and the site restored to a condition that does not inhibit extraction within the timescale that the mineral is likely to be needed; or
- there is an overriding need for the development, to meet local economic needs; or
- the development is of a minor nature which would not inhibit extraction of the mineral resource; or
- the development is, or forms part of, an allocation in the Development Plan.

### **Exemptions**

*This policy does not apply to the following:*

- *Applications for householder development*
- *Applications for alterations to existing buildings and for change of use of existing development, unless intensifying activity on site;*
- *Applications for Advertisement Consent*
- *Applications for Listed Building Consent*
- *Applications for Conservation Area Consent*
- *Applications for reserved matters including subsequent applications after outline consent has been granted*
- *Prior Notifications (telecommunications; forestry, agriculture; demolition)*
- *Certificates of Lawfulness of Existing or Proposed Use or Development (CLEUDs and CLOPUDs)*
- *Applications for Tree Works*

Figure 1 Llincolnshire Minerals Safeguarding Areas Map



**Lincolnshire County Council**

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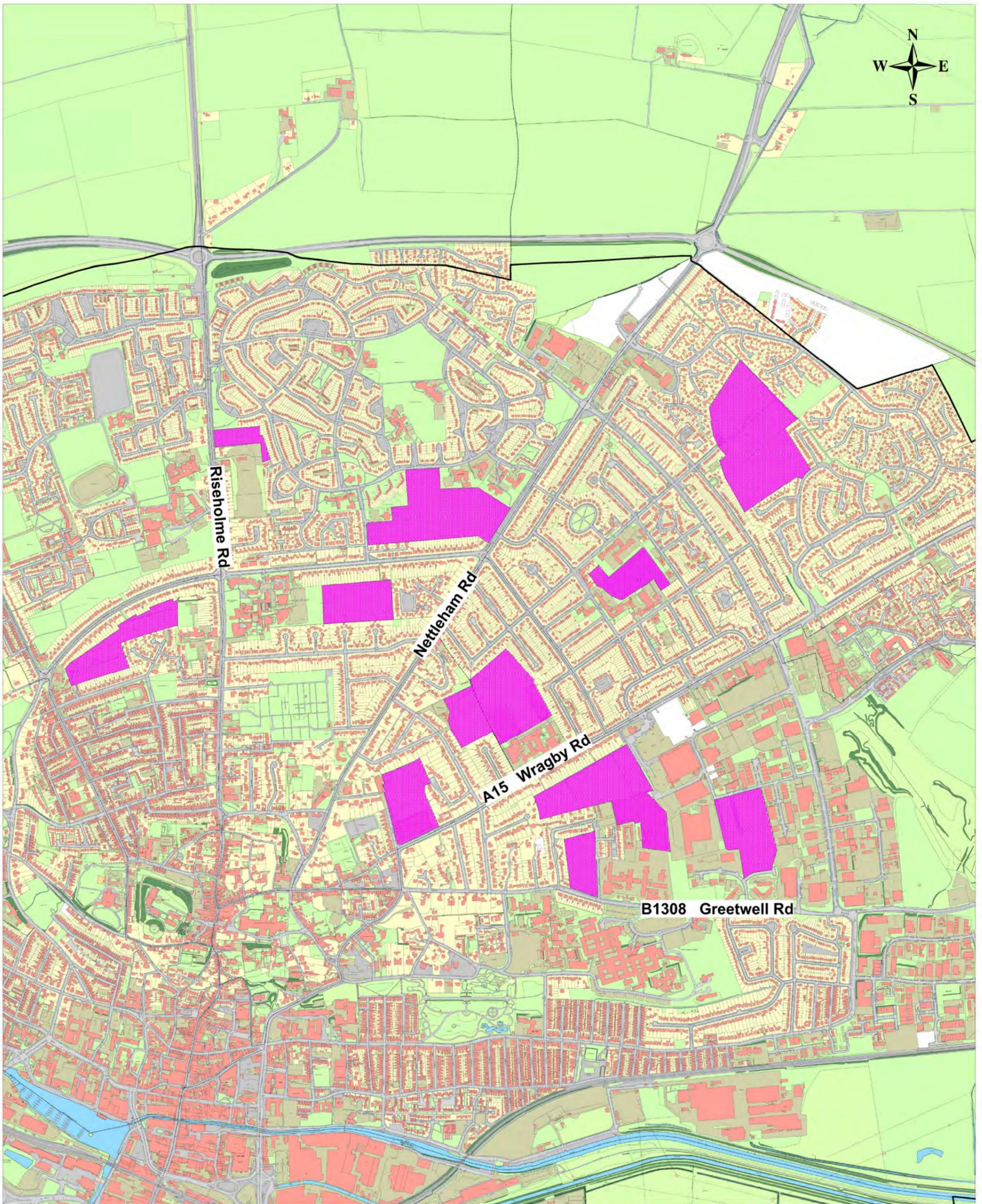
**Key**

-  Limestone Minerals Safeguarding Area
-  Sand & Gravel Minerals Safeguarding Area
-  Wind Blown Sand Minerals Safeguarding Area

Date: December 2014  
Scale: 1:335,000 @A3



**Figure 2 Lincoln Stone Minerals Safeguarding Areas Inset Map**



**Lincolnshire County Council**

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**Key**

 Lincoln Stone Minerals Safeguarding Area

Date: December 2014

Scale: 1:12,000 @A3



## **Safeguarding of Existing Mineral Sites and Associated Minerals Infrastructure**

- 5.95 The NPPF states that, in preparing Local Plans, local planning authorities should safeguard:
- existing, planned and potential rail heads, rail links to quarries, wharfage and associated storage, handling and processing facilities for the bulk transport by rail, sea or inland waterways of minerals, including recycled, secondary and marine-dredged materials; and
  - existing, planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material
- 5.96 The future use of mineral sites and associated infrastructure could be constrained if sensitive developments such as housing are permitted nearby. In order to ensure that the supply of minerals is not interrupted, the County Council therefore considers that mineral sites and their associated infrastructure should be safeguarded. This includes aggregates recycling sites; sand and gravel quarries; limestone extraction quarries; chalk extraction quarries; and energy mineral development sites. The sites and facilities to be safeguarded are listed in Appendix 2 and shown on figures 6-12 in Appendix 3.
- 5.97 Most of the concrete batching plants and other associated minerals infrastructure are co-located at quarries or producers of recycled aggregates. The safeguarded list will indicate those sites which carry out these activities.
- 5.98 The MCA to be issued by the County Council (see paragraph 5.92 above) will include the mineral sites and associated infrastructure safeguarded by Policy M12, including a 250 metre buffer zone around sites as shown in Figure 3. Local planning authorities will be expected to consult the County Council on proposals for non-minerals development which could affect the use of such sites and facilities. The County Council may advise that development should not be permitted if it would constrain the effective operation of existing sites, or future use of land or associated infrastructure identified for mineral use.

## **Policy M12: Safeguarding of Existing Mineral Sites and Associated Minerals Infrastructure**

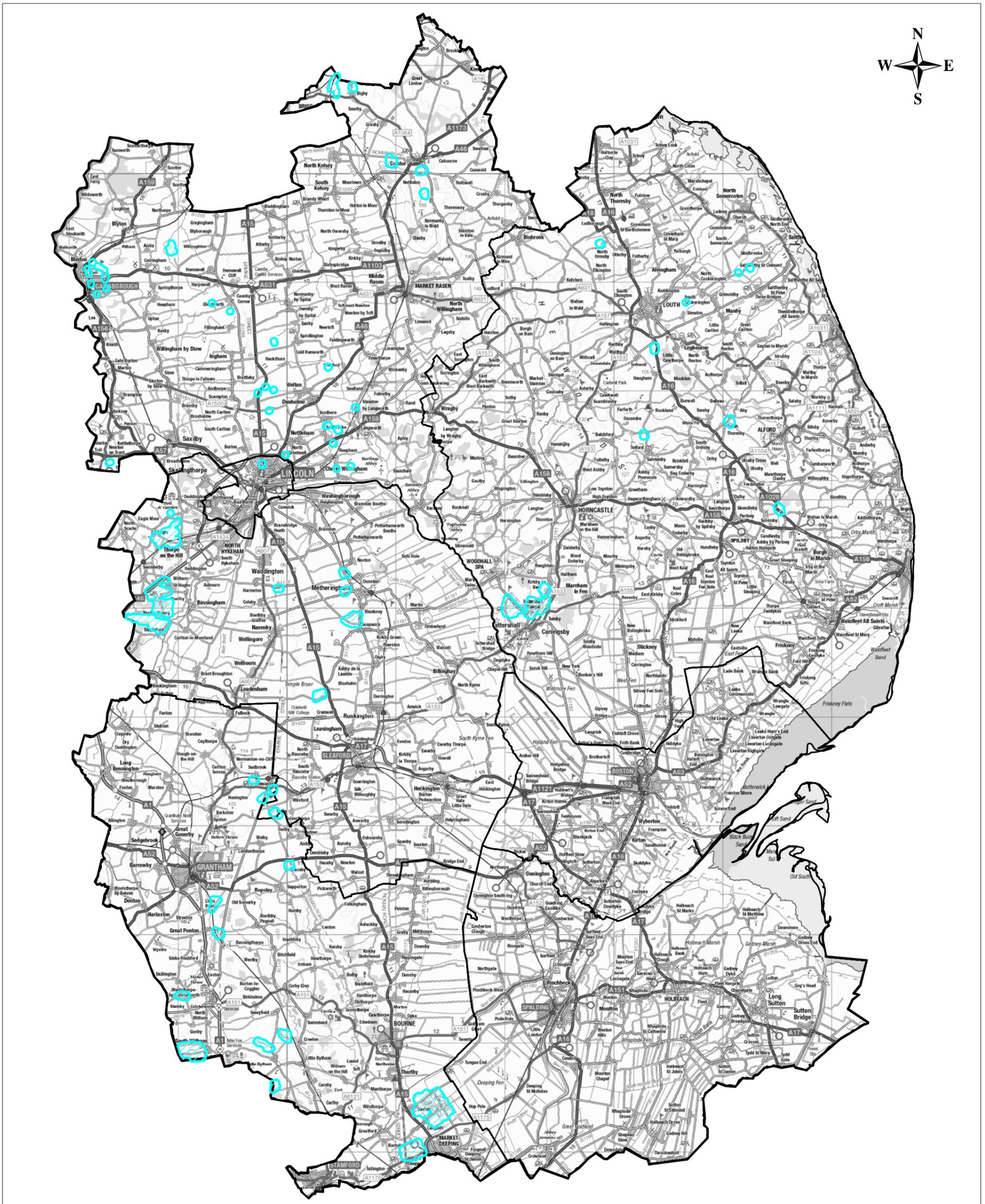
Mineral sites (excluding dormant sites) and associated infrastructure that supports the supply of minerals in the County will be safeguarded against development that would unnecessarily sterilise the sites and infrastructure or prejudice or jeopardise their use by creating incompatible land uses nearby.

### **Exemptions**

*This policy does not apply to the following:*

- *Applications for householder development*
- *Applications for alterations to existing buildings and for change of use of existing development, unless intensifying activity on site;'*
- *Applications for Advertisement Consent*
- *Applications for Listed Building Consent*
- *Applications for Conservation Area Consent*
- *Applications for reserved matters including subsequent applications after outline consent has been granted*
- *Prior Notifications (telecommunications; forestry, agriculture; demolition)*
- *Certificates of Lawfulness of Existing or Proposed Use or Development (CLEUDs and CLOPUDs)*
- *Applications for Tree Works*

Figure 3 Lincolnshire Site Specific Minerals Consultation Areas Map



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**Key**  
 Minerals Consultation Area

**Date: December 2014**  
**Scale: 1:335,000 @A3**

**Lincolnshire**  
 COUNTY COUNCIL  
*Working for a better future*

## **OTHER MINERAL DEVELOPMENTS**

### **Associated Industrial Development**

- 5.99 In addition to the plant, machinery and buildings directly associated with the working of the mineral, there are certain industrial activities which are sometimes located at mineral extraction sites. A limited range of development is permitted under the General Permitted Development Order (GPDO) 1995 without the prior approval of the Mineral Planning Authority (MPA), although this may only be carried out on land that is used as a mine. It must be for purposes principally in connection with the winning and working of minerals from the mine, and includes the treatment, storage or removal of minerals and derived wastes. A wider range of development, including secondary industry is also permitted under the GPDO but subject to the prior approval of the MPA, including ready mixed concrete and coating plants.
- 5.100 There may be benefits for certain industrial development directly associated with the processing of minerals to be located in close proximity to where the mineral is extracted, such as ready-mixed concrete batching plants at sand and gravel sites. Policy M13 deals with proposals for industrial development that are beyond the scope of the GPDO. Such development will only be approved where it can be demonstrated that there are clear environmental benefits in providing a close link between the industrial activities and associated mineral operation. In particular, regard will be given to any environmental effects, transportation implications, visual amenity and proposed time scales.
- 5.101 Where planning permission is granted, conditions will be imposed to ensure that minerals supplying the development are sourced principally from the adjacent extraction site and that, upon cessation of mineral extraction, the development will be removed and the site restored unless there are overriding reasons for its retention or exceptional circumstances.

### **Policy M13: Associated Industrial Development**

**Planning permission will be granted for ancillary industrial development within or in proximity to mineral sites where it can be demonstrated that there are close links with the mineral development and the proposals accord with all relevant Development Management Policies set out in the Plan. Where permission is granted, the operation and retention of the development will be limited to the life of the permitted reserves.**

### **Irrigation Reservoirs**

- 5.102 Agricultural irrigation reservoirs are functional installations providing water to a particular site. There are various benefits for farming and water management but also for wildlife and people if appropriately designed. Irrigation reservoirs could provide opportunities for

multifunctional benefits including biodiversity enhancements and flood risk management (e.g. abstraction from rivers during high flows). Their construction can involve the extraction of mineral. Most irrigation reservoirs can be constructed under permitted development rights if excavated material is kept on-site following prior approval from the District Council. However, these developments sometimes have the potential to be used primarily as a means to extract aggregate so that the reservoir itself is not really needed.

- 5.103 It is important, therefore, that such developments are controlled and only allowed for the primary purpose of agricultural improvement. In this respect the design of the reservoir must be fit for purpose and the applicant will be expected to properly demonstrate that the reservoir is needed for agricultural improvement and that it is not simply a means to extract aggregate. For instance, it may be more acceptable in some cases to construct an above ground facility, which would avoid the need to remove significant amounts of mineral off-site and applicants will be expected to demonstrate why an above ground facility could not be used. In either case, it will be particularly important to ensure that any ground works do not impact on the historic or natural environment i.e. archaeological features or Local Wildlife Sites.
- 5.104 The size of reservoir will be a compromise of engineering, financial, and agronomic issues. The main starting point will be the total seasonal irrigation need in a dry year for a chosen return period (the probability of a dry year occurring). This will depend on the various crops grown and their total irrigated area. Allowance for future expansion or changes in cropping intensity will also need to be considered.
- 5.105 Early discussions with the Environment Agency are essential. Most substantial streams and rivers, and groundwater aquifers are already gauged by the Agency. The Agency can give advice on licensing and the expected reliability of existing and proposed abstractions. Additional low (summer) flow abstractions may not be available. But most rivers still have water available for abstraction at times of high (winter) flow. It is also recommended that discussions are held with relevant Internal Drainage Boards.
- 5.106 The County Council will seek full co-operation from the District Councils on this matter and will request that proposals which appear to be primarily intended for aggregate extraction are forwarded to the County Council for determination.

## **Policy M14: Irrigation Reservoirs**

**Planning permission will be granted for new or extensions to existing irrigation reservoirs that involve the extraction and off site removal of minerals where it can be demonstrated that:**

- **there is a proven agricultural justification for the reservoir; and**
- **the need can be met by an irrigation facility; and**
- **an abstraction licence has been granted by the Environment Agency; and**
- **the design is fit for purpose; and**
- **the environmental impacts of removing material off-site would be less than constructing an above ground facility; and**
- **the proposals accord with all relevant Development Management Policies set out in the Plan.**

## **Borrow Pits**

5.107 Borrow pits are temporary mineral workings sited adjacent to major construction projects, particularly new road schemes, and are used solely to supply aggregates and clay for this purpose. The void created by the extraction can be used for the disposal of unsuitable and/or surplus materials arising from the project, or it could be left to fill with water to develop into a wetland site for wildlife, or to assist in flood alleviation, therefore providing multifunctional benefits. In certain circumstances they can have advantages over established sites by reducing the impact of concentrated flows of heavy goods traffic on the public highway and meeting peaks of demand without disrupting supplies elsewhere. They may also assist in the sustainable use of minerals by conserving resources of higher quality aggregates through the use of locally sourced materials and thereby reducing the need to make additional provision. Clay borrow pits may also be appropriate in certain circumstances such as for flood defence schemes and landfill restoration.

5.108 Borrow pit proposals must demonstrate that a balance can be struck between the need for the mineral and the impact on the environment and any local communities, ensuring that adequate mitigation or compensation is provided for the effects of the proposed development. It will also be necessary to demonstrate that, in overall terms, the borrow pit would result in environmental benefits over alternative sources of supply.

## **Policy M15: Borrow Pits**

**Planning permission will be granted for borrow pits to supply materials for major construction projects where:**

- **there is a need for a particular type of mineral which cannot reasonably be supplied from existing sites, including alternative materials; and**
- **the transport of mineral from existing sites to the construction project would be seriously detrimental to the environment and local amenities because of the scale, location and timing of the operations; and**
- **in the case of proposals involving the extraction of aggregates, the site lies on or in close proximity to the project; and**
- **the mineral can be transported to the point of use without leading to harmful conditions on a public highway; and**
- **the site can be restored to a satisfactory after-use without the need to import material other than that generated by the construction project itself and which can be brought to the site without leading to harmful conditions on a public highway; and**
- **the proposals accord with all relevant Development Management Policies set out in the Plan.**

**Where planning permission is granted, conditions will be imposed to ensure that operations are time-limited and that all mineral extracted is used only for the specified project.**

## 6. PROVIDING FOR WASTE

### Background

- 6.1 Lincolnshire County Council as Waste Planning Authority (WPA) must provide a policy framework for managing all of Lincolnshire's controlled waste. Such waste, by definition is controlled by legislation and its storage, handling and disposal must meet certain legal requirements. Controlled waste comes from many sources including homes, shops, offices, factories, farms and hospitals. The principal waste streams are *Local Authority Collected Waste, commercial & industrial, construction & demolition, agricultural, and hazardous*.

### Box 1: Definitions of different waste types

#### **Local Authority Collected Waste (LACW)**

This waste stream was previously referred to as Municipal Solid Waste, and the new name reflects a slight expansion in the range of wastes it covers. Most is generated by householders, whether it is collected from the kerbside or taken to recycling points such as Household Waste Recycling Centres. It also includes small quantities of "trade waste" which is collected from small businesses by the local authority, as well as non-household waste such as road and pavement sweepings and gully-emptying wastes. Waste collection is largely undertaken by the local authorities' own operatives, but recovery and disposal activities are controlled by the county waste disposal authority in conjunction with a third party waste management company.

#### **Commercial & Industrial Waste (C&I Waste)**

These wastes are collected, managed and disposed by private waste companies serving businesses of all sizes across all industry sectors. A large proportion of *Commercial* waste is a mix of plastics, paper, card, glass and food waste collected from offices, shops, food outlets, etc. as well as waste metals (equipment, vehicles, machinery) and smaller quantities of chemicals, timber and other waste. The *Industrial* part of the stream comprises a similar range of materials but in different proportions, with larger quantities of chemicals, metals, textiles, and a variety of processing and packaging wastes, but with mixed office wastes also.

#### **Construction, Demolition and Excavation Waste (CD& E Waste)**

These wastes come from a wide range of new build and regeneration projects as well as road schemes and railway maintenance. Construction & Demolition wastes include structural and groundworks waste (bricks, asphalt, concrete, insulation material) and fittings (wood, plastic, glass, metal). Most of the waste is chemically inert but insulation materials are usually hazardous because they contain asbestos. Excavation waste is primarily soil and stones. As they are often bulky and of low value substantial quantities of all these wastes are recycled or re-used where they are created and therefore make no demands of capacity at privately operated waste management sites.

**Agricultural Waste**

Agricultural waste is mostly uncontrolled animal slurry and vegetable matter but many farms also produce 'non-natural' wastes that are controlled, such as scrap metals, batteries, oils, tyres, rubber, glass, plastic and veterinary pharmaceuticals. Virtually all of these wastes are normally buried, burned, stored or spread on land on the agricultural holdings where they are created.

**Hazardous Waste**

The term hazardous waste has traditionally been used to describe materials such as asbestos, oils, solvents and healthcare wastes. However, broadening of this definition means it now includes everyday items such as fluorescent tubes, televisions, computer monitors (known as Waste Electronic and Electrical Equipment (WEEE) and scrap cars. All of the above waste streams contain variable, but generally small, quantities of hazardous wastes.

- 6.2 Just under 2 million tonnes of controlled waste was produced in Lincolnshire in 2012 (the latest year for which information is available on all the streams referred to above) and until recently a large percentage of this was disposed of at landfill sites. There is a need to break this cycle and manage waste more sustainably, by moving away from landfill and ensuring that as much waste as possible is reused, recycled, composted or subjected to energy recovery. The recent completion of the new Energy from Waste (EfW) facility at Hykeham has resulted in the diversion of a significant quantity of LACW from final disposal to landfill. Lincolnshire is already achieving high rates of LACW recycling but it is important to continue to divert more waste away from disposal and to provide the facilities to increase the recycling rates of other waste streams, in particular, for producers of commercial and industrial waste.
- 6.3 The planning system has a vital role to play in ensuring that suitable sites are identified for waste facilities and that the negative impacts are reduced and the benefits can be positively managed.

**WASTE ARISING IN LINCOLNSHIRE**

- 6.4 Detailed data on the estimated current arisings, forecasts and indicative capacity gaps (the difference between the current operational waste management capacity and the predicted arisings) have been produced separately from this document and can be found within the latest Lincolnshire Waste Needs Assessment which was prepared in Spring 2014 and which is available to view or download at [www.lincolnshire.gov.uk/mineralsandwaste](http://www.lincolnshire.gov.uk/mineralsandwaste). The text below summarises the position.
- 6.5 Future requirements for facilities to manage all waste streams were evaluated by defining 3 scenarios based on different rates of growth in these wastes, and a further 3 scenarios assuming different levels of recycling, composting and diversion from landfill, resulting in 9 scenarios when the two sets are combined.

- 6.6 Growth assumptions for LACW reflect the latest forecast of population growth which will inform housing supply forecasts (0.66% per year over the period to 2031) and also assume a declining rate at which the waste each person creates will grow. Growth of the C&I, CD&E and hazardous waste streams are consistent with the Council's projections of employment growth over the period 2010-2030 which are equivalent to 0.7% per year for CD&E, and 0.55% for C&I and hazardous wastes. The quantity of agricultural waste is assumed to be constant as the scale and intensity of farming activity is not expected to change markedly.
- 6.7 Management assumptions for household waste (i.e. virtually all LACW) reflect that the County has already achieved the 2020 national target for recycling and composting and that current performance - which also includes a high level of energy recovery and limited need for landfill - is maintained in the period to 2031. Assumptions for C&I waste reflect that recycling and composting rates are already quite high and analysis of the composition of these wastes suggests there is limited scope to improve these rates further. However the assumptions do provide for further diversion of both wastes to energy recovery facilities. CD&E recycling is forecast to continue improving with as much as 95% diverted from landfill by 2031 under the most ambitious assumptions. The mix of management methods for hazardous and agricultural wastes are assumed to be mature, leaving no clear scope for changes to the proportions that are already recycled or treated and therefore the assumptions do not differ between the scenarios for these wastes.
- 6.8 The subsequent sections present details of current and forecast future arisings, the management methods to be used and details of additional capacity that will be needed reflecting the scenario that the Council considers to be the most realistic, achievable and which delivers the best combination of value for money and resource efficiency. The chosen scenario assumes the maximum rate of waste growth will occur, which could be regarded as a 'worst case' insofar as it places the greatest pressure on waste management capacity. It also assumes there is scope for further modest improvement in recycling and composting rates but that there is scope to divert more waste to energy recovery.

### **Local Authority Collected Waste (LACW) Arisings**

- 6.9 Unlike other waste streams, Lincolnshire County Council has up to date information on LACW and in 2012 342,000 tonnes of LACW was generated. The assumptions summarised above have been used to project quantities forward to 2014.
- 6.10 Table 4 shows the quantities of waste forecast under the scenario which includes the most ambitious assumptions about growth and improvement in the quantities of waste diverted from landfill by greater levels of recycling, composting and energy recovery. It indicates the quantity of LACW to be managed will increase by almost 75,000 tonnes over the Plan period. The detailed analysis identifies that small quantities of LACW will need to be managed at sites recycling inert wastes or at hazardous landfill sites.

**Table 4: LACW arisings and management requirements 2014-2031–  
Growth with Median Recycling scenario**

	Total arisings	Non-inert recycling	Inert recycling	Composting	Energy recovery	Non-hazardous landfill	Hazardous landfill
2014	400,270	109,462	14,705	81,508	156,038	36,282	2,275
2015	405,934	111,011	14,913	82,662	158,246	36,795	2,307
2016	410,656	112,302	15,087	83,623	160,087	37,223	2,334
2017	415,432	113,608	15,262	84,596	161,949	37,656	2,361
2018	420,265	114,930	15,440	85,580	163,833	38,094	2,388
2019	425,154	116,267	15,619	86,576	165,739	38,537	2,416
2020	430,100	117,619	15,801	87,583	167,667	38,986	2,444
2021	434,021	118,692	15,945	88,381	169,195	39,341	2,467
2022	437,978	119,774	16,090	89,187	170,738	39,700	2,489
2023	441,971	120,866	16,237	90,000	172,294	40,062	2,512
2024	446,001	121,968	16,385	90,821	173,865	40,427	2,535
2025	450,067	123,080	16,535	91,649	175,450	40,795	2,558
2026	454,169	124,202	16,685	92,484	177,050	41,167	2,581
2027	458,310	125,334	16,837	93,327	178,664	41,543	2,605
2028	462,486	126,476	16,991	94,178	180,292	41,921	2,628
2029	466,703	127,629	17,146	95,037	181,936	42,303	2,652
2030	470,959	128,793	17,302	95,903	183,595	42,689	2,677
2031	475,251	129,967	17,460	96,777	185,268	43,078	2,701

*[All figures in tonnes]*

- 6.11 Comparison of the 2014 total arisings with data for preceding years shows an apparent jump in the quantity of waste that has to be managed. This reflects the effect of the opening of the North Hykeham Energy from Waste facility which generates secondary materials in the form of incinerator bottom ash and air pollution control residues. Both are wastes that have to be managed and therefore the quantity produced must be taken into account when assessing the type and quantity of capacity that is needed.
- 6.12 The assumptions used to derive these forecasts assume that the high existing level of recycling/composting, and the rapid diversion of a large proportion of residual LACW to the North Hykeham facility means that by 2014/15 the mix of management methods for this stream will have stabilised. This means there is no further increase in landfill diversion and the main issue is therefore the continuing growth of the stream and its impact on the capacity gap for the different management facilities.

### **Commercial and Industrial Waste (C&I) Arisings**

- 6.13 C&I data specific for Lincolnshire does not exist and the County Council is reliant upon national and comparable regional studies in order to extrapolate county-level estimates. This revision of the needs assessment compared results produced from studies in 2010 (national) and 2009 (for the North West region) and concluded that the latter provided a better estimate of waste quantities and how they are being managed.

6.14 Table 5 shows the arisings and management requirements forecast for the scenario which incorporates the most ambitious assumptions about future waste growth and the quantities requiring different management methods. The total quantity of C&I waste created rises from around 554,600 tonnes in 2014 to almost 609,800 tonnes in 2031 (9.9% growth in total).

**Table 5: C&I arisings and management requirements 2014-2031– Growth with Median Recycling scenario**

	Commercial arisings	Industrial arisings	Recycling (mixed)	Recycling (metals)	Composting	Transfer & treatment	Energy recovery	Thermal (no recovery)	Land recovery	Landfill
2014	323,175	231,496	232,658	22,653	9,397	48,246	26,361	17,539	28,887	168,930
2015	324,949	232,910	238,171	22,778	9,449	41,488	44,207	17,635	28,371	155,760
2016	326,739	234,331	243,738	22,904	9,500	34,657	62,249	17,733	27,848	142,441
2017	328,534	235,761	249,359	23,029	9,553	27,748	80,488	17,830	27,319	128,969
2018	330,341	237,200	255,035	23,157	9,605	20,761	98,926	17,928	26,782	115,347
2019	332,159	238,647	260,765	23,283	9,659	13,699	117,564	18,027	26,240	101,569
2020	333,985	240,102	266,551	23,411	9,711	6,557	136,404	18,126	25,690	87,637
2021	335,822	241,425	270,554	23,541	9,765	6,593	140,092	18,226	25,831	82,645
2022	337,669	242,751	274,592	23,670	9,819	6,629	143,817	18,325	25,973	77,595
2023	339,527	244,086	278,667	23,800	9,873	6,666	147,579	18,426	26,116	72,486
2024	341,393	245,429	282,778	23,931	9,927	6,702	151,377	18,527	26,260	67,320
2025	343,270	246,778	286,926	24,062	9,981	6,739	155,212	18,630	26,404	62,094
2026	345,159	248,135	291,111	24,195	10,036	6,776	159,086	18,732	26,549	56,809
2027	347,058	249,502	295,334	24,328	10,091	6,813	162,998	18,836	26,695	51,465
2028	348,966	250,874	299,594	24,462	10,147	6,851	166,947	18,938	26,842	46,059
2029	350,887	252,253	303,892	24,596	10,203	6,889	170,935	19,043	26,990	40,592
2030	352,817	253,640	308,228	24,732	10,259	6,927	174,962	19,147	27,138	35,064
2031	354,756	255,036	312,602	24,868	10,315	6,965	179,028	19,253	27,288	29,473

*[All figures in tonnes]*

6.15 The quantities of Commercial and Industrial waste to be managed rise by around 31,500 tonnes and 23,500 tonnes respectively. The proportion that is recycled or composted grows from 48% to 57% over the same period while the proportion sent for thermal treatment rises from 8% to 33% with virtually all the increase being waste from which energy is recovered. As a result of these changes the proportion sent to landfill falls from 30% to 5%. The assumptions used in the model refer specifically to energy recovery using thermal treatment and as a result an increasing proportion of waste is shifted from non-thermal to thermal treatment.

### Construction Demolition & Excavation Waste (CD&E)

6.16 As noted previously this stream comprises two distinct elements: C&D wastes which are primarily material from the external and interior structures, fixtures and fittings of demolished buildings, as well as material such as concrete and asphalt from demolition sites and unused aggregates and other wastes arising during subsequent construction. Excavation wastes comprise soil and stones only.

6.17 As with C&I data, information on these arisings is subject to limitations, the principal source being information reported to the Environment Agency. Material that is re-used at source (for example, crushed concrete and asphalt for sub-base for parking areas; or soil and stones used in landscaping the site) or which is sent to a site deemed to be exempt from waste permitting and reporting and the quantity of these wastes are not

recorded. However these wastes are managed using mobile plant and make no demand of the third-party merchant capacity which the Plan must provide for. Moreover, in both cases, any mobile plant and other mobile capacity lies outside the control/remit of the County Council. This means that the quantity of waste estimated using the Environment Agency data is a lower-bound estimate of how much waste is actually being generated but it is still a reasonably accurate indicator of the total management capacity that is needed.

- 6.18 There is a further complication because much of the waste removed from its source is taken to waste transfer stations where metal, glass, building rubble, etc. is separated and on some of the larger sites the latter material may be reprocessed (crushed into a secondary aggregate) and/or then sent to another site for use or to another transfer station. As a result there is a risk of over-estimating the size of the waste stream by double-counting material as it moves from one waste site to another.
- 6.19 Data provided by the Environment Agency shows C&D arisings fell from almost 400,000 tonnes in 2008 to around 130,000 tonnes in 2011 although the total rose to just over 220,000 tonnes in 2012. This increase reflects the resumption of house-building, infrastructure and other regeneration projects as the economy began to emerge from recession. Of the 2012 total, only 27% was exported from the county for re-use or disposal elsewhere. As a result a total of just under 165,000 tonnes of local C&D waste was managed at facilities in the county together with over 19,000 tonnes of material imported from elsewhere.
- 6.20 In contrast the quantity of Excavation waste created has been more erratic, though this is unsurprising as much of it is created in large quantities as a result of specific development projects over a limited time and therefore waste is not necessarily created repetitively each year as is the case for the LACW and C&I streams. Arisings of both Excavation and C&D wastes showed a marked increase in 2012 which reflect initial site preparation work for the North Hykeham EfW plant.
- 6.21 Table 6 summarises the forecast growth in arisings and how these wastes will be managed over the period 2014-2031. The forecast assumes slow growth in employment rates which will reflect industrial activity and waste creation rates in the mining/quarrying and construction sectors throughout this period. The forecast anticipates 90% of C&D wastes will be recycled by 2031.

**Table 6: CD&E waste arisings and management methods 2014-2031 – Growth with Median Recycling scenario**

	C&D arisings	E arisings	Transfer	Recycling & re-use	Treatment	Landfill
2014	453,150	503,500	330,042	217,885	172,064	236,660
2015	456,322	507,025	325,003	230,960	169,068	238,317
2016	459,517	510,574	319,877	244,208	166,021	239,985
2017	462,733	514,148	314,664	257,629	162,923	241,665
2018	465,971	517,746	309,361	271,226	159,774	243,356
2019	469,234	521,371	303,970	285,003	156,572	245,060
2020	472,519	525,020	298,487	298,957	153,319	246,775
2021	475,827	528,695	292,913	313,094	150,012	248,503
2022	479,157	532,397	287,247	327,413	146,651	250,243
2023	482,511	536,123	281,486	341,918	143,236	251,994
2024	485,888	539,876	275,631	356,610	139,765	253,758
2025	489,289	543,657	269,681	371,491	136,241	255,535
2026	492,715	547,462	263,633	386,563	132,658	257,323
2027	496,164	551,293	257,487	401,827	129,019	259,124
2028	499,637	555,152	251,242	417,286	125,323	260,938
2029	503,135	559,038	244,898	432,941	121,568	262,765
2030	506,656	562,952	238,452	448,797	117,756	264,604
2031	510,203	566,893	231,904	464,852	113,883	266,457

[All figures in tonnes]

6.22 Table 6 forecasts an additional 60,000 tonnes each of C&D and E wastes would need to be managed by 2031 compared to the current position.

### Hazardous Waste

6.23 The Hazardous Waste (England and Wales) Regulations 2005 redefined the range of waste materials that are defined as hazardous. As a result a number of commonplace items such as televisions and fridges now fall within the scope of the Act because they contain materials or components that are now classified as hazardous. These materials join other hazardous wastes such as residues from chemical production, manufacturing and a wide range of industrial activities which generate most of these materials.

6.24 These materials are normally managed at facilities that handle hazardous wastes exclusively. Unlike LACW and C&I wastes their hazardous properties prevent management of a mixture of materials. They are usually only created in small quantities and this factor combined with the need for specialised facilities means it is unlikely that it will be economically viable to provide a full range of treatment or disposal facilities within a single Plan area. The county currently contains a limited number of hazardous waste sites that provide mainly transfer and bulking capacity with treatment, recycling (where feasible) and disposal occurring at facilities elsewhere and as a result of the factors mentioned above it is unlikely that the Council could plan for a position in which the county becomes fully self-sufficient in managing these materials.

- 6.25 In 2012 the county produced 65,800 tonnes of hazardous wastes including large quantities of waste oil and contaminated soil and stones. Around 17,800 tonnes of this material – mainly the former – was managed at facilities in the county with the rest (almost 49,000 tonnes) being sent to specialised treatment or landfill sites elsewhere in the country. At the same time 15,400 tonnes of material was imported for management locally with the result that the county is a net exporter of hazardous waste.
- 6.26 Table 7 summarises the forecast arisings of hazardous waste over the Plan period. Linking waste creation rates to growth in employment in local industry gives rise to a very modest increase in the total waste created of around 6000 tonnes (10%) over the period to 2031. Hazardous waste transfer stations currently take some wastes from neighbouring authorities but the lack of local treatment, recycling or landfill capacity means this material is bulked into larger loads locally and then removed to facilities elsewhere in the UK. Even when this transiting material is taken into account, the county still has a surplus of 13,400 tonnes of transfer station capacity.

**Table 7: Hazardous waste arisings and management requirements 2014-2031 – Growth with Median Recycling scenario**

	Arisings	Transfer station	Recycling	Non-thermal treatment	Thermal treatment	Landfill
2014	66,163	17,066	28,664	926	870	18,637
2015	66,527	17,160	28,821	931	876	18,739
2016	66,894	17,255	28,980	936	880	18,843
2017	67,261	17,349	29,139	941	886	18,946
2018	67,632	17,445	29,300	947	890	19,050
2019	68,004	17,541	29,461	952	895	19,155
2020	68,377	17,637	29,623	957	900	19,260
2021	68,753	17,734	29,786	962	905	19,366
2022	69,132	17,832	29,950	968	909	19,473
2023	69,512	17,930	30,114	973	915	19,580
2024	69,895	18,029	30,280	978	920	19,688
2025	70,279	18,128	30,446	984	925	19,796
2026	70,665	18,227	30,614	989	930	19,905
2027	71,055	18,328	30,782	995	936	20,014
2028	71,444	18,428	30,952	1,000	940	20,124
2029	71,837	18,530	31,122	1,005	945	20,235
2030	72,233	18,632	31,293	1,011	951	20,346
2031	72,630	18,734	31,465	1,017	956	20,458

*[All figures in tonnes]*

- 6.27 The lack of local recycling, treatment or landfill capacity for this stream means that the arisings figures in Table 7 also define the capacity gaps for each management method, which collectively total 49,000 tonnes. Correspondence with authorities in which the majority of Lincolnshire's hazardous waste is managed at present suggests that there is sufficient capacity to continue to accept this waste until at least 2026. For the

reasons explained in the opening paragraphs of this section, the economics of managing hazardous waste and the cost justification for new facilities is subject to limitations that do not apply to the same degree to other wastes. As a result the Council considers it unlikely that any type of hazardous waste landfill or treatment plant would be viable within Lincolnshire in the immediate future. Nevertheless the development of sites will be supported provided the capacity available does not exceed the quantity of hazardous wastes generated in the County at the time.

## Agricultural Waste

6.28 The limited data on the quantities, types and methods used to manage agricultural wastes comes primarily from Environment Agency surveys in 2003 and 2005, and from Defra surveys of the number of agricultural holdings the last of which was undertaken in 2010. These sources indicate there were 3,680 farm holdings in the county in 2010 producing just over 2,089,000 tonnes of material, making this by far the largest controlled waste stream in Lincolnshire. Over 99% of these wastes are described as organic by-products such as waste milk, straw and slurry which are managed where they originate by burial, disposal to sewer, burning or spreading the material on land for agricultural improvement. Less than 1% of these materials (17,700 tonnes) fall within the category of controlled waste which requires off-site management capacity for recycling (agricultural plastics and other packaging, batteries, tyres and waste equipment and machinery) or incineration (particularly animal by-products and used syringes or needles, all of which are hazardous wastes).

6.29 Table 8 summarises the quantities of waste forecast and management methods required. The assessment assumes that there will be no substantive change in intensity, scale or farming techniques during the Plan period and therefore these requirements remain constant over the period 2014-2031. The only exception to this has been the roll-out of Anaerobic Digestion facilities across the county over the last five years. Several of these facilities operate on a merchant basis, taking waste from the same holding and from other sites. However this capacity provides an alternative to existing practices of land-spreading of slurry which may still be the most practical and economically attractive disposal method in most cases.

**Table 8: Agricultural waste arisings and management requirements**

<b>Total arisings</b>	<b>Managed on-farm</b>	<b>Managed off-farm</b>	<b>Recycling</b>	<b>Thermal treatment</b>	<b>Special incineration</b>	<b>Landfill</b>
2,089,136	2,071,435	17,701	7,066	4,342	5,520	773

6.30 The residual waste requiring off-site treatment is similar in content to C&I wastes and, therefore, could be managed in existing facilities. There may be a need for a small number of very small transfer facilities in rural locations to aggregate these wastes into larger loads for delivery to C&I waste facilities in the vicinity of the larger towns, however this role can

also be performed by the existing network of small non-municipal transfer stations.

### **Capacity Gaps**

- 6.31 Tables 4-8 present the waste forecasts and establish the capacity requirements throughout the Plan. These figures will be subject to change as new facilities are permitted and become operational, and new forecasts are published on the waste arisings and their uses. Updates to these will be published in the County Council's Annual Monitoring Reports and should the arisings significantly decrease or increase it would allow the Council to react, in terms of waste site provision, rapidly to changes in economic circumstances. The forecasts are indicative and it is not possible to predict the number or types of facilities required with absolute certainty. However, the tables (4 - 8) do present the best available forecasts and suggest that a broad range of facilities may be required to deal with the treatment of waste up to 2030/31.
- 6.32 The capacity at some waste management facilities is dedicated to handling a particular waste but it is increasingly common for sites to offer the capability to handle a more diverse range of materials. In some instances this is because some streams comprise similar mixes of wastes (LACW and C&I) or because facilities serve particular groups of users who generate a range of inert and non-inert wastes (Household Waste Recycling Centres). For this reason it is more appropriate to assess capacity gaps according to the waste management function performed. Evaluating the requirements for each waste stream in isolation can mean that the available capacity is over-estimated if part of it is already used to manage other waste streams.
- 6.33 Table 9 summarises the predicted capacity gaps at three intervals corresponding to key points in achieving the assumed recycling and landfill diversion performance rates. Negative figures identify capacity surpluses.

**Table 9: Forecast Capacity Gaps by Facility Type 2014, 2020, 2025 and 2031 – Growth with Median Recycling scenario**

Function	Wastes	Gap 2014	Gap 2020	Gap 2025	Gap 2031
Mixed waste recycling	LACW / C&I / Agric.	74,743	117,752	151,919	187,706
Specialised recycling	LACW / C&I / Agric.	-334,205	-333,447	-332,796	-332,126
Composting	LACW / C&I	-209,254	-236,865	-232,529	-227,927
Treatment plant	LACW / C&I / Agric.	-123,727	-158,190	-175,059	-193,329
Energy recovery	LACW / C&I	37,988	131,663	143,241	155,286
Specialised incineration	Mainly Haz. / Agric.	22,682	23,296	23,823	24,364
Aggregates recycling	CD&E	232,590	314,758	388,026	466,099
Non-hazardous landfill	LACW / C&I / Agric.	-36,452	-66,990	-83,216	-100,427
Inert landfill	Mainly CD&E but other non-haz.	-351,783	-305,070	-296,310	-287,241
Hazardous landfill	Hazardous	21,685	22,477	23,127	23,796

*[All figures in tonnes (rounded)]*

6.34 The County Council is maintaining its objective of not providing for new inert or non-hazardous landfill capacity above current levels, recognising that a supply of void space would be created by continuing extraction in sand/gravel pits and quarries. The needs assessment now forecasts surpluses in the main types of landfill capacity (other than hazardous) and the principal concern now is maintaining improvement in recycling and recovery but not on such a scale that landfill operations in the county are no longer economically viable.

6.35 Table 10 shows a summary of the number of new waste facilities that would be needed by type to fill the identified capacity gaps and indicates the average annual capacity that has been assumed in each case. Waste functions for which there is already a surplus are not included.

**Table 10: Predicted Requirements for New Facilities**

Facility type	Annual capacity	New facilities needed			
		Short term	By 2020	By 2025	By 2031
Mixed LACW & C&I waste recycling	75,000	1	1		1
Energy recovery from LACW & C&I	150,000	1			
Specialised thermal treatment	25,000	1			
CD&E and aggregates recycling	50,000	5	2	1	2
Hazardous waste landfill	25,000	1			

*[Annual capacity in tonnes]*

- 6.36 Many operational minerals sites that appear capable of recycling waste CD&E materials are currently categorised as transfer stations and it is not clear what capacity is currently available. The requirements above should therefore be regarded as an upper or pessimistic estimate and elements of this capacity may be in use now or be capable of being brought forward as co-located ancillary development, though the contribution it could meet to closing the capacity gap cannot be estimated accurately. Conversely, it has not been possible to model the pattern of waste arisings across the county and there is no certainty that the existing network of sites matches the pattern of need closely. Most facilities are clustered in or near the principal settlements but need for additional, probably small, sites may arise elsewhere although the timing and location cannot be predicted at present. New developments in those locations would have the benefit of serving local requirements, reducing the need to move these bulky wastes some distance across the County.
- 6.37 The need or not for further waste transfer stations (WTS) has not been included in the assessment of the requirement for future waste sites except where these sites also provide ancillary functions such as aggregates recycling. Such facilities are essential elements of a network of facilities to manage waste but do not actively contribute to recycling and recovery capacity. The scale of these facilities will depend on many factors, including location and types of waste being dealt with.
- 6.38 The intention of the County Council is to ensure that sufficient opportunities are identified to allow for new sites to be developed in Lincolnshire to enable the waste tonnages predicted to arise in Lincolnshire to be managed within the County. This would mean that, purely on arisings, the area would be net self-sufficient. But, movements of waste in and out of the County would continue subject to contracts and/or proximity to the nearest waste facility. There may also be specialist facilities which are not present in Lincolnshire to which waste may need to be sent for management. The identified capacity gaps for specialised thermal treatment (typically of agricultural wastes) and hazardous landfill exist already and the management requirement is being met by exporting the wastes to disposal facilities outside the County. The

small quantity of materials involved may provide insufficient incentive for the waste industry to bring forward new capacity locally and the County would then continue to rely on external capacity. In order to achieve net self-sufficiency the Plan will still need to provide for a corresponding amount of new capacity for other waste management methods therefore this situation does not reduce the number of new sites that are needed. The Council will also need to co-operate with the Authorities which provide external management capacity to make sure that the facilities will remain available for the duration of the Plan.

### **Policy W1: Future requirements for new waste facilities**

**The County Council will, through the Site Locations document, identify locations for a range of waste facilities within Lincolnshire to meet the predicted arisings up to and including 2031 and to meet the recycling and treatment targets as a minimum as presented in Table 9 at 2014, 2020 2025 and 2031 subject to any new forecasts published in the Council's Annual Monitoring Reports.**

### **Low level non-nuclear radioactive waste**

- 6.39 Low level non-nuclear radioactive waste is classified separately from hazardous waste and is that waste produced by non-nuclear industries such as hospitals, and research and educational establishments. Solid low level radioactive waste is similar in its physical and chemical nature to municipal, industrial and commercial wastes but it is radioactive. The majority of this waste and its subcategory of very low level radioactive waste are disposed of either by landfill or incineration. No such incineration facility exists within Lincolnshire but the landfill at North Hykeham can take low level wastes. Data on solid low level radioactive waste show that in 2008 Lincolnshire produced 1.10m<sup>3</sup> of this waste and North Hykeham Landfill received 2.0m<sup>3</sup> of low level radioactive waste consisting of paper, disposable gloves, and small quantities of metal and glass. By 2013 this figure had fallen back to 1.0m<sup>3</sup>.
- 6.40 Nationally, there are sufficient facilities until 2130 for the management of low level waste but for very low level waste there is a requirement to plan for further capacity post 2015. However, this requirement appears to be a result of current facilities requiring an extension to their current permissions rather than a need for new sites.
- 6.41 The above shows that Lincolnshire currently has capacity to continue to manage its low level non-nuclear radioactive waste by where this involves burial, however the availability of capacity at North Hykeham landfill throughout the Plan period cannot be guaranteed. Moreover, there is a desire for the management of such wastes to be moved away from disposal to some form of recovery, where possible. Given the very small quantity of waste produced within Lincolnshire it would not be economically viable for such a facility to recover this waste in isolation, instead, as with disposal, such waste would be managed alongside other MSW/C&I wastes. Given the above it is not possible to plan positively for

this waste stream and any proposals for such will be dealt with on their own merits against relevant policies in the plan.

## **Policy W2: Low Level Non-Nuclear Radioactive Waste**

**Planning permission will be granted for the management of low level non-nuclear radioactive waste where:**

- **there is a proven need for the facility; and**
- **locating in Lincolnshire is the most viable locale for managing such waste; and**
- **the proposals accord with all relevant Development Management Policies set out in the Plan.**

## **WASTE SPATIAL STRATEGY**

- 6.42 The County Council is not allocating specific sites in this document as it considers there are none which are critical to the delivery of the strategy. Instead, suitable individual sites will be allocated in the Site Locations document. However, in line with the National Planning Policy for Waste, the Council has identified *areas of search* which are considered to be suitable for new or enhanced waste management facilities to meet the needs of Lincolnshire. Also, in accordance with Planning Practice Guidance, the Council will not be prescribing waste management technologies that will be used to deal with specific waste streams.
- 6.43 The main types of waste facility that could be developed include waste transfer stations, materials recycling facilities, composting, anaerobic digestion and landfill. Although the management of waste is moving away from landfill it is unlikely that landfill will be totally phased out over the life of the plan period.
- 6.44 In keeping with the requirements of the National Planning Policy for Waste and communities taking responsibility for their waste, the spatial strategy is focussing new waste sites in the four largest settlements to achieve a reduction in the miles that untreated waste travels, by virtue of their location in proximity to the large centres of waste generation in Lincolnshire. This work would also build on other key settlements and recognised growth areas by the Lincolnshire District Local Plans, and would bring in areas such as the town of Gainsborough which has been designated as an economic growth point (alongside Grantham and Lincoln). To address this, the strategy expands the pattern of where the larger waste facilities could be located to include the main towns of: Bourne; Gainsborough; Louth; Skegness; Sleaford; and Stamford. These key urban areas therefore provide the *areas of search* for new waste management facilities. The 'urban area' is considered to comprise the defined boundary of the particular settlement.
- 6.45 A key consideration of waste is ensuring that waste is managed as close to source as possible, where waste has to travel, the spatial strategy seeks to promote the sustainable transportation of waste. The key principles to be considered are set out in Policy DM13: 'Sustainable

Transport Movements' and its supporting text. The key points to be considered in the spatial strategy are set out below:

- locate larger waste facilities within the Areas of Search (in and around the main urban areas set out in Policy W3);
- encourage smaller facilities (outside of the main urban areas set out in Policy W3) to locate in areas which serve local communities;
- encourage large waste sites to locate on or close to A Class Roads in the county to reduce impacts on local communities;
- encourage the co-location of waste facilities to reduce the level of movements of waste on the county's road network.

6.46 Locating waste facilities in the urban areas also allows a greater potential for decentralised renewable energy projects to be located in close proximity to potential customers for their heat and/or electricity. Of course, a waste facility in the urban areas provides a greater conflict between these operations and the amenity of the community. Therefore, where applicable, proposed waste facilities shall be suitably enclosed within a building or structure to minimise their impact on local amenity, the surrounding environment, and any nearby sensitive receptors. Most waste management activities are now suitable for industrial locations and may fall within the general industrial class in the Use Classes Order. With advancement in mitigation techniques, some waste management facilities may also be considered as light industrial in nature and therefore compatible with residential development.

6.47 C&D recycling operations can result in issues relating to noise and dust generation and have to be carefully controlled to ensure amenity is not significantly affected by their activities. The larger of these facilities within Lincolnshire are operating within existing quarries on the basis that there are operational and sustainability benefits to the vehicles returning to the quarry with untreated C&D waste. It is felt that these facilities should not be 'exempt' from the direction of the spatial strategy but that a less stringent application of the term 'around' in relation to the main urban areas is applied. The main source of the C&D waste will be the main urban areas and it is the intention of the Council to reduce the distance untreated waste travels. However, it would not be appropriate to allow such waste recycling operations to be permanently located in what may be relatively remote countryside locations and for that reason, any permission for C&D recycling within a quarry shall be temporary, linked to the lifespan of the quarry in which the operations reside.

6.48 Notwithstanding the above spatial strategy there are a limited number of facility types which would be acceptable to be located outside of or away from the main urban areas. In the main, landfills occur following mineral extraction which itself only occurs where the geological conditions are suitable. Therefore, such sites are frequently within the countryside and it would not be appropriate to direct such facilities to urban areas. There are also facilities which by their nature may be best placed outwith of areas of high population due to their potential amenity impacts (in the main, odour), such as facilities for the open windrow composting of green waste, anaerobic digestion, and the treatment of sewage.

- 6.49 Lincolnshire is a large rural county with small settlements scattered across its extensive countryside and to restrict all new waste facilities to the main urban areas would not allow all waste to be treated in close proximity to its production. Also, there is probably a greater need than in other East Midlands' counties to have a widely dispersed network of small waste facilities. Such facilities would only be acceptable where there is a good relationship between the location of the site and where the waste arises. To assist with the development of small scale facilities, Policy W7: 'Small Scale Waste Facilities' sets out the requirements to be met and the locations where such development would be appropriate, in keeping with the Spatial Strategy and policy DM13.
- 6.50 Historically waste facilities in the East Midlands were located in countryside locations linked to landfills and, potentially, well located to the road network but poorly to arisings. Therefore, for existing sites which wish to extend their operations through a physical extension outside of the area permitted for waste management or the throughput of the site (where planning permission is needed) the spatial strategy would still apply. Policy W3 will be used to assist the County Council in identifying specific sites in the Site Locations document, alongside, for example, the carrying out of sequential testing in relation to flood risk, in order to ensure any sites allocated are in the most sustainable locations possible.
- 6.51 This spatial strategy does not mean that any of the above exceptions cannot be accommodated in or around the main urban areas but that the Council is accepting that for these types of waste management a countryside location may be appropriate.

### **Policy W3: Spatial Strategy for New Waste Facilities**

**Proposals for new waste facilities, including extensions to existing waste facilities, will be permitted in and around the following main urban areas as indicated on the key diagram subject to the criteria of Policy W4:**

- **Lincoln;**
- **Boston;**
- **Grantham;**
- **Spalding;**
- **Bourne;**
- **Gainsborough;**
- **Louth;**
- **Skegness;**
- **Sleaford; and**
- **Stamford.**

**Proposals for new waste facilities, including extensions to existing waste facilities, outside the above areas will only be permitted where they are:**

- **facilities for the biological treatment of waste including anaerobic digestion and open-air windrow composting;**
- **the treatment of waste water and sewage;**
- **landfilling of waste;**
- **small scale waste facilities.**

## **LOCATIONAL CRITERIA FOR NEW WASTE FACILITIES IN AND AROUND THE MAIN URBAN AREAS**

- 6.52 The above waste spatial strategy is based on directing new waste facilities, including extensions, to the areas where the highest levels of waste are expected to be generated and, therefore, encouraging the proximity of a site to the most likely source of the waste leading to a reduction in the miles untreated waste travels.
- 6.53 The aim of the spatial strategy is to promote new waste infrastructure away from greenfield sites. The countryside's intrinsic character and beauty should be recognised and protected and the use of suitable previously developed land encouraged. Therefore, new facilities and extensions of existing operations (physical extensions outside of the area permitted for waste management or extensions of the throughput of the site) should be on vacant brownfield land, existing/planned industrial estates or land already with a waste management use in line with the principles of the National Planning Policy for Waste which supports the co-location of waste management facilities. The strategy recognises that some facilities may be considered acceptable on greenfield land, such as the recycling of construction and demolition waste and/or the production of secondary aggregates within existing mineral operations (mineral operations are classed as greenfield land where provision for restoration exists through development control procedures). To be considered appropriate, the site must be capable of accommodating such a facility and it should not impinge on any existing operations. Also, any new or extended recycling operations must not cause or significantly increase the environmental impact of the site, in terms of noise, dust, vibration, traffic disturbance or visual impact (cumulative impacts). In this respect, limestone and chalk quarries are likely to be more suitable than sand and gravel sites because they are deeper, providing opportunities to locate recycling operations in the base of the quarry thereby minimising visual intrusion and noise and dust emissions. The strategy also recognises that some developments are likely to be developed outside the areas highlighted in Policy W3. The types of developments expected outside these areas include the biological treatment of waste including digestion and open-air windrow composting. The specific matters which need to be considered for such developments are set through Policy W5.
- 6.54 Sites should not be permitted where they would result in any significant adverse environmental impacts, so, harm to the landscape, biodiversity, the historic environment and the amenity of nearby residents (for example) should be avoided. For particular operations, like biological treatment, the use of a 'stand-off' between residential properties and the waste facility would be necessary.

## Policy W4: Locational Criteria for New Waste Facilities in and around main urban areas.

Proposals for new waste facilities, including extensions to existing waste facilities, in and around the main urban areas set out in Policy W3 will be permitted provided that proposals accord with all relevant Development Management Policies set out in the Plan, and where they would be located on either:

- previously developed and/or contaminated land; or
- existing or planned industrial/employment land and buildings; or
- land already in waste management use; or
- in the case of proposals for the recycling of construction and demolition waste and/or the production of recycled aggregates, existing active mineral operations; or
- in the case of biological treatment the land identified in Policy W5.

### BIOLOGICAL TREATMENT OF WASTE

- 6.55 Biological treatment of biodegradable organic waste is the process by which micro-organisms are used to convert waste organic matter into, amongst other things, a liquid and/or solid to be used as a soil conditioner. Composting is undertaken in the presence of oxygen, producing the by-products of carbon dioxide and water vapour and the soil conditioner. Frequently, these take place in the open air on concrete pads and are typically located in rural or urban fringe sites. Waste taken to these sites is mainly that collected at civic amenity sites and source-segregated kerbside collected garden waste.
- 6.56 Anaerobic digestion differs from composting by virtue that it is the biological treatment of biodegradable organic waste in the absence of oxygen. By its nature this has to be done in a controlled environment, i.e. a sealed vessel. Anaerobic digestion results in the generation of:
- **Biogas**, which is rich in methane and can be used to generate heat and/or renewable electricity, vehicle fuel or for grid injection;
  - **Fibre**, (or digestate) which is nutrient rich and can potentially be used as a soil conditioner; and
  - **Liquor**, which can potentially be used as a liquid fertiliser.
- 6.57 Both forms of biological treatment present a realistic opportunity for the discharge of malodours and for this reason they are best located away from any sensitive receptors through provision of a 'stand-off' to ensure amenity is not harmed. Environment Agency research suggests that facilities within 250 metres of an occupied building will need to undertake a detailed assessment of the potential bio-aerosol releases. An odour management plan will need to be submitted as part of the permitting process for such facilities. Thus, siting these operations away from the main urban areas would be acceptable but, where they may be around the main urban areas then, in the first instance, they should be assessed against the spatial requirements of Policies W3 and W4.

- 6.58 Much of the waste for these processes will arise from the urban areas and, though locating sites away from these areas is not ideal (in terms of miles covered by the untreated waste) it provides an opportunity for agricultural wastes to be treated alongside other wastes. For example, anaerobic digestion can take poultry and bovine manures and produce a digestate which is less odorous and more readily available to plants than the untreated, raw manure. A countryside location also allows the end product, i.e. the soil improver, to be applied to land in the vicinity of the waste site thereby reducing the distance travelled by the resultant product. It is expected that proposals in rural areas justify the selection of the site in terms of the opportunities the site offers for treating agricultural wastes and the spreading of the end product on adjacent land.
- 6.59 Where operations include the spreading of compost or other residues over land, the material spread must meet the recognised quality standards to be no longer regarded as waste (BSI PAS 100 for compost and BSI PAS 110 for digestate from anaerobic digesters).

#### **Policy W5: Biological Treatment of Waste Including Anaerobic Digestion and Open-Air Composting**

**Planning permission will be granted for anaerobic digestion, open air composting, and other forms of biological treatment of waste outside of those areas specified in Policy W3 provided that proposals accord with all relevant Development Management Policies set out in the Plan; where they would be located at a suitable 'stand-off' distance from any sensitive receptors; and where they would be located on either:**

- **land which constitutes previously developed and/or contaminated land, existing or planned industrial/employment land, or redundant agricultural and forestry buildings and their curtilages; or**
- **land associated with an existing agricultural, livestock, food processing or waste management use where it has been demonstrated that there are close links with that use.**

#### **LANDFILL**

- 6.60 Lincolnshire has around a dozen landfills with extant permission which are principally restoring former mineral extraction sites. Several of these landfills are now inactive as a large amount of residual LACW is being diverted to the new EfW facility in North Hykeham. Landfill, both inert and non-inert can play an important role in reclaiming mineral workings and bringing land back into use, be that for biodiversity, agriculture or recreation. However, there is a desire to move away from using landfill as a means of disposing of our waste.
- 6.61 Application of the waste hierarchy requires disposal (of which landfill is one possible route) to be undertaken once the steps above disposal (reuse, recycling etc.) have been undertaken and, in effect, there is no better use for the waste. The Government Waste Policy Review (2011) states that there is a need to move to a situation where reuse, recycling

and recovery is undertaken wherever possible and waste is only disposed of as a last resort. Further to this, the Government invited views in July 2012 on measures to divert wood waste from landfill. The Review was clear that reducing the amount of biodegradable waste going to landfill is an important way of reducing greenhouse gas emissions and that, therefore, there were carbon emission benefits of not disposing of waste via landfill.

- 6.62 Notwithstanding the desire to move away from using landfill such a move cannot be achieved with immediate effect, it takes time to have the necessary infrastructure in place to enable such a transition and there will still be a need to utilise it as a means of disposal for those elements of the waste stream for which no other use can be found. No requirement for further landfill capacity above that already existing has been found through the chosen Waste Needs Assessment scenarios. Therefore, any proposal for a new landfill site, or a physical extension to an existing site, or an increase to the total waste throughput of the site would only be acceptable if it was required to fulfil a previously unplanned shortfall (such as a current inert or non-hazardous landfill ceasing operations earlier than anticipated) and provided that such a shortfall could not be accommodated through the reactivation of any inactive sites with void space remaining. However, it would not be acceptable for the County to provide an excess of capacity and any requirement would need to be monitored annually.
- 6.63 There are no hazardous landfills within Lincolnshire and given the amount that arises within the County and the County's poor links to other potential sources of such waste it would seem unlikely that Lincolnshire would be a likely location for such a site. However, a policy for landfill should cover all eventualities and, therefore, a proposal for a hazardous waste landfill is not precluded.
- 6.64 Any proposal for landfilling would be expected to be operated to the highest standards but the Council would also seek a high level of restoration which would, once completed, improve the local landscape and character of the area. This may include the return of land to a use of scarcity but of high value to the area in order to ensure that appropriate habitats are restored in the appropriate place, ensuring that there is a net gain for biodiversity from the proposal. Landfilling also provides the opportunity to improve, through upgrading and increasing the length of, the local public rights of way network. For non-hazardous or hazardous waste landfills this may be a longer term aspiration with access being restricted over the landfill during the settlement of the waste but for these sites, in the first instance, the network should be improved around the periphery of the active landfill. Any proposal for landfilling would also need to demonstrate that it would not cause a significant delay to the restoration of already permitted waste disposal sites, in particular mineral extraction sites which require infilling to achieve their final reclamation.

## **Policy W6: Landfill**

**Planning permission will only be granted for new landfills or extensions to existing landfills (inert, non-hazardous and hazardous) provided that:**

- **the current capacity is insufficient to manage that local waste requiring disposal to landfill in Lincolnshire; and**
- **there is a long term improvement to the local landscape and character of the area, with enhanced public access where appropriate; and**
- **the development would not cause a significant delay to the restoration of existing waste disposal sites; and**
- **the proposals accord with all relevant Development Management Policies set out in the Plan.**

## **SMALL SCALE WASTE FACILITIES**

6.65 To ensure that Lincolnshire has a network of waste management facilities it is essential that the County has a range of facilities beyond the main urban areas to support a sustainable development of infrastructure for Lincolnshire. Policy W3 allows specific facility types, such as composting and landfills outside of the main urban areas but there will still be a need for some smaller waste facilities in the rural areas of the County. Such facilities could include small recycling facilities, transfer stations, treatment, vehicle depollution or facilities linked directly to rural activities and the wastes they generate, where the throughputs are small and where it is demonstrated that such a location is necessary to achieve close proximity to arisings.

6.66 As set out in the previous Draft Core Strategy and Development Management Policies document, the key point for such a policy is to define what a 'larger' facility is or conversely what is a small facility that may be acceptable to be outside of the preferred urban areas. So, the Council has utilised the data from the Environment Agency's permit returns from 2010 for waste sites in Lincolnshire to ascertain the threshold when a waste facility in Lincolnshire could be considered to be a small facility. Sites operated by the County Council for municipal waste management were removed so that the analysis focussed only on sites operated on a commercial basis to ascertain what is economically viable. Sites were split into broad groupings of similar types of operations and the second quartile (the median) was used to establish the threshold (in tonnes per annum (tpa)) for what is a small waste facility in Lincolnshire. The indicative scale for small facilities is the following: 3,000tpa for C&D recycling facilities; 9,000tpa for C&I transfer and/or recycling facilities; 500tpa for End of Life Vehicle (ELV) facilities; and 3,000tpa for metal recycling facilities. These indicative thresholds set the cut-off point for the scale of site that it is acceptable to locate outside of the main urban areas but only where there is a good relationship between the location of the site and where the waste arises. Also, the emphasis is for these small scale sites not to be upon greenfield land but on land upon which there has previously been development, including the conversion of redundant agricultural buildings.

## **Policy W7: Small Scale Waste Facilities**

**Planning permission will be granted for small scale waste facilities, including small extensions to existing waste facilities, outside of those areas specified in Policy W3 provided that:**

- **there is a proven need to locate such a facility outside of the main urban areas; and**
- **the proposals accord with all relevant Development Management Policies set out in the Plan; and**
- **the facility would be well located to the arisings of the waste it would manage; and**
- **they would be located on land which constitutes previously developed and/or contaminated land, existing or planned industrial/employment land, or redundant agricultural and forestry buildings and their curtilages.**

## **SAFEGUARDING WASTE MANAGEMENT SITES**

6.67 Waste sites are an important element of a community's infrastructure, ensuring that waste is dealt with at appropriate locations and that communities take responsibility for their own waste. Gaining permission for such facilities can be a challenging and protracted process in direct opposition to the wishes of parts of the host community. Because of this the Council considers it essential that those waste management sites should be protected. This document is the first stage of replacing the extant Waste Local Plan, the next shall be the production of a Site Locations document where land will be identified as being suitable for future waste uses. To allocate land for waste uses an assessment has to be made of their potential suitability. Once the assessment has been undertaken and the land allocated the Council would not wish to see the ability of the land to be utilised for waste uses prejudiced. Therefore, sites allocated in the Site Locations document will also be protected.

6.68 Such protection should be twofold: to ensure that a site permitted or allocated with a waste use is not redeveloped to another use to retain capacity; and that there remains a sufficient distance between the waste facility and other forms of development or sensitive land uses (for example, housing). The latter requirement is to make certain that non-waste developments are not permitted within the vicinity of a waste management facility, if it would either prevent or prejudice the effective use of that facility. Where new development involving buildings which would normally be occupied is proposed in proximity to a sewage treatment works, the application should be accompanied by an odour assessment report, which considers existing odour emissions of the works at different times of the year and in a range of different weather conditions.

6.69 In two-tier planning areas such as Lincolnshire, the safeguarding of waste sites can be achieved only through county and district councils co-operating in the exercise of their respective planning powers. District Councils will be provided with details on the waste sites in the County and

it will be the responsibility of the District Councils to ensure that they are used when considering planning applications or future developments within or near to the boundary of a waste site and that the County Council is consulted. The sites and facilities to be safeguarded are listed in Appendix 2 and mapped in Appendix 3.

- 6.70 Clearly, if evidence was put forward that there remained no market need for the waste facility in its current location or the operations could be relocated to another acceptable site then a proposal would be acceptable.

#### **Policy W8: Safeguarding Waste Management Sites**

**The County Council will seek to safeguard existing and allocated waste management facilities from redevelopment to a non-waste use and/or the encroachment of incompatible development unless:**

- **alternative provision in the vicinity can be made; or**
- **it can be demonstrated that there is no longer a need for a waste facility at that location.**

#### **SEWAGE TREATMENT WORKS AND RELATED INFRASTRUCTURE**

- 6.71 Sewage Treatment Works (STWs) are a vital element of the County's infrastructure ensuring waste water is effectively treated to protect human health and water quality. By 2031, there will be a requirement for extra sewerage capacity to serve growth in and around Lincoln, Gainsborough and Grantham. At present, the exact form this will take is unknown but it is anticipated that much will be accommodated by upgrading existing works. However, circumstances may arise where the location of new growth makes sewer access to existing STWs difficult and it may be more cost effective to develop new works.
- 6.72 By their very nature, sewage works need to be in close proximity to a suitable watercourse to accept their discharge and, therefore, may be located upon land subject to flooding. In these cases, the development may be an acceptable land use in a floodplain but this would have to be tested, applying, as applicable, the sequential and exception tests as set out in National Planning Practice Guidance. The development would also need to ensure there would not be an unacceptable increase in the risk of flooding to other areas.
- 6.73 The treatment of waste water can be an odorous process caused by periods of septicity. For this reason, new STWs will need to be located a sufficient distance from existing residential homes and sensitive places of work (such as offices) to ensure that the users of these buildings are not subject to nuisance and a decline in their amenity. Also, an appropriate distance between STWs and sensitive receptors would ensure that additional constraints are not imposed on the operation of the waste water works. STWs are built to such a variety of sizes and technologies that to specify an absolute distance would not be suitable and an appropriate distance has to be judged on a case-by-case basis.

6.74 It is important that new sewage treatment works install phosphate removal technology. The removal of phosphate from the effluent of a sewage works comes under the Urban Waste Water Treatment Directive (UWWTD) (91/271/EEC) and the Water Framework Directive (WFD) (2000/60/EC) which require the control of phosphorus input into water bodies by specifying minimum treatment requirements to be achieved.

#### **Policy W9: Waste Water and Sewage Treatment Works**

**Proposals for new sewage treatment works, including the improvement or extension of existing works, will be permitted where they are required to meet new growth. Proposals must demonstrate that:**

- **there is a suitable watercourse to accept discharged treated water and there would be no unacceptable increase in the risk of flooding to other areas; and**
- **there would be no deterioration in the ecological status of the effected watercourse (to comply with the Water Framework Directive), unless there is an overriding public need for the development; and**
- **the proposals accord with all relevant Development Management Policies set out in the Plan.**

## **7. DEVELOPMENT MANAGEMENT POLICIES**

7.1 This section sets out the development management policies of the Minerals and Waste Local Plan. The policies within this section aim to establish detailed criteria against which minerals and waste development proposals will be judged.

### **The Development Management Process**

7.2 Development management is the process of determining planning applications for mineral and waste developments. Planning applications should contain the justification for the development, details of how the operations will be managed, and any measures proposed to reduce or remove adverse effects. The County Planning Authority will consider all the community, economic and environmental issues that are relevant to each planning decision.

7.3 Sufficient information must be provided with planning applications so that the likely effects of the development together with proposals for appropriate control or mitigation can be considered. In some cases detailed assessments of particular issues may be required.

7.4 Applicants are encouraged to discuss their proposals with the County Planning Authority before submitting a planning application. Early discussion will help to identify potential impacts from proposals, and possible measures to avoid or minimise them. Applicants will also be advised if their proposals are unlikely to be acceptable. The County Planning Authority may suggest that applicants seek advice from statutory or other bodies about the need to carry out detailed assessment work. Pre-application consultation with such bodies together with the local community and local interest groups will help to establish potential impacts of a proposed development and improve the quality of decisions on planning applications. The Statement of Community Involvement provides information on how consultation on planning applications will be carried out.

7.5 If planning permission is granted, conditions will usually be attached to regulate the operation of the development. These can be used to agree the specific details about parts of the proposal (such as a landscape scheme) or to ensure that the effects on local communities or the environment are reduced (such as control of working hours).

7.6 The County Council will also seek to conclude legal agreements, known as planning obligations, where appropriate to achieve suitable control over and to mitigate and/or compensate for the effects of minerals and waste development where such objectives cannot be achieved by planning conditions. Matters to be covered by such planning obligations may include:

- highways and access improvements;
- traffic management measures including the regulation of lorry traffic;
- long-term site management provision to establish beneficial after-use;

- improvement of the rights of way network;
- financial guarantees to ensure restoration is undertaken;
- measures for environmental, recreational/sport, economic and community gain in mitigation or compensation for the effects of mineral development.

The Community Infrastructure Levy is a new levy that District authorities can choose to charge on new developments to fund local infrastructure. It applies to most new buildings that people normally use, with charges based on the size and type of new development. It cannot be charged on structure and buildings that people only enter for the purpose of inspecting or maintaining fixed plant or machinery.

## **Environmental Impact Assessment**

- 7.7 Environmental Impact Assessment (EIA) is often required for major developments that are likely to have significant impacts on the environment. Most proposals for large scale mineral extraction and waste developments are likely to fall within this category. An EIA will identify the likelihood of significant impacts occurring as a result of a development, how these could be mitigated, and alternative ways in which the development could be carried out.
- 7.8 All mineral and waste planning applications that meet the appropriate thresholds and criteria set out in the EIA Regulations (2011) will be screened to determine whether or not they require an EIA. The screening process determines whether the proposal is likely to have significant environmental effects. If requested, the County Council will provide a scoping opinion which sets out the issues which the assessment should address. An Environmental Statement must accompany a planning application for EIA development.

## **Review of Mineral Permissions**

- 7.9 Mineral planning permissions are subject to review in accordance with the legislative requirements of the Planning and Compensation Act 1991 and the Environment Act 1995. Such reviews provide an opportunity for the County Council to ensure mineral sites continue to work under modern conditions which reflect sustainability aspirations and offer appropriate environmental protection.
- 7.10 Subject to certain legal provisions, the review determination process is conducted in a similar way to the processing of a planning application, and may be subject to Environmental Impact Assessment in the same way as a planning application. However, review submissions cannot be refused, and compensation liabilities can arise if working rights are unreasonably affected. Applicants submitting review schemes should have regard to the requirements of policies contained in this document, and ensure that all the environmental issues are satisfactorily addressed.

## **Material Considerations**

- 7.11 Every planning application for development is decided on its merits, and should be determined in accordance with the development plan unless material considerations indicate otherwise. When planning applications are determined, all the relevant policies in the Local Plan will be taken into account, and used as the basis for decision-making.
- 7.12 Material considerations include issues such as the impacts on local communities, national planning policy/guidance, and the need for the development. There are no firm rules about the range and type of material considerations, or about the weight that should be attached to them in individual decisions. This is because:
- material considerations are subject to change in the light of government guidance and court judgements;
  - the development plan cannot explain which considerations will be material to a particular planning decision because the circumstances of each application will be different; and
  - the weight given to material considerations when making decisions on planning applications will be affected by individual circumstances.

### **Monitoring and Enforcement**

- 7.13 The effective monitoring of operational sites is very important. Requirements for the monitoring of impacts such as noise and dust may be imposed through planning conditions. However, there is an important role for the County Council as an independent regulator, which can help to increase confidence among local communities. The County Council also works closely with the Environment Agency in monitoring and enforcing waste sites. Efficient and effective monitoring and enforcement can often identify potential problems early, before they are perceptible to local residents, and ensure that they are resolved satisfactorily.

### **Sustainable Development**

- 7.14 The National Planning Policy Framework states that policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally.
- 7.15 The Plan is based on the principle of delivering sustainable minerals and waste development in Lincolnshire (see Chapter 4). Any development that accords with the Plan is therefore sustainable and the County Council will aim to progress it without delay. Development management will be the main means by which the Plan will deliver sustainable minerals and waste development in Lincolnshire.

## **Policy DM1: Presumption in favour of sustainable development**

**When considering development proposals, the County Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.**

**Planning applications that accord with the policies in this Local Plan will be approved without delay, unless material considerations indicate otherwise.**

**Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the County Council will grant permission unless material considerations indicate otherwise – taking into account whether:**

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or**
- Specific policies in that Framework indicate that development should be restricted.**

## **Climate Change**

- 7.16 The NPPF states that Local Plans should take account of climate change over the longer term, including factors such as flood risk, coastal change, water supply and changes to biodiversity and landscape. New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure.
- 7.17 The Minerals and Waste Local Plan is being completed in line with the National Adaptation Programme (NAP) and will cover a number of the sector areas featured within the National Climate Change Risk Assessment (CCRA). The built and natural environment objectives of the NAP are addressed within the Minerals and Waste Local Plan wherever practical and also includes taking account of flood risk in flood prone areas when developing or extending current infrastructure for minerals and waste. The Minerals and Waste Local Plan seeks to build resilience to the impacts of climate change and addresses associated risks through effective consultations with appropriate bodies and the public thus enabling well informed decisions to be made in a timely manner.
- 7.18 Transport is a significant source of carbon emissions by minerals and waste developments due to the distance travelled by HGVs in supplying

minerals and transporting waste. The County Council will therefore encourage the use of alternative modes to road based transport (see Policy DM13); seek locations for future minerals developments near to the markets that they serve; encourage proposals for waste developments to locate as near as possible to main centres of population; and promote good practice in transport related matters to reduce vehicle miles.

- 7.19 The extraction of minerals is an energy intensive business. There are many ways in which individual quarry sites can reduce their carbon footprints/energy use. Practices should therefore be adopted to help reduce the energy use of individual quarries, particularly the larger ones, so as to lower their carbon footprint. The County Council will encourage increased energy efficiency measures in plant, buildings and operations. Reductions in carbon emissions can provide significant cost savings.
- 7.20 The prudent, efficient and sustainable use of minerals and recycling of suitable materials will ensure materials are used for the purposes for which they are most suitable and minimise the requirement for new primary extraction. The use of recycled/secondary aggregates over primary won sources helps to reduce the overall carbon footprint of aggregate provision by savings on energy use. The County Council therefore encourages the use of more recycled/secondary aggregates (see Policy M1).
- 7.21 The County Council will also encourage the creation of carbon sinks through habitat creation (e.g. wetland or woodland creation) as part of restoration/landscaping schemes, particularly on mineral sites (see Policy R2). Well-planned restoration schemes, developed as part of larger landscape-scale initiatives and in conjunction with specialist agencies, can assist in establishing ecological networks (particularly new priority habitat) which are more resilient and which enable the movement of wildlife as it adapts to changing climate.
- 7.22 Waste management is significant in tackling greenhouse gas emissions because the treatment and disposal of waste generates carbon dioxide and methane. Methane emissions from biodegradable waste in landfill accounts for around 40% of all UK methane emissions. This equals about 3% of UK greenhouse gas emissions. Methane is more damaging than carbon dioxide as a greenhouse gas. Waste management therefore has an important role in mitigating the levels of greenhouse gases emitted into the atmosphere.
- 7.23 The Waste Hierarchy is a key policy objective in terms of mitigating impacts on climate change by focusing on reducing the amount of waste produced, and increasing the amount of waste that is reused, recycled, composted or has energy recovered. This is important in terms of diverting biodegradable waste from landfill and reducing associated methane emissions. In addition, in terms of maximising the potential for reuse, recycling and recovery of resources, it also helps to minimise the demand for new resources and the greenhouse gases generated in their production.

- 7.24 Maintaining high recycling rates is therefore a key part of the Council's climate change strategy in order to divert as much biodegradable waste away from landfill as possible to lower methane emissions. The Council will also encourage proposals for new waste technologies/processes which bring about reduced levels of biodegradable waste being disposed of to landfill.
- 7.25 The objective of minimising impacts on climate change will be focused on carbon reduction/capture measures, efficient use of resources and renewable energy (where practicable and viable), and on minimising traffic generation. It will be important that proposals demonstrate how these factors have been taken into account in their design.
- 7.26 The objective of reducing greenhouse gas emissions will be achieved by encouraging:
- waste treatment processes that reduce the amount of waste going to landfill (with all waste management facilities being required to provide evidence of how much waste will be diverted from landfill);
  - decentralised, low-carbon/renewable energy generation and carbon reduction measures at new mineral working sites and waste management developments (including landfill gas collection);
  - where possible, combined heat and power (CHP) in new waste management developments;
  - increased energy efficiency measures in plant, buildings and operations; and
  - good practice in transport related matters to reduce vehicle miles.
- 7.27 The Council intends to produce an operational code of practice for minerals and waste developments which will include measures to reduce CO<sub>2</sub> emissions, energy efficiency and sustainable design. The Code will supplement the policies included in this document.

## **Policy DM2: Climate Change**

**Proposals for minerals and waste management developments should address the following matters where applicable:**

### **Minerals and Waste**

- **Identify locations which reduce distances travelled by HGVs in the supply of minerals and the treatment of waste, unless other environmental/sustainability and, for minerals, geological considerations override this aim.**

### **Waste**

- **Through implementation of the Waste Hierarchy, reduce waste disposal to landfill;**
- **Identify locations suitable for renewable energy generation;**
- **Encourage carbon reduction/capture measures to be implemented where appropriate.**

### **Minerals**

- **Encourage ways of working which reduce the overall carbon footprint of a mineral site;**
- **Promote new/enhanced biodiversity levels/habitats as part of restoration proposals to provide carbon sinks;**
- **Encourage the most efficient use of primary minerals**

## **CONTROLLING IMPACTS ON THE LOCAL ENVIRONMENT AND COMMUNITIES**

### **Protection of residential amenity**

7.28 Minerals extraction and waste management facilities by their nature are likely to have some negative effects on local communities. Minerals can only be worked where they exist and this can lead to the development of quarries in close proximity to communities. The Council's waste strategy is to locate most waste sites near to the largest concentrations of population to maximise sustainability potential. It will consequently be necessary to overcome impacts through appropriate mitigation measures to avoid a negative effect on the local communities in question.

7.29 The NPPF states that local planning authorities should ensure, in granting planning permission for mineral development, that there are no unacceptable adverse impacts on human health. Planning Policy Statement 10: *Planning for Sustainable Waste Management* states that, in considering planning applications for waste management facilities, waste planning authorities should consider the likely impact on the local environment and on amenity. The County Council must therefore ensure that an acceptable balance is maintained between meeting identified mineral and waste needs and protecting the local environment and amenity of residents living close to mineral or waste operations.

- 7.30 Proposals, which may give rise to pollution and health issues, should be submitted with details of these issues, and where applicable the relevant health and pollution control authorities will be consulted. Likewise, amenity issues will be addressed in consultation with the local authority environmental health officer and other appropriate advisers.
- 7.31 Pollution control authorities such as the Environment Agency and local Environmental Health authorities are responsible for regulating polluting activities. However, pollution and health issues are a legitimate planning consideration, which can be taken into account when considering applications.
- 7.32 Possible impacts include noise and vibrations from quarry/waste traffic, processing plant and site activity; visual intrusion; dust during dry periods; debris on the roads & litter; odour; run-off from sites to protected waters and the impact of Heavy Goods Vehicles. Such impacts can cause understandable concern from communities living near these types of development. It is important to ensure that these impacts are kept to an absolute minimum.
- 7.33 It is possible for quarry operators and waste facilities to take measures that can make living near a quarry/waste site acceptable to local residents. By landscaping to create bunds and using natural vegetation for screening, taking into account local landscape character, the visual impact and potential noise nuisance caused by the site can be reduced to acceptable levels. There are also various controls that can be used to manage dust, litter and odour problems. Wheel washing and sheeting of lorries can prevent debris from being deposited on the road network.
- 7.34 Other important factors that can influence the acceptability of a site to local residents is the sequence of mineral working, and the choice of route, location and suitability of access arrangements for vehicles entering and leaving the site.
- 7.35 In relation to minerals development, the NPPF states that local planning authorities should ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties. Where adverse effects cannot be adequately controlled or prevented, planning permission will be refused.
- 7.36 National Planning Practice Guidance states that in some circumstances, new or extended permissions for minerals extraction close to residential property may not provide adequate protection. In such cases, the guidance indicates that it may be justified to consider adequate separation distances. Any such distance should be effective but reasonable, taking into account:
- the nature of the mineral extraction activity (including its duration);
  - the need to avoid undue sterilisation of mineral resources, location and topography;
  - the characteristics of the various environmental effects likely to arise;
  - and

- the various amelioration measures that can be applied.

The Guidance states that working in proximity to residential property may be necessary where there are clear, specific achievable objectives such as the removal of instability and preparing land for subsequent development. Such working should be for a limited and specified period, without scope for extension.

- 7.37 The National Planning Policy for Waste does not give precise guidance on separation distances, but does give advice on site requirements related to waste sites. In such cases, it advises that waste planning authorities should consider:
- The likely impact on the local environment and on amenity;
  - The physical and environmental constraints on development, including existing and proposed neighbouring land uses;
  - The cumulative effect of previous waste disposal facilities on the well-being of the local community, including any significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential.
- 7.38 Other land uses apart from residential areas may also be affected by mineral and waste operations such as hospitals, schools, farms, and other places of employment. In such cases, it may also be appropriate to consider the use of separation distances depending on the sensitivity of the use or facility affected.
- 7.39 Government Circular 1/2003 identifies mineral extraction (especially where water areas form part of the restoration proposals) together with facilities for the handling, compaction, treatment and disposal of household or commercial wastes, and sewage disposal and treatment plant as development which attracts a variety of bird species and can create a bird hazard, including bird flight lines across aircraft flight paths.
- 7.40 This is a particularly important issue for minerals and waste sites in proximity to RAF aerodromes within the County. It may be possible to overcome bird strike issues through the design of the development. In the event however that, following consultation with the appropriate authorities, the nature of the proposal is considered to give rise to new or increased risks to aerodromes and associated uses, planning permission should not be granted.

### **Policy DM3: Quality of life and amenity**

**Planning permission will be granted for minerals and waste development provided that it does not generate unacceptable adverse impacts arising from:**

- **noise,**
- **dust,**
- **vibration,**
- **odour,**
- **emissions,**
- **illumination,**
- **visual intrusion,**
- **run off from sites to protected waters, or**
- **traffic**

**to occupants of nearby dwellings and other sensitive receptors.**

### **Natural and Historic Environment**

7.41 The NPPF states that, in preparing Local Plans, local planning authorities should set out environmental criteria, in line with the policies in the Framework, against which planning applications will be assessed so as to ensure that permitted operations do not have unacceptable adverse impacts on the natural and historic environment. When determining planning applications, it states that local planning authorities should ensure, in granting planning permission for mineral development, that there are no unacceptable adverse impacts on the natural and historic environment.

7.42 As detailed in the Spatial Portrait of Lincolnshire (Chapter 3), there are many natural and built environmental assets, high-grade agricultural land and areas at risk of flooding within the County. It is important to protect certain areas or features from the negative aspects of minerals and waste development. The plan therefore provides for the protection and enhancement of all Lincolnshire's environmental assets: the historic environment; the natural environment incorporating designated sites and areas, landscape and biodiversity; and water resources. The policies are also aimed at protecting assets that do not already have protection through national policy such as aspects of the historic environment; Lincolnshire's landscape; water resources, including flooding; and matters relating to biodiversity and geodiversity. Each of these is considered in more detail in the following paragraphs.

### **Historic Environment**

7.43 The NPPF defines a heritage asset as a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. These assets include both

designated and non-designated assets. Designated heritage assets have statutory protection and are assessed at the highest significance, they include scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites. Non-designated assets are usually recorded in the County Historic Environment Record (HER) along with designated assets, these are generally of regional and local importance but may have an equal significance to designated assets. The significance of a heritage asset derives not only from its physical presence, but also from its setting.

- 7.44 Lincolnshire's identity and sense of place is closely linked with its rich heritage, it is a unique resource that contributes to the character of the county and can be vulnerable to damage from development. Historic assets can be harmed or lost through alteration or destruction of the asset itself or its setting and weight will be given to its conservation. Conflicts may arise between protecting our heritage and meeting the need for minerals or providing important waste facilities. Proposals for minerals and waste development should therefore include appropriate measures to minimise the impact of development on Lincolnshire's heritage, historic environment and archaeology.
- 7.45 By addressing heritage considerations before planning applications are submitted, there is greater scope to avoid or minimise any potential adverse impacts. The Council will advise on the need for applicants to discuss their proposals with in house specialist officers and bodies such as English Heritage. Local history groups and societies can also be a source of useful information. The County Historic Environment Record (HER) holds information on known heritage assets, and should help in the prediction of the likelihood of encountering currently unknown heritage assets of historic and archaeological interest.
- 7.46 Where development proposals have the potential to affect heritage assets including features of historic or archaeological importance (whether known or unknown), they should be accompanied by an assessment of the significance and setting of the assets and the potential impact of the development proposal on those assets. Such an assessment should be proportionate to the significance of the asset and include consultation of the HER, and where appropriate, the results of field evaluation. More detailed evaluation could be required dependent on site specific details.
- 7.47 Details of any proposed mitigation measures should also be provided, along with provision for the recording and archiving of information in relation to any heritage assets to be lost. Where the potential exists for unknown assets to be encountered in the course of the development, provision must be made for monitoring and recording. The Lincolnshire Archaeological Handbook provides more detailed guidance to developers and is freely available from the Lincolnshire County Council website.
- 7.48 The NPPF states that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. It states that substantial

harm to or loss of designated heritage assets of the highest significance should be wholly exceptional. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, the NPPF states that local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

#### **Policy DM4: Historic Environment**

**Proposals that have the potential to affect heritage assets including features of historic or archaeological importance (whether known or unknown) should be accompanied by an assessment of the significance of the assets and the potential impact of the development proposal on those assets and their settings.**

**Where any impact on heritage assets is identified, the assessment should provide details of the proposed mitigation measures that would be implemented. These should include details of any conservation of assets and also of any further investigation and recording of heritage assets to be lost and provision for the results to be made publicly available.**

**Planning Permission will be granted for minerals and waste development provided that:**

- **Heritage assets, and their settings, are conserved and, where possible enhanced; or**
- **There are no alternative solutions to mitigate the impact; and**
- **There are exceptional overriding reasons which outweigh the need to safeguard the value of sites or features which would be harmed.**

#### **Lincolnshire Wolds Area of Outstanding Natural Beauty**

7.49 The NPPF states that great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty (AONB), which (together with National Parks and the Broads) have the highest status of protection in relation to landscape and scenic beauty. It states that the conservation of wildlife and cultural heritage are important considerations in all these areas.

7.50 The main purpose of AONB designation is the conservation and enhancement of the natural beauty of the area – landscape, flora and fauna, geographical interests and heritage, including archaeology and settlement character. The attractive landscape and character of the Lincolnshire Wolds has been recognised by Central Government through its designation as an AONB in 1973. The key characteristics of the Wolds include its unique physiography (geology and topography); its scenic, working landscape based upon the area's use for agriculture; major archaeological resources; and its cultural associations. As highlighted in the statutory Lincolnshire Wolds AONB Management Plan (2013-2018), the main challenge is to ensure that the Wolds retains its unique landscape and undeniable special character, whilst maintaining and

supporting its communities. The Council will expect development proposals within, or within the setting of a protected landscape to carry out a Landscape and Visual Impact Assessment (LVIA).

#### **Policy DM5: Lincolnshire Wolds Area of Outstanding Natural Beauty**

**Planning permission will only be granted for minerals and waste development within or affecting the character or setting of the Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB) in exceptional circumstances where it can be demonstrated that:**

- **there is a proven public interest; and**
- **there is a lack of alternative sites not affecting the AONB to serve the market need; and**
- **the impact on the special qualities of the AONB can be satisfactorily mitigated.**

#### **Landscape**

- 7.51 The NPPF states that planning should recognise the intrinsic character and beauty of the countryside. It states that planning policies and decisions should aim to ensure that developments are visually attractive as a result of good architecture and appropriate landscaping.
- 7.52 Applicants should therefore consider the potential visual impact of their proposals and design accordingly; this may include appropriate design in keeping with the locality or prior landscaping and planting work. In considering impact on the landscape, applicants should have regard to the Lincolnshire Historic Landscape Character Assessment, the relevant National Character Assessment and any relevant local landscape character or townscape assessment.
- 7.53 Provided that the proposal meets the requirements of other policies in this plan, the County Planning Authority will endeavour to agree appropriate design, screening and other mitigation measures to allow the development to go ahead. Maintenance of landscaping will be normally required for a minimum period of 10 years.

#### **Policy DM6: Impact on Landscape and Townscape**

**Planning permission will be granted for minerals and waste development provided that due regard has been given to the likely impact of the proposed development on the distinctive character of the landscape and townscape of Lincolnshire. If considered necessary by the County Council, additional design, landscaping, planting and screening will be required. Where planting is required in advance of the commencement of the development it will be subject to a minimum 10 year maintenance period.**

#### **Biodiversity and Geodiversity**

- 7.54 The NPPF states that local planning authorities should set criteria based policies against which proposals for any development on or affecting

protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks.

- 7.55 Appropriate assessment is required by law for all European Sites (Regulation 48 of the Conservation (Natural Habitat &c.) Regulations 1994). In Lincolnshire, there are Special Areas of Conservation and Special Protection Areas (some known also as European marine Sites) which fall within this category. It is UK policy that the Government also applies the above procedures in respect of Ramsar sites, even though these sites are not European sites as a matter of law, rather they are *international* wetland sites declared under the Ramsar Convention. The following wildlife sites are also given the same protection as European sites: potential Special Protection Areas, possible Special Areas of Conservation, proposed Ramsar sites and sites identified or required as compensatory measures for adverse effects on European sites.
- 7.56 An Appropriate Assessment will identify whether a proposed development is likely to have a significant effect, either alone or in combination with other plans or projects, on any of the above sites. The HRA Scoping Report related to this document provides guidance as to when the need for project level assessments are likely to be triggered in respect of proposals for minerals and waste developments. The accompanying HRA Scoping Report also provides advice on site specific considerations for proposals in proximity to European sites and requirements for project level HRA. The site selection exercise as part of the Site Locations document will take into account these recommendations.
- 7.57 Development will only be permitted if an Appropriate Assessment indicates the proposal(s) will not adversely affect the integrity of the site. Where development will adversely affect the integrity of the site, it will only be permitted if there are no suitable alternatives and it is necessary for reasons of overriding public interest which could be of social or economic nature, sufficient to override the harm to the site. In such cases, where permission is granted, planning conditions or agreements may be used to protect the biodiversity interests of the designated site (including providing mitigation and/or compensation as necessary).

## **Policy DM7: Internationally Designated Sites of Biodiversity Conservation Value**

**Proposals for minerals and waste development that are likely to have significant effects on internationally important wildlife sites should be supported by sufficient, current information for the purposes of an appropriate assessment of the implications of the proposal, alone or in-combination with other plans and projects, for any Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar site. The conclusions of the assessment, in accordance with Council Directive 92/42 EEC and the Conservation of Habitats and Species Regulations 2010, must show that a proposal can be delivered without adverse effect on the integrity of any SAC, SPA or Ramsar site.**

- 7.58 The NPPF states that proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest should not normally be permitted and that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and geological features, including fossils unless the need for, and benefits of, the development in that location clearly outweigh the loss.

## **Policy DM8: Nationally Designated Sites of Biodiversity and Geological Conservation Value**

**Sites of Special Scientific Interest, National Nature Reserves and irreplaceable habitats (including Ancient Woodland and veteran trees) will be safeguarded from inappropriate minerals and waste development. Planning permission will be granted for minerals and waste development on or affecting such sites, provided that it can be demonstrated that the development, either individually or in combination with other developments, would not conflict with the conservation, management and enhancement of the site, or have any other adverse impact on the site. Where this is not the case, planning permission will be granted provided that:**

- **the proposal cannot reasonably be located on an alternative site to avoid harm; and**
- **the benefit of the development would clearly outweigh the impacts that the proposal would have on the key features of the site; and**
- **the harmful aspects can be satisfactorily mitigated or, as a last resort, compensated by measures that provide a net gain in biodiversity/geodiversity; and**
- **in the case of a SSSI, there would be no broader impact on the national network of SSSIs.**

- 7.59 The NPPF states that, when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. It states that if significant harm resulting from a development cannot be

avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

- 7.60 Local Wildlife Sites are non-statutory areas of local importance for nature conservation that complement nationally and internationally designated sites. Proposals for minerals and waste development may lead to loss, degradation or fragmentation of important local areas that are rich in biodiversity. Minerals and waste development will therefore only be permitted if due regard has been given to the likely effects of the proposed development on Local Wildlife Sites or sites meeting Local Wildlife Site criteria.
- 7.61 In the absence of alternatives, the local planning authority will ensure that, before development commences, adequate mitigation measures are put in place. Where a planning decision would result in significant harm to biodiversity interests which cannot be prevented or adequately mitigated against, appropriate compensation measures will be sought. If significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission will be refused.
- 7.62 The County Council recognises, however, that there is also the opportunity for such minerals and waste development to impact positively on the natural environment. Opportunities for biodiversity enhancement through the restoration of sites will be sought in all cases in line with Policies R2-4.

#### **Policy DM9: Local Sites of Biodiversity Conservation Value**

**Planning permission will be granted for minerals and waste development on or affecting locally designated sites (including Local Wildlife Sites and their predecessors: Sites of Nature Conservation Importance; County Wildlife Sites; Local Nature Reserves; Critical Natural Assets), sites meeting Local Wildlife Site criteria and un-designated priority habitats identified in the Lincolnshire Biodiversity Action Plan, provided that it can be demonstrated that the development would not have any significant adverse impacts on the site. Where this is not the case, planning permission will be granted provided that:**

- **The merits of development outweigh the likely impact; and**
- **Any adverse effects are adequately mitigated or, as a last resort compensated for, with proposals resulting in a net-gain in biodiversity through the creation of new priority habitat in excess of that lost.**

- 7.63 The NPPF states that, to minimise impacts on geodiversity, planning policies should aim to prevent harm to geological conservation interests. Proposals for minerals and waste development may lead to loss or degradation of important local areas that are rich in geo-diversity. Minerals and waste development will therefore only be permitted if due regard has been given to the likely effects of the proposed development on Local Geological Sites or sites meeting Local Geological Site criteria.

- 7.64 In the absence of alternatives, the local planning authority will ensure that, before development commences, adequate mitigation measures are put in place. Where a planning decision would result in significant harm to geodiversity interests which cannot be prevented or adequately mitigated against, appropriate compensation measures will be sought. If significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission will be refused.
- 7.65 The County Council recognises, however, that there is also the opportunity for such minerals and waste development to impact positively on the natural environment. Opportunities for geodiversity enhancement through the restoration of sites will be sought in all cases in line with Policies R2-4.

### **Policy DM10: Local Sites of Geological Conservation Value**

**Planning permission will be granted for minerals and waste development on or affecting locally designated sites (including Local Geological Sites and their predecessors: Regionally Important Geological and Geomorphological Sites) and sites meeting Local Geological Site criteria provided that it can be demonstrated that the development would not have any significant adverse impacts on the site. Where this is not the case, planning permission will be granted provided that:**

- **The merits of development outweigh the likely impact; and**
- **Any adverse effects are adequately mitigated or, as a last resort compensated for, with proposals resulting in geodiversity enhancements**

### **Agricultural Land and Soils**

- 7.66 Proposals for minerals and waste development should take into account their impact on soil resources, agricultural land quality and farming, and other established rural land uses. This assessment should be informed by a soil and land quality survey and a soil handling and replacement strategy, where appropriate.
- 7.67 Soil is a finite resource which takes many years to develop but which can be quickly lost or degraded. Good soil management and conservation are therefore critical to sustainable land management practices in minerals and waste development. The NPPF states that soils should be protected and enhanced.
- 7.68 Where soil is not required for restoration purposes on the site, other options for the sustainable use of the soil include using it for restoring other nearby sites (subject to planning permission for the areas involved) or storing the soil "permanently" on site in appropriately designed bunds – potentially allowing its use at a later date if the need arises.

7.69 Biodiversity-led restoration also provides an opportunity to protect soils, enabling habitat creation in addition to soil conservation for future agricultural needs.

### **Policy DM11: Soils**

**Proposals for minerals and waste development should protect and, wherever possible, enhance soils.**

7.70 The NPPF states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of higher quality. In addition, it states that local planning authorities should put in place policies to ensure that the reclamation of mineral sites safeguard the long term potential of best and most versatile agricultural land.

7.71 Lincolnshire has a high proportion of best and most versatile agricultural land, which is the basis for its prosperous agricultural industry. As a result, it will not always be practicable to locate development on lower quality agricultural land, particularly minerals development that can only take place where the minerals are found. For mineral sites the long term potential of best and most versatile agricultural land can still be safeguarded by restoring the land back to agriculture using, if appropriate, the low level restoration techniques outlined in Chapter 8. Such techniques could also be used for providing opportunities for nature conservation after-uses, whilst at the same time protecting the potential of the best and most versatile agricultural land. For example, wet grassland could be created by managing the water levels to allow for both livestock grazing and to encourage birds. Such land could then be re-drained for arable use, should the need arise in the future.

### **Policy DM12: Best and Most Versatile Agricultural Land**

**Proposals for minerals and waste development that include significant areas of best and most versatile agricultural land will only be permitted where it can be demonstrated that:**

- **no reasonable alternative exists; and**
- **for mineral sites, the site will be restored to an after-use that safeguards the long-term potential of the best and most versatile agricultural land.**

### **Transport**

7.72 The NPPF states that plans and decisions should consider whether opportunities for sustainable transport modes have been taken up depending on the nature and location of the site and should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. It states that planning strategies should protect

and exploit opportunities for the use of sustainable transport modes for the movement of goods.

- 7.73 One of the objectives of the Lincolnshire Local Transport Plan is to remove unnecessary HGVs from affected communities through appropriate traffic management measures, highway improvements and encouraging the use of alternative modes of transport.
- 7.74 The majority of minerals and waste produced in Lincolnshire is transported over relatively short distances. Minerals are a high bulk, low profit commodity which generally restricts their use to locally based markets accessed by road based transport. The transportation of aggregates by rail and water is generally only economic over longer distances and is dependent on network capacity and adequate loading and reception facilities. Whilst waste is managed locally wherever possible, in some cases, for example due to need for specialist treatment or the nature of commercial contracts, some waste can be transported a long way out of the County.
- 7.75 There are currently limited facilities for rail freight in the county and the River Trent is currently the only navigable waterway that is used in any major way to transport freight by water, although none of this is currently loaded or off-loaded in Lincolnshire. The only aggregates terminal in Lincolnshire was at the Port of Boston but this is no longer in operation. Boston and the Humber ports could however be a potential destination for onward shipping for certain waste arisings.
- 7.76 Road haulage will therefore remain the predominant mode of transport for minerals and waste for the foreseeable future. Planning applications for mineral and waste development will nevertheless be expected to show that non road-based options for transporting minerals or waste have been considered.
- 7.77 The location of mineral extraction areas, unlike waste sites, are determined by the existence of the resource and thereby restricted as to achieving more sustainable transport options. However, the Council will:
- consider favourably sites with good access to the county's Strategic Road Network;
  - encourage more use of the rail network in the county;
  - encourage the use of facilities/potential of waterborne transport on the River Trent;
  - encourage the use of conveyors to reduce the impacts of road haulage.
- 7.78 To maximise the opportunities for improving the sustainability of the transport of waste in Lincolnshire, the Plan seeks to:
- locate larger waste facilities within the Areas of Search (in and around the main urban areas set out in Policy W3);
  - encourage smaller facilities (outside of the main urban areas set out in Policy W3) to locate in areas which serve local communities;
  - encourage large waste sites to locate on or close to A Class Roads in the county to reduce impacts on local communities;

- encourage the co-location of waste facilities to reduce the level of movements of waste on the county's road network.

### **Policy DM13: Sustainable Transport Movements**

**Proposals for minerals and waste development should seek to minimise road based transport and seek to maximise where possible the use of the most sustainable transport option.**

- 7.79 The NPPF states that plans and decisions should take account of whether safe and suitable access to a site can be achieved for all people; and improvements can be undertaken within the transport network that cost-effectively limit the significant impacts of the development. It states that development should only be prevented or refused on transport grounds where the residual impacts of development are severe.
- 7.80 The transportation of most waste and minerals by road is a major challenge in Lincolnshire. The Local Transport Plan states that the majority of the Strategic Road Network falls well below current design standards with consequential low speeds and safety problems. The highway network in Lincolnshire is extensive, but there are no motorways and only 66km of dual carriageway. The A1 trunk road runs down the western boundary of the county and the A46, A57, A158, A15, A16, A17 routes link settlements throughout Lincolnshire. Accessibility is an issue throughout Lincolnshire, but more so in the more rural isolated parts of the County. There are particular problems in travelling east/west.
- 7.81 It is important to ensure that the effects of traffic generated by minerals and waste developments are minimised, particularly in relation to effects on local communities, the environment and the local road network. The County Council will seek mitigation measures to control the impact of road haulage by controlling the operation of sites through routing agreements, output limits and hours of operation.
- 7.82 On a site by site basis reducing the impacts of transporting materials by road on local communities can be achieved by:
- The use of conveyor belt systems which provide the inter-site movement of material within or to other nearby sites for further processing. This system reduces the level of HGVs on the local road network;
  - Internal haul roads on sites also reduce the use of local roads by HGVs;
  - The use of voluntary site transport plans in consultation with local communities, relating to issues such as routing, hours of movement and considerate driving can help reduce the worst impacts of road freight.
- 7.83 The NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Unless the number of lorry movements is insignificant, all planning applications should therefore be accompanied by a transport

impact assessment (usually as part of the Environmental Statement) and a site transport plan.

- 7.84 The level of traffic which is considered to be significant will depend on the characteristics of the site including the integrity of the local highway network, proximity to sensitive properties and, if applicable, current HGV movements from the site. The County Planning Authority will advise applicants of the need to discuss proposals with the Highways Authority and of any specific access issues to be considered as part of their application.

#### **Policy DM14: Transport by Road**

**Planning permission will be granted for minerals and waste development involving transport by road where:**

- **the highway network is of, or will be made up to, an appropriate standard for use by the traffic generated by the development; and**
- **arrangements for site access and the traffic generated by the development would not have an unacceptable impact on highway safety, free flow of traffic, residential amenity or the environment; and**
- **A suitable travel plan is in place.**

#### **Flood Risk**

- 7.85 The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. It states that Local Plans should be supported by Strategic Flood Risk Assessment and develop policies to manage flood risk from all sources, taking account of advice from the Environment Agency and other relevant flood risk management bodies, such as lead local flood authorities and internal drainage boards; and that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change. The whole county of Lincolnshire is now covered by the Joint Lincolnshire Flood Risk and Drainage Management Strategy which is a statutory document and deals with all sources of flooding.
- 7.86 Rivers and floodplains are very important features within the overall water environment. To prevent an increase in flood risk, it will be necessary to maintain the capacity of the floodplain and the free flow of floodwater. Mineral working in floodplain areas can however have both beneficial and detrimental effects. For instance, although there may be some flood risk during operations, subsequent restoration and use of the land may help to provide flood alleviation. Therefore both short and long term impacts will be considered in determination of applications.
- 7.87 Proposals should include appropriate measures to minimise any increase in flood risk. Increased risks of flooding associated with mineral workings

and waste management developments can be avoided through a number of measures, which include:

- locating all buildings on land at a lower risk of flooding within the site.
- locating site bunds, ancillary structures and stockpiles of materials so as not to prevent flood water flowing through the site or prevent water flowing on the functional floodplain.
- ensure that de-watering and surface water disposal will not increase the risk of flooding.
- providing additional flood water storage areas, reducing flood risk in the surrounding area.
- Sustainable Urban Drainage Systems (SuDS) features in open spaces such as basins, ponds, wetlands with linking swales and control structures, which also have the potential to link with Biodiversity targets and habitat linkages.

7.88 In accordance with the requirements of National Planning Practice Guidance, applications for planning permission, for proposals with an area greater than 1 hectare, or within flood risk zones 2, 3a and 3b, shall be accompanied by a Flood Risk Assessment. Flood Risk Assessments shall be considered as part of determination of the application and the advice of the Environment Agency will be sought and its views will be given due weight. Failure to submit a Flood Risk Assessment, where one is required as detailed in the local list, will usually result in the application not being validated.

7.89 A sequential risk-based approach to determining the suitability of land for development in flood risk areas should be applied as indicated in the National Planning Practice Guidance with the aim of locating new development in areas with the lowest probability of flooding (flood Zone 1). Where flood risk is identified, proposals will only be approved in exceptional circumstances where the Exception Test in National Planning Practice Guidance is met.

7.90 The flood risk vulnerability of mineral and waste management sites as indicated in the National Planning Practice Guidance will be taken into account in allocating land within the Site Locations Document and in determining planning applications for development outside Flood Zone 1. Where it is considered acceptable for development to take place within a flood risk area, any buildings should be designed to be flood resilient in order to reduce the consequences of flooding and facilitate recovery from the effects of flooding.

## **Policy DM15: Flooding and Flood Risk**

**Proposals for minerals and waste developments will need to demonstrate that they are located upon land with the lowest probability of flooding, considering both the Environment Agency Flood Zone Map and suite of Flood Risk Maps, and the Strategic Flood Risk Assessment maps where available. Proposals will also need to demonstrate that sites can be developed without increasing the risk of flooding both to the sites and to third parties, taking into account all potential sources of flooding and increased risks from climate change induced flooding.**

**Minerals and waste development proposals should be designed to avoid and wherever possible reduce the risk of flooding both during and following the completion of operations. Development that is likely to create a material increase in the risk of off-site flooding will not be permitted.**

- 7.91 Applications for minerals and waste development should address the likely effects of proposed development on surface water and groundwater, in terms of changes to flow (including groundwater flow), water table, water temperature and quality. Although the Environment Agency is responsible for pollution control through its various permitting regimes, it is still important to consider the impact on water resources as far as it might affect land use and planning generally. The extent of this assessment will depend on the nature of the development and its location.
- 7.92 Internal Drainage Boards also have permissive powers to manage water levels within their respective drainage districts. Lincolnshire County Council is now a Lead Local Flood Authority, established by the (Flood and Water Management Act 2010) in order to provide a leadership and co-ordinating role in flood risk and water resource management.
- 7.93 Proposals should include appropriate measures to minimise any detrimental impacts on the availability and quality of water resources. Proposals for mineral extractions are likely to require a Hydrological/Hydrogeological Assessment(s), in order to satisfy the concerns of the Environment Agency.
- 7.94 After prospective legislation is enacted (anticipated in 2015), any proposed new development must have a SAB (SuDS Approving Body) application for Sustainable Drainage and obtain SAB approval before commencing any construction work. The proposed drainage system will have to meet the requirements of the Flood & Water Management Act 2010, the proposed Statutory Instruments, National Standards for Sustainable Drainage and local SAB requirements. Where applicable such designs will be assessed, approved, inspected and adopted by the SAB/Highway Authority (Lincolnshire County Council) as an integrated process with early involvement in the course of the planning process/design essential.

- 7.95 The sustainable management of surface water and land drainage should be considered at an early stage to manage/mitigate associated flood risk from surface water runoff, improve water quality and minimise environmental impact. In the interests of improving sustainability and conserving water resources, applicants will be expected to demonstrate that the need to conserve water resources has been taken to account and that appropriate water efficiency and sustainability measures have been included. Consent will also be needed under the Land Drainage Act 1991 if a development involves the building of a culvert or structure (such as a weir) which is likely to affect flow in an ordinary watercourse.

### **Policy DM16: Water Resources**

**Planning permission will be granted for minerals and waste developments where they would not have an unacceptable impact on surface or ground waters and due regard is given to water conservation and efficiency.**

### **Cumulative Impacts**

- 7.96 The NPPF states that, in preparing Local Plans, local planning authorities should take into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality; and that, when determining planning applications, local planning authorities should take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality.
- 7.97 It is important to consider the suitability of granting permission for sites which would be in close proximity to other minerals or waste sites. Proposals for simultaneous and/or successive operations at a number of sites in a wider area of commercially-viable deposits may impact on the amenity of communities and localities over an extended period, depending on the nature, age and size of the site(s). Such cumulative impacts can occur in a number of ways:
- the cumulative impact of a number of separate effects from a single site;
  - the cumulative effects from two or more active sites, including sites being restored or used for waste disposal;
  - the combined effect on the landscape and ecology from the working, re-working and restoration of a number of sites; or
  - the cumulative impact on the quality of life of local communities from a relatively unbroken sequence of working and restoration.
- 7.98 Adverse cumulative impacts could include increased levels of noise, vibration, dust and artificial lighting. The highway network could also be affected by increased HGV movements with additional hazards related to road safety.
- 7.99 In Lincolnshire, there are parts of the county where there has been a gradual build-up of sites in close proximity to other mineral sites. For example, sand and gravel extraction has been concentrated in 3 particular areas of the County. The cumulative impacts on amenity to local

communities in these areas and on the existing landscape will need careful consideration when considering future developments.

**Policy DM17: Cumulative Impacts**

**Planning permission will be granted for minerals and waste developments where the cumulative impact would not result in adverse impacts on the environment of an area or on the amenity of a local community, either in relation to the collective effect of different impacts of an individual proposal, or in relation to the effects of a number of developments occurring either concurrently or successively.**

## **8. RESTORATION**

### **Restoration and Aftercare**

- 8.1 The NPPF states that, when determining planning applications, local planning authorities should provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards, through the application of appropriate conditions, where necessary.
- 8.2 It is vital to ensure that the restoration and future use of sites is addressed at the outset of preparing planning applications. It is also important to acknowledge that the way land is restored and its subsequent management offer the means to enhance the character of land taken for mineral working or waste operations, so that a valuable asset can be passed on to future generations. To do this effectively will involve collaboration between key interest groups including mineral operators, land owners, local authorities, local communities, statutory agencies and non-government organisations.
- 8.3 The restoration of mineral workings and landfill operations should be completed at the earliest opportunity to ensure that dereliction of the land does not occur and where appropriate, progressive restoration will be required in order to minimise any blight on the landscape
- 8.4 It is essential that proposals for mineral extraction and landfill establish an appropriate after-use to ensure that resources are secured for the after-use to be successfully implemented once restoration is complete. All after-uses will be considered in the light of realistic assumptions about the availability of restoration materials, particularly inert waste.
- 8.5 Schemes that are designed to develop as an appropriate habitat for the prevailing conditions, and demonstrated to be both technically and economically feasible, will be supported. On large sites, a mix of compatible uses may provide the best balance for the future, for example low intensity agricultural use, tourism, sport and nature conservation.
- 8.6 However, restoration schemes should also contain a degree of flexibility so they can be amended in the future if circumstances change. The aim should be to achieve phased restoration to minimise the area of land disturbed and the total period of mineral working and landfill operations. Phased restoration also helps to gauge the initial success of the restoration scheme by observing which aspects have worked well, as well as identifying which aspects have been less successful.
- 8.7 It is also important that agreed sustainable and beneficial after-uses are managed and maintained following restoration. Where appropriate, aftercare schemes and/or long-term management and maintenance agreements will need to be secured. This may be for a period of 10 years (or longer) depending on the site and could include matters such as maintenance of public rights of way, public access or long term pumping.

## Policy R1: Restoration and Aftercare

Proposals must demonstrate that the restoration of mineral workings and landfill operations will be of high quality, and carried out at the earliest opportunity.

Proposals for mineral extraction or landfill should be accompanied by detailed proposals for restoration, including an appropriate after-use of the site. All proposals should demonstrate that:

- restoration will be undertaken using best practice to secure a high standard of restoration and aftercare; and
- restoration will be completed within a reasonable timescale and is progressive; and
- the restoration is appropriate for the natural and historic landscape and geological and wildlife interest of the area and measures to create, protect, restore and enhance geodiversity and biodiversity conservation features, and the historic landscape are practical, of a high quality appropriate to the area and secure their long term safeguarding and maintenance; and
- there is an aftercare management programme, appropriate to the objectives of the site, to ensure that the restoration of the site is established successfully.

### Afteruse

- 8.8 The NPPF states that local planning authorities should put in place policies to ensure worked land is reclaimed at the earliest opportunity, taking account of aviation safety, and that high quality restoration and aftercare of mineral sites takes place, including for agriculture (safeguarding the long term potential of best and most versatile agricultural land and conserving soil resources), geodiversity, biodiversity, native woodland, the historic environment and recreation.
- 8.9 It is particularly important that temporary development sites such as quarries and landfill sites are properly restored and the types of restoration measures taken are appropriate. Sites should be restored in a way that is sympathetic to the character of the area and that will positively enhance the site and contribute to the landscape in which it is set. In this context, restoration proposals should have regard to the Lincolnshire Historical Landscape Character assessment, which is housed in the County Historic Environment Record, and any relevant local landscape character assessment. Sites should also, where appropriate, be in line with the strategic aim of an area (for example to create a Country Park in the Witham Valley or to restore fenland in South Lincolnshire).
- 8.10 Restoration can provide opportunities to secure a net-gain in **biodiversity**, facilitate adaptation to climate change and address past losses. The Lincolnshire Biodiversity Action Plan 2011 (BAP) identifies priority habitats for the county. The BAP indicates that the restoration of mineral sites offers significant opportunities for habitat creation, such as fenland, wetlands, lowland dry acid grassland heathland and wet woodland. Biodiversity Opportunity Mapping (BOM) studies identify

specific opportunities for creating and restoring priority habitats and therefore provide important information which can be utilized in the development of restoration schemes. The Council will therefore expect all restoration schemes to contribute to BAP objectives using relevant opportunity mapping studies and priority habitat targets to inform restoration proposals, and where possible deliver a net-gain in biodiversity through the landscape-scale creation of priority habitat, thereby contributing to the establishment of a coherent and resilient ecological network. Where restoration could assist or achieve in the creation of priority habitats, and/or Lincolnshire BAP targets, thereby improving overall biodiversity levels in the county, the relevant biodiversity after use should be incorporated within the restoration scheme.

- 8.11 The BAP considers it important that planning policies seek to enlarge or link together existing habitats, thus helping to offset the effects of habitat fragmentation. The Council will therefore encourage larger blocks of habitat creation, as they deliver greater ecological benefits. Biodiversity Opportunity Mapping studies are based on this principle, including proposals for landscape-scale approaches to habitat creation. Existing landscape-scale initiatives such as the Witham Valley Country Park, Trent Vale / Trent Valley "Futurescape" and South Lincolnshire Fenlands Partnership can also assist in this process.
- 8.12 Restoration can provide opportunities to secure a net gain in accessible **geodiversity** and address past losses. The Lincolnshire Geodiversity Action Plan 2010 (LGAP) indicates that the restoration of extractive sites offers significant opportunities for accessible geodiversity interest, in particular for educational use. The County Council will therefore expect all restoration schemes to contribute to LGAP objectives where possible. Where restoration could assist or achieve in the creation of geodiversity features, and/or LGAP targets the relevant after use should be incorporated within the restoration scheme.
- 8.13 Restoration schemes need to be resilient to future **climate change** impacts. Habitat creation can act as a living carbon sink and well-designed schemes, in appropriate locations, may also offer benefits in terms of provision of climate change mitigation measures such as greater flood storage capacity allied to recreational or biodiversity after-uses. Furthermore, the restoration of mineral sites to BAP habitats can help wildlife adapt to climate change, creating 'stepping stones' and increasing the permeability of the landscape enabling climate change induced range shifts.
- 8.14 Sand and gravel extraction in Lincolnshire causes the greatest loss of land; although generally shallow it often extends below the water table and would therefore normally fill with water. This creates challenges when restoration to **agriculture** is considered, particularly as over 70% of agricultural land in Lincolnshire is classified as best and most versatile, i.e. Grade 1 or 2 or 3a, and when there is pressure to restore land back to agricultural use in order to safeguard food supplies. Low level restoration techniques have been developed however which involve sealing the floor

and sides of the excavation with an impermeable material to prevent the entry of ground water and replacing soils together with a suitable drainage system. The only water then entering the site is rainwater which is regulated by pumping when necessary.

- 8.15 Whilst best and most versatile agricultural land should be restored with the objective of reaching a similar standard in accordance with the aims of Policy DM12, other uses, some in combination, could be considered in order to provide a net-gain in biodiversity. This could involve restoration of wildlife habitats that may have declined as a consequence of development at the site or within the local area, strengthening regional and functional ecological and green infrastructure networks, and contributing to the national strategy and Lincolnshire Biodiversity Action Plan targets.
- 8.16 Afforestation can make a potentially significant contribution to the achievement of carbon sequestration targets but only 4% of Lincolnshire is covered by **woodland**, making it one of the least wooded counties in Britain. The best suited areas for woodland creation within the county are probably the sand and gravel lowlands closely followed by the clay lowlands. Sand and gravel extraction areas have a specific type of soil and tend to be less fertile and more suitable to tree growth. The Trent and Bain Valley production areas are therefore the most suitable for woodland creation, particularly wet woodland which is a BAP target. The silt fens, however, contain more fertile soils such that a balance between biodiversity and agricultural restoration will have to be met.
- 8.17 The Lincolnshire BAP states that the most significant contribution for restoration/creation of wet woodlands is likely to be through mineral site restoration plans. New wet woodland planting will therefore be encouraged where appropriate, which will make a potential contribution to carbon sequestration and assist in meeting BAP targets. Furthermore, restoration to wet woodland, along with other priority habitats, will safeguard high grade soils from further drainage and wind-blown erosion so that should there be a need in the future for the land to be converted back to agriculture the soils will remain in situ.
- 8.18 The restoration of worked-out sites can also provide opportunities to add to the County's **Green Infrastructure**. A strategic framework and key evidence for guiding the planning and delivery of green infrastructure across Central Lincolnshire is set out in the Green Infrastructure Study for Central Lincolnshire (Dec 2011). Its overall objective is to enhance, develop and provide a multi-functional network of greenspaces, parks, rivers and other corridors, along with outdoor sports provision, within and around settlements that connect them to each other and the wider countryside, improving access, environmental quality and biodiversity. The Study identifies priority locations for action. The Witham Valley Country Park, located to the south west of Lincoln, is one such location that is constantly evolving as mineral sites are restored. The Central Lincolnshire Biodiversity Opportunity Mapping Study (2013) also identifies potential projects for landscape-scale habitat creation and restoration

which can contribute towards such a network, with additional detail provided for the Witham Valley Country Park area.

- 8.19 A significant amount of restoration schemes in the county have resulted in large areas of standing **water**, particularly in the sand and gravel production areas, where there is a high water table. Strategically, this type of restoration may be reaching saturation point whereby the characteristics of parts of the county have been irreversibly changed, often to the detriment of that particular area.
- 8.20 The high amount of RAF activity within the County also provides a potential conflict with extensive and sometimes numerous water bodies owing to increased bird activity and therefore the potential of bird strike on aircraft. Proposals for the creation of large open water bodies will therefore need to be closely scrutinised. A change in restoration to BAP habitats such as reedbed and wet woodland can help alleviate the problem of bird strike, creating less open water while forming a barrier between any open water and potential grazing sources, making it less attractive to geese. The Central Lincolnshire Biodiversity Opportunity Mapping Study takes these constraints into account.

#### **Policy R2: After-use**

**The proposed after-use should be designed in a way that is not detrimental to the local economy and conserves and where possible enhances the landscape character and the natural and historic environment of the area in which the site is located.**

**After-uses should enhance and secure a net gain in biodiversity and geological conservation interests, conserve soil resources, safeguard the potential of the best and most versatile agricultural land, and decrease the risk of adverse climate change effects. Such after-uses could include: agriculture, nature conservation, leisure, recreation/sport, and woodland.**

**Where appropriate, the proposed restoration should provide improvements for public access to the countryside including access links to surrounding green infrastructure.**

**Restoration proposals should be designed to ensure that they do not give rise to new or increased hazards to aviation.**

#### **Restoration of sand and gravel operations within proposed Areas of Search**

- 8.21 Historically, Lincolnshire has produced the vast majority of its sand and gravel from three main areas: the Witham Valley, the Bain Valley and The Deepings/Baston area. The strategy is to concentrate new or extended workings within areas of search based on these production areas (see Policy M2). Restoration proposals for future extraction within the Areas of Search should be designed to best meet the particular characteristics and future aspirations for these areas.

- 8.22 Proposals for extraction within the **Trent Valley** Area of Search to the north of Lincoln should be restored sensitively in-line with the broader habitat-scale aspirations for the Trent Valley. Priority habitats for mineral restoration in this area include reedbeds, wet woodland and wet grassland. Further detail on habitat creation opportunities are identified in the Central Lincolnshire Biodiversity Opportunity Mapping Study (2013), and the draft Trent Valley Biodiversity Opportunity Mapping Project (2013).
- 8.23 The development of the **Witham Valley Country Park** is a partnership initiative to provide linked accessible greenspace from the centre of Lincoln City to the surrounding countryside, enriching the natural environment. The Country Park covers around 40 square miles to the south west of Lincoln, the location of which is shown on the Key Diagram. Proposals for sand and gravel extraction within this area should include restoration proposals to create local and national priority habitats as identified within the Central Lincolnshire Biodiversity Opportunity Mapping Study including wet woodland, reedbeds, heathland and acid grassland. Restoration of minerals sites should also be planned as part of a strategy linked to the development of the Country Park as well as providing accessible natural greenspace and contributing to green infrastructure and the enhanced provision of leisure and recreation facilities.
- 8.24 Sand and gravel operations within the **Central Lincolnshire** Area of Search provide opportunities to create priority habitats to compliment habitats existing in the wider Bain Valley area such as heathland, acid grassland and wet woodland. The creation of such habitats would also help meet the aim of the Lincolnshire Wildlife Trust's Living Landscape project in the Kirkby Moor and Bain Valley area, which aims to create an extensive area of new wildlife habitat to expand, buffer and link existing habitats of national importance.
- 8.25 Much of the **South Lincolnshire** Area of Search lies within the South Lincolnshire Fenlands Project area. This project is seeking to re-create sustainable wetland areas between Bourne and Market Deeping adjacent and linked to the internationally important nature reserves in Baston and Thurlby Fens and within the wider fenland locality. Proposed habitat restoration will include areas of wet grasslands, utilised for grazing and hay production, reedbeds, fenland, wet woodlands and open water.
- 8.26 The Lincolnshire BAP indicates that fens, as part of larger wetland habitats, are of immense conservation value, supporting rare plants and animals. Fens are also important carbon dioxide sinks and banks, because of the way they capture and store organic material (carbon) derived from atmospheric gases. Fen habitat was once extensive in Lincolnshire but is now rare. It is an objective of the BAP to achieve landscape scale fen habitat recreation – especially through the South Lincolnshire Fenlands initiative and wider partnerships. Sand and gravel operations within this area provide opportunities to create wet fenland habitat or enhance existing wetland habitats, which would help meet the project's targets together with targets within the Lincolnshire BAP.

8.27 The Site Locations document, through allocation of sites for future development, and consideration of site specific restoration requirements, will build upon the framework established in this Core Strategy and Development Management Policies document.

### **Policy R3: Restoration of Sand and Gravel Operations within Areas of Search**

**Restoration proposals for sand and gravel operations within the proposed Areas of Search (other than those involving best and most versatile agricultural land) should have regard to the landscape scale objectives of the area and should reflect the following priorities:**

- **Trent Valley (north of Lincoln): creation of reedbed, wet woodland and lowland wet grassland habitats**
- **Trent Valley (south west of Lincoln within the Witham Valley Country Park): creation of habitats (including wet woodland, reedbed, acid grassland and heathland) to enhance local nature conservation and biodiversity value; provision of improved public access including links to surrounding green infrastructure; and the development of additional recreational/sport facilities**
- **Central Lincolnshire (Tattershall Thorpe): creation of wet woodland and heathland and acid grassland habitats together with reedbed in areas of high water table**
- **South Lincolnshire (West Deeping/Langtoft): creation of wet fenland habitat or enhancement of existing wetland habitats**

### **Restoration of limestone/chalk workings**

8.28 Calcareous grasslands in Lincolnshire are found on the lime-rich soils of the chalk Wolds and of the Jurassic limestone uplands. The thin lime-rich soils found here can support a very high biodiversity if limestone grassland can be conserved. It has been estimated that more than 55% of chalk grassland and more than 35% of limestone grassland was lost from Lincolnshire between 1940 and 1995. Limestone grassland now only occupies a tiny proportion (0.05%) of this area where it was once a characteristic part of the landscape. The little that remains of this habitat is among the most fragmented of its kind in the country.

8.29 It is an objective of the Lincolnshire BAP to re-create extensive areas of well-managed flower-rich calcareous grassland in appropriate areas, linking and buffering existing fragmented sites. Limestone and chalk operations provide opportunities to create limestone grassland habitat and to expose features of geological interest. This would help meet the targets for calcareous grassland within the Lincolnshire BAP as well as providing accessible natural greenspace and contributing to green infrastructure.

#### **Policy R4: Restoration of limestone and chalk workings**

**Restoration proposals for limestone and chalk operations should be sympathetic to the surrounding landscape and prioritise the creation of calcareous grassland habitat, except on best and most versatile agricultural land. Restoration should also seek to retain suitable exposures for geological educational use where appropriate.**

## **9 MONITORING AND IMPLEMENTATION**

### **Monitoring**

- 9.1 Developing a monitoring system is a key means of assessing the effectiveness of this plan and whether the spatial vision, and objectives are being delivered. It will determine:
- whether policies and related targets or milestones have been met or progress is being made towards meeting them or, where they are not being met or on track to being achieved, the reasons why;
  - what impact the policies are having in respect of national and local policy targets and any other targets identified in the plan;
  - whether the policies need adjusting or replacing because they are not working as intended;
  - if policies or proposals need changing, the actions needed to achieve this.
- 9.2 In order to monitor the effectiveness of the plan, it is necessary to compile performance targets linked to output indicators, which provide a benchmark for measuring policy implementation. These are set out in Table 11 below. The monitoring framework also includes provision to monitor the Sustainability Appraisal (SA) Objectives and these are also included in Table 11. The Council's Annual Monitoring Report (AMR) will report on the effectiveness of the policies and identify any changes needed if a policy is not working or the targets are not being met. Therefore, the monitoring will assist the Council in ascertaining if there is any need to review the Plan.

### **Implementation**

- 9.3 Lincolnshire County Council as mineral and waste planning authority will take the lead role in the implementation of the objectives and the policies of this plan in a variety of ways, including:
- determine planning applications in accordance with the Development Plan, government policy and guidance and other material considerations;
  - attach conditions to planning permissions;
  - seek legal agreements with developers where appropriate;
  - enforce breaches of planning control as necessary;
  - maintain a dialogue with the minerals and waste management industry and local communities through participation in local liaison committees and other means;
  - liaise and co-operate with other departments within the Council and bodies such as District Councils, Parish Councils, adjoining mineral and waste planning authorities, the Environment Agency, Natural England, English Heritage, Health and Safety Executive (HSE), Department for Environment Food and Rural Affairs (DEFRA), Highways Agency, and interest groups;
  - work with the minerals and waste management industry and others to identify and develop suitable initiatives and sites;

**Table 11: Policy Related Indicators and Targets**

Plan Objective (Para.4.5)	SA Objective	Policy	Indicator	Target
g.	10	M1: Recycled and Secondary Aggregates	1. Number of new aggregate recycling facilities granted permission in accordance with the policy.  2. Location of new aggregate recycling facilities.	1. All proposals put forward that accord with the policy supported.  2. All new facilities to be located in accordance with Policy W4.
b.	12	M2: Providing for an Adequate Supply of Sand and Gravel	1. Sales of sand and gravel aggregate within each Production Area.	1. Monitor only – to inform calculation of landbank.
b.	11, 12	M3: Landbank of Sand and Gravel	1. Level of landbank for sand and gravel aggregate within each Production Area.	1. Minimum landbank of 7 years within each Production Area based on past 10 years average sales.
a., c.	7, 8	M4: Proposals for Sand and Gravel Extraction	1. Percentage of permissions for sand and gravel extraction located on allocated sites.  2. Percentage of planning permissions granted in accordance with policy M4.	1. Monitor only – to assess performance of allocations in proving an adequate supply of sand and gravel  2. 100%

Plan Objective (Para.4.5)	SA Objective	Policy	Indicator	Target
a., c.	7, 8	M5: Limestone	1. Sales of limestone.  2. Level of landbank for limestone aggregate.  3. Percentage of permissions for limestone extraction granted in accordance with policy M5.	1. Monitor only - to inform calculation of landbank.  2. Minimum landbank of 10 years based on past 10 years average sales.  3. Monitor only.
a., c.	7, 8	M6: Chalk	1. Sales of chalk.  2. Level of landbank for chalk aggregate.  3. Percentage of permissions for chalk extraction granted in accordance with Policy M6.	1. Monitor only - to inform calculation of landbank.  2. Minimum landbank of 10 years based on past 10 years average sales.  3. 100%.
a., b., c., k.	7, 8	M7: Building Stone	Percentage of permissions for building stone quarries granted in accordance with Policy M7.	100%

Plan Objective (Para.4.5)	SA Objective	Policy	Indicator	Target
a., b., c.	7, 8	M8: Silica Sand	1. Sales of Silica Sand.  2. Level of landbank for Silica Sand  3. Percentage of permissions for Silica Sand extraction granted in accordance with policy M8.	1. Monitor only to inform calculation of landbank.  2. Minimum landbank of 10 years based on past 10 years average sales.  3. 100%
a., c.	7, 8	M9: Energy Minerals	Percentage of permissions for energy minerals granted in accordance with policy M9.	100%.
a., c.	7, 8	M10: Underground Gas Storage	Percentage of permissions for underground gas storage granted in accordance with policy M10	100%.
f., k.	10	M11: Safeguarding of Mineral Resources	1. Area of land where minerals sterilised by other development.  2. Percentage of planning applications permitted within Mineral Safeguarding Area (falling within thresholds of Policy M11) which do not needlessly sterilise mineral resource.	1. Zero (excluding permissions granted as exceptions to Policy M11)  2. 100%

Plan Objective (Para.4.5)	SA Objective	Policy	Indicator	Target
a., f., k.	7, 8	M12: Safeguarding of Existing Mineral Sites and Associated Minerals Infrastructure	Percentage of planning applications permitted within Mineral Safeguarding Area (falling within thresholds of Policy M12) which do not needlessly sterilise existing mineral sites and infrastructure.	100%
a.	7, 8	M13: Associated Industrial Development	Percentage of permissions for associated industrial development granted in accordance with policy M13.	100%
a.	7, 8	M14: Irrigation Reservoirs	Percentage of permissions for irrigation reservoirs granted in accordance with policy M14.	100%
a., c.	7, 8	M15: Borrow Pits	Percentage of permissions for borrow pits granted in accordance with policy M15.	100%
a., d., e.	5, 7, 8, 12	W1: Future requirements for new waste facilities	<p>1. New operational waste management capacity by type.</p> <p>2. New permitted but not operational waste management capacity by type.</p> <p>3. Amount of waste arising by broad waste stream and the percentage each management type represents of the waste managed.</p>	Recycling, composting and treatment targets to be met as presented in the Plan subject to any new forecasts in the AMR.

<b>Plan Objective (Para.4.5)</b>	<b>SA Objective</b>	<b>Policy</b>	<b>Indicator</b>	<b>Target</b>
a., e.	7, 8	W2: Low Level Non-Nuclear Radioactive Waste	Percentage of permissions for the management of low level non-nuclear radioactive waste granted in accordance with policy W2.	100%
a., e.	7, 8, 11	W3: Spatial Strategy for New Waste Facilities	Percentage of planning permissions granted outside of the spatial strategy and contrary to policy W3.	Zero (excluding permissions granted as exceptions to Policy W3)
a., e.	7, 8	W4: Locational Criteria for New Waste Facilities in and around main urban areas.	Percentage of planning permissions granted contrary to policy W4.	Zero.
a., e.	7, 8	W5: Biological Treatment of Waste Including Anaerobic Digestion and Open-Air Windrow Composting	Percentage of planning permissions granted for capacity involving the biological treatment of waste granted outside areas specified in policy W3.	Zero.
a., e.	7, 8	W6: Landfill	Percentage of planning permissions granted for new landfill capacity in contrary to policy W6.	Zero.
a., e.	7, 8	W7: Small Scale Waste Facilities	Number and location of new small scale waste facilities granted outside the areas specified in Policy W3.	Zero.
a.	7, 8	W8: Safeguarding Waste Management Sites	Percentage of planning applications on existing waste management sites determined in accordance with the provisions of policy W8.	100%
a., e.	7, 8	W9: Waste Water and Sewage Treatment Works	Percentage of planning permissions granted for new waste water treatment works in accordance with policy W9.	100%

Plan Objective (Para.4.5)	SA Objective	Policy	Indicator	Target
a.	5, 7, 8	DM1: Presumption in favour of sustainable development	Percentage of minerals and waste planning permissions granted in accordance with policy DM1 and the presumption in favour of sustainable development.	100%
d.	4, 5	DM2: Climate Change	Percentage of planning permissions granted in accordance with the requirements of policy DM2 on climate change.	100%
a.	7, 8	DM3: Quality of life and amenity	Percentage of applications granted with unacceptable adverse effects on the quality of life or amenity and contrary to policy DM3.	Zero.
a., j.	2, 7, 8	DM4: Historic Environment	Percentage of applications granted contrary to advice from English Heritage or the Council's advisors regarding the impact upon the historic environment.	Zero.
a., j., m.	2, 7, 8	DM5: Lincolnshire Wolds Area of Outstanding Natural Beauty	Percentage of permissions granted within the AONB contrary to policy DM5.	Zero.
a., j.	2, 7, 8	DM6: Impact on Landscape and Townscape	Percentage of permissions granted with an unacceptable impact on landscape and townscape and contrary to policy DM6.	Zero.
a., m.	1, 7, 8	DM7: Internationally Designated Sites of Biodiversity Conservation Value	Percentage of permissions granted contrary to advice from Natural England regarding the impact upon international sites of biodiversity conservation value.	Zero.

Plan Objective (Para.4.5)	SA Objective	Policy	Indicator	Target
a., m.	1, 7, 8	DM8: Nationally Designated Sites of Biodiversity and Geological Conservation Value	Percentage of permissions granted contrary to advice from Natural England regarding the impact upon national sites of biodiversity /geodiversity conservation value.	Zero.
a., m.	1, 7, 8	DM9: Local Sites of Biodiversity Conservation Value	Percentage of permissions granted in accordance with policy DM9 local sites of biodiversity conservation value.	100%
a.	7, 8	DM10: Local Sites of Geological Conservation Value	Percentage of permissions granted in accordance with policy DM10 local geological sites.	100%
a., h.	7, 8, 9	DM11: Soils	1. Percentage of permissions granted in accordance with policy DM11 Soils  2. Number of permissions granted contrary to advice from Natural England regarding the impact upon soils.	1.100%  2. Zero.
a., h.	7, 8, 9	DM12: Best and Most Versatile Agricultural Land	Percentage of permissions granted in accordance with policy DM12	100%
a., n.	5, 7, 8	DM13: Sustainable Transport Movements	Number of sites operating with alternative means of transportation to road.	Increase and to improve upon the situation in 2012.
a.	7, 8	DM14: Transport by road	Percentage of permissions granted with adverse impacts from road traffic and contrary to Policy DM14.	Zero.

Plan Objective (Para.4.5)	SA Objective	Policy	Indicator	Target
a., l.	6, 7, 8	DM15: Flooding and Flood Risk	Percentage of applications granted contrary to advice from the Environment Agency and Lead Local Flood Authority regarding the impact upon flooding and flood risk.	Zero.
a.	3, 7, 8	DM16: Water Resources	Percentage of applications granted contrary to advice from the Environment Agency and Lead Local Flood Authority regarding the impact on surface or ground waters.	Zero.
a., h., j., l., m.	7, 8	DM17: Cumulative Impacts	Percentage of applications granted with adverse cumulative impacts and contrary to policy DM17.	Zero.
i.	9	R1: Restoration and Aftercare	<p>1. Number of sites where enforcement action taken due to unsatisfactory restoration.</p> <p>2. Percentage of permissions with restoration proposals where a minimum of 5 year aftercare is required.</p>	<p>1. Zero</p> <p>2. 100%</p>

Plan Objective (Para.4.5)	SA Objective	Policy	Indicator	Target
h., i.	9	R2: After-use	<p>1. Types of after-uses permitted for mineral workings and landfill operations – by type of use and scale, including the length of new public rights of way.</p> <p>2. Percentage of applications granted contrary to advice from the Ministry of Defence regarding hazards to aviation.</p>	<p>1. All aftercare schemes to be in accordance with policy R2.</p> <p>2. Zero.</p>
h., i.	9	R3: Restoration of Sand and Gravel Operations within Areas of Search	Percentage of planning permissions granted for sand and gravel operations within the Areas of Search with restoration proposals in accordance with the priorities specified in policy R3.	100%
i.	9	R4: Restoration of limestone and chalk workings	Percentage of planning permissions granted for limestone and chalk operations with restoration proposals in accordance with the priorities specified in policy R4.	100%

10 FIGURE 4 KEY DIAGRAM

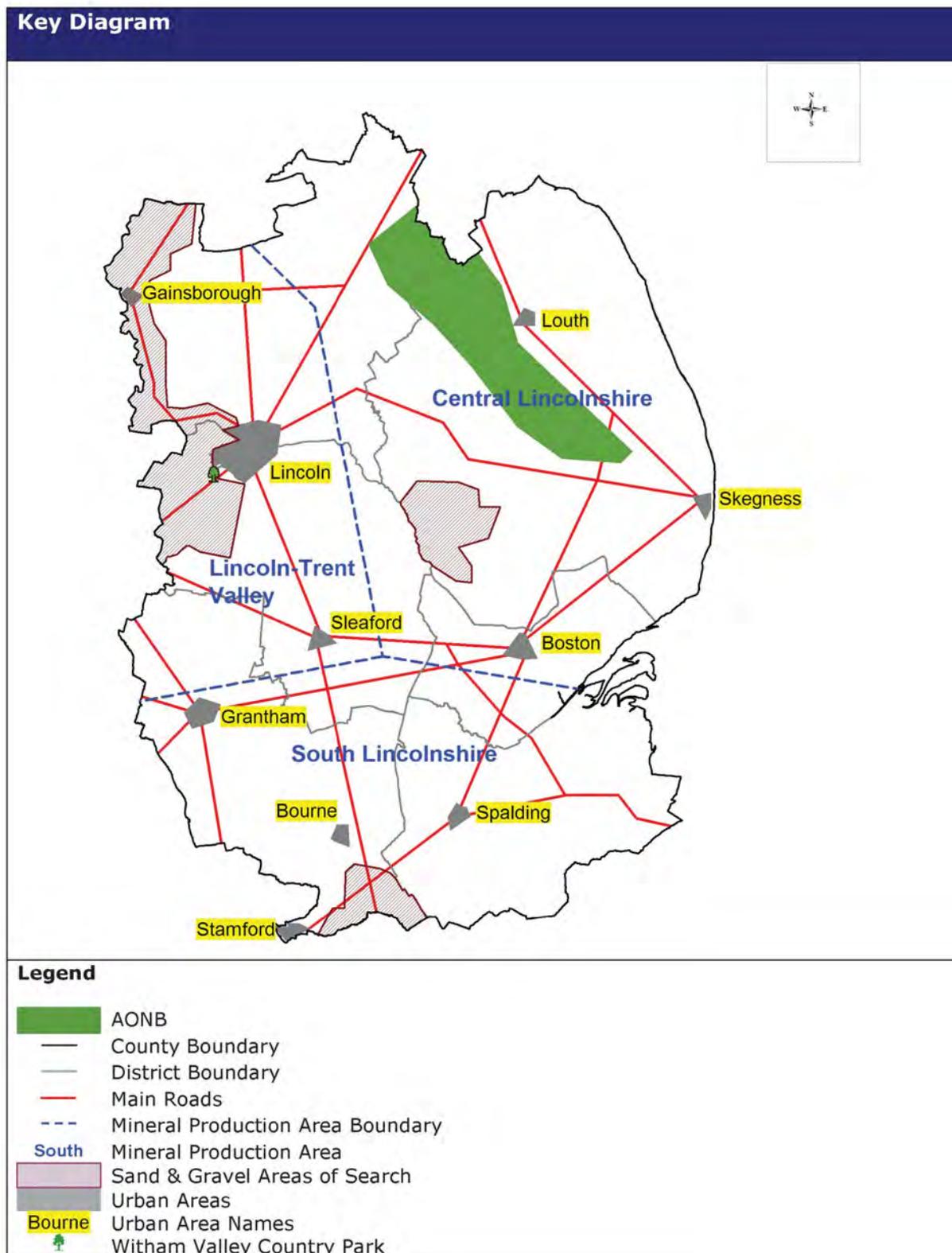
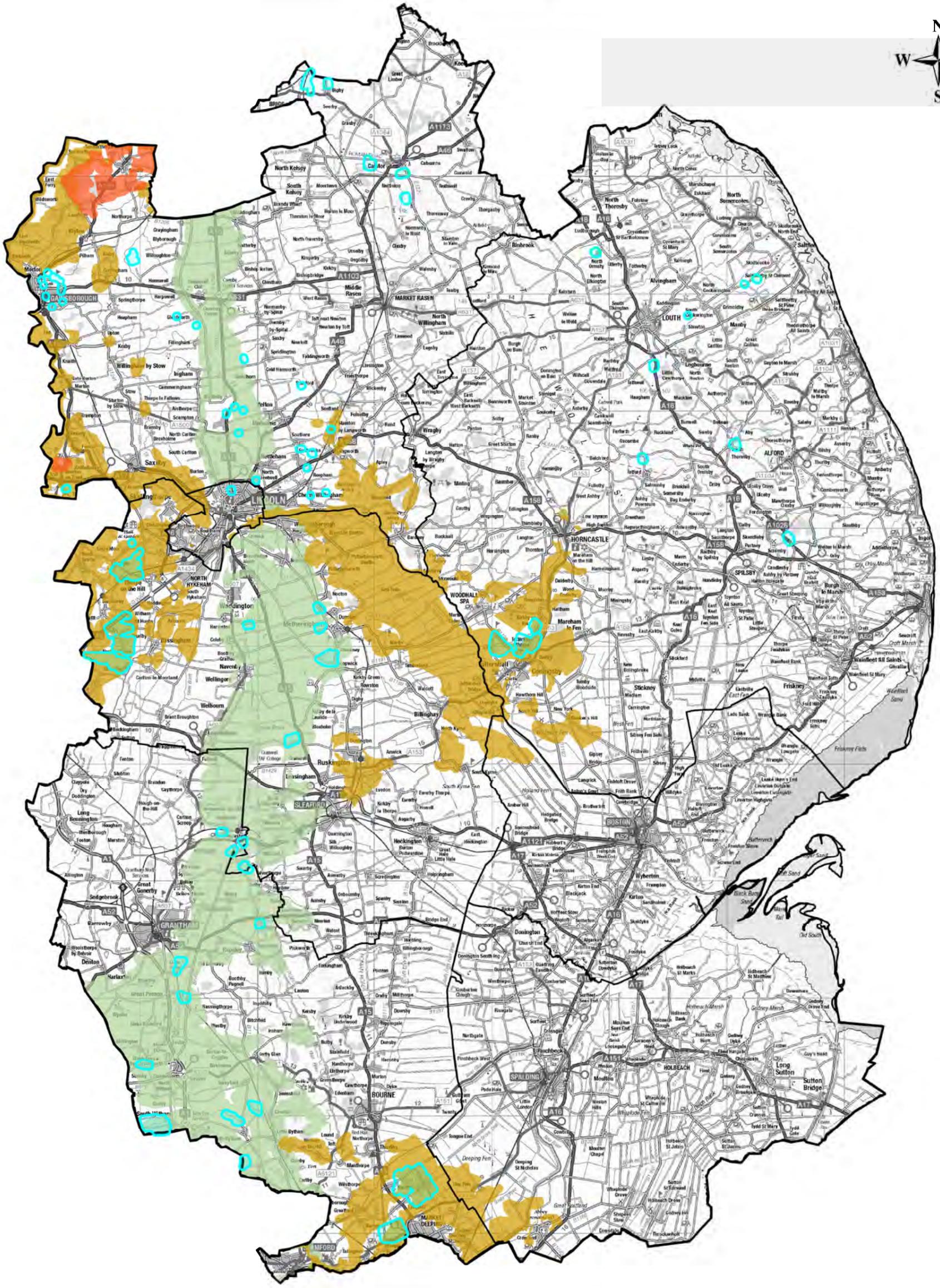


Figure 5 Policies Map



Lincolnshire County Council

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Key

-  Limestone Mineral Safeguarding Area
-  Sand & Gravel Minerals Safeguarding Area
-  Wind Blown Sand Minerals Safeguarding Area
-  Consultation Area

Date: December 2014  
Scale: 1:335,000 @A3



## Appendix 1: Relationship between Policies

The following table shows the relationship between the policies in this document and saved policies in the Lincolnshire Minerals Local Plan (1991) and the Lincolnshire Waste Local Plan (2006).

<b>Core Strategy and Development Management Policies</b>	<b>Minerals Local Plan and Waste Local Plan Policies</b>
M1: Recycled and Secondary Aggregates	New Policy
M2: Providing for an Adequate Supply of Sand and Gravel	New Policy
M3: Landbank of Sand and Gravel	New Policy
M4: Proposals for Sand and Gravel Extraction	Replacing M3
M5: Limestone	Replacing M3
M6: Chalk	New Policy
M7: Building Stone	New Policy
M8: Silica Sand	New Policy
M9: Energy Minerals	Replacing M21, M24 and M26
M10: Underground Gas Storage	New Policy
M11: Safeguarding of Mineral Resources	Replacing M16 and M30
M12: Safeguarding of Existing Mineral Sites and Associated Minerals Infrastructure	New Policy
M13: Associated Industrial Development	Replacing M18
M14: Irrigation Reservoirs	New Policy
M15: Borrow Pits	Replacing M17
W1: Future requirements for new waste facilities	New Policy
W2: Low Level Non-Nuclear Radioactive Waste	New Policy
W3: Spatial Strategy for New Waste Facilities	Replacing WLP3, WLP 4 WLP5 WLP8
W4: Locational Criteria for New Waste Facilities in and around main urban areas.	Replacing WLP3, WLP 4 WLP5 WLP8
W5: Biological Treatment of Waste Including Anaerobic Digestion and Open-Air Windrow Composting	Replacing WLP9, WLP10 and WLP11
W6: Landfill	Replacing WLP13
W7: Small Scale Waste Facilities	Replacing WLP7
W8: Safeguarding Waste Management Sites	Replacing WLP20
W9: Waste Water and Sewage Treatment Works	Replacing WLP18

DM1: Presumption in favour of sustainable development	New Policy
DM2: Climate Change	New Policy
DM3: Quality of life and amenity	Replacing WLP21
DM4: Historic Environment	Replacing M8 and WLP21
DM5: Lincolnshire Wolds Area of Outstanding Natural Beauty	Replacing M6
DM6: Impact on Landscape and Townscape	Replacing M7, M13 and WLP21
DM7: Internationally Designated Sites of Biodiversity Conservation Value	Replacing M8 and WLP21
DM8: Nationally Designated Sites of Biodiversity and Geological Conservation Value	Replacing M5, M8 and WLP21
DM9: Local Sites of Biodiversity Conservation Value	Replacing M5, M8 WLP21
DM10: Local Sites of Geological Conservation Value	Replacing M8 and WLP21
DM11: Soils	Replacing M4 and WLP21
DM12: Best and Most Versatile Agricultural Land	Replacing M4 and WLP21
DM13: Sustainable Transport Movements	New Policy
DM14: Transport by road	Replacing M12 and WLP21
DM15: Flooding and Flood Risk	Replacing WLP 21
DM16: Water Resources	Replacing WLP 21
DM17: Cumulative Impacts	
R1: Restoration and Aftercare	Replacing M10 and M15
R2: After-use	Replacing M14
R3: Restoration of Sand and Gravel Operations within Areas of Search	New Policy
R4: Restoration of limestone and chalk workings	New Policy

The following policies in the Minerals Local Plan and Waste Local Plan are not directly replaced, but are not proposed to be saved once the current document has been adopted:

M9 Planning Permission for Surface Mineral Working – Supporting Information

M19 Marine Dredged Aggregates and Development of Wharf Facilities

M22 Planning Applications for Oil and Gas – Supporting Information

M23 Requirement to Submit an Overall Development Scheme for the Exploration of a Commercial Field

M25 Oil and Gas Field, provision for Central Gathering Facility

M27 Underground Pipelines

M29 Deep Mined Coal

WLP1: Objective of the Plan

WLP14: Mining of Waste

WLP15: Extraction and Utilisation of Landfill Gas

WLP16: Agricultural Improvement

WLP17: Landspreading  
WLP19: Hazardous Waste

The following policies in the **Waste Local Plan** are proposed to be saved until the Site Locations document has been adopted:

WLP2: Household Waste Recycling Centres

WLP6: Materials Recovery Facilities

WLP12: Energy from Waste

## Appendix 2: Waste and Mineral Sites in Lincolnshire

### Lincolnshire Active Mineral Sites

Ref	Site	Status	Commodity	Easting	Northing
1	Ancaster Quarry	Active	Limestone	499200	341000
82	Baston Manor Pit	Active	Sand & Gravel	512146	313500
2	Baston No 1 Quarry	Active	Sand & Gravel	513800	314800
3	Baston No 2 Quarry	Active	Sand & Gravel	514300	313600
4	Bigby	Ceased	Chalk	506075	407875
5	Brauncewell Quarry	Active	Limestone	502958	351800
6	Castle Quarry	Active	Limestone	498680	343350
7	Cathedral Quarry	Active	Limestone	497735	373300
8	Cold Hanworth Oilwell	Active	Oil	503786	382185
9	Colsterworth	Inactive		490546	324384
10	Colsterworth triangle	Inactive		490016	324351
11	Copper Hill Quarry	Granted	Limestone	497860	342670
12	Corringham Oilfield	Active	Oil	489368	392929
13	Creeton Quarry	Active	Limestone	499900	320688
14	Dunston Quarry	Active	Limestone	505300	363200
15	Glentworth J	Active	Oil	494762	387340
16	Fiskerton Airfield Oilwell	Active	Oil	505250	372600
17	Gainsborough Oilfield	Active	Oil	482000	390000
18	Glebe Quarry	Active	Limestone	498960	341070
19	Glentworth K	Active	Oil	494500	389000
20	Great Ponton	Active	Limestone	493520	330110
21	Harmston Heath	Active	Limestone	499100	361800
22	Holywell Quarry	Active	Limestone	498820	315900
23	Keddington Oilwell	Active	Oil	536655	388180
24	Kenwick Quarry	Inactive tipping	Chalk	533800	383800
25	Kettleby	Active in N Lincs part	Sand & Gravel	504190	408190
26	King Street	Inactive	Sand & Gravel	511171	310014
27	Little Ponton	Inactive	Limestone	493364	332933
28	Longwood Quarry	Active	Limestone	506185	358810
85	Mansgate Hill Quarry	Ceased	Chalk	512460	400285
29	Metheringham	Active	Limestone	505380	361555
30	Nettleham Oilfield	Active	Oil	499849	374130
31	Nettleton Bottom	Inactive	Chalk	512500	398200
32	Newton on trent oil	Active	Oil	483747	373447
33	North Kelsey Road Quarry	Active	Sand	509600	401000
34	Kirkby on Bain Quarry	Active	Sand & Gravel	522600	360300
35	Norton Bottoms Quarry	Active	Sand & Gravel	486700	358900
36	Norton Disney Quarry	Active	Sand & Gravel	488100	360200
37	Red Barn Pit	Active	Sand & Gravel	498244	319638
38	Reepham Oil	Active	Oil	504541	372873
39	Ropsley	Inactive	Limestone	500145	336355
40	Saltfleetby A Gaswell	Active	Natural Gas	541455	390880

Ref	Site	Status	Commodity	Easting	Northing
41	Saltfleetby B Gaswell	Active	Natural Gas	542460	391350
42	Scampton A B and C	Active	Oil	497294	379845
43	Scampton South Oil Site	Active	Oil	498335	378178
44	South Thoresby Quarry	Active	Chalk	540650	377300
45	South Witham Quarry	Active	Limestone	491700	319000
46	Stainton Oil	Active	Oil	506276	378509
47	Swinderby	Granted	Sand	488130	361612
48	Tattershal Park Farm Quarry	Active	Sand & Gravel	520416	360033
49	Tetford Hill	Inactive	Chalk	532875	375975
83	Welton le Marsh Quarry	Active	Chalk	545200	369000
50	Welton A Oil	Active	Oil	503658	376809
51	Welton B Oil	Active	Oil	504679	376429
52	Welton C oil	Active	Oil	504225	375152
53	West Deeping Quarry	Active	Sand & Gravel	510700	309800
54	West Firsby Oil	Active	Oil	498831	384440
55	Whisby A	Active	Oil	489278	368770
56	Whisby Quarry	Active	Sand & Gravel	489650	366700

#### Lincolnshire Dormant Mineral Sites

Ref	Site	Status	Commodity	Easting	Northing
57	Belchford	Dormant	Chalk	530580	376660
58	Biscathorpe	Dormant	Sand & Gravel	522818	385576
59	Buckminster	Dormant	Ironstone	490500	322500
60	Burton Coggles	Dormant	Ironstone	496000	325700
61	Burton	Dormant	Sand & Gravel	494754	373698
62	Colsterworth	Dormant	Ironstone	490500	324000
63	Colsterworth/North	Dormant	Ironstone	491800	325000
64	Colsterworth/Gunby/Stain by	Dormant	Ironstone	491500	323500
65	Colsterworth/Skillington	Dormant	Ironstone	489900	325000
66	Denton Harlaxton	Dormant	Ironstone	488500	331000
67	Fir Hill	Dormant	Chalk	536040	382890
68	Fiskerton Clay pit	Dormant	Clay	508294	371850
69	Grange Farm (Little Bytham)	Dormant	Limestone/Clay	501200	317600
70	Kirkstead	Dormant	Sand & Gravel	519400	360200
71	Muckton Bottom	Dormant	Chalk	536535	382395
72	Nettleton Mine (Opencast)	Dormant	Ironstone	512000	398000
73	Nettleton Mine (Underground)	Dormant	Ironstone	512000	398000
74	North Kelsey silica sand pit	Dormant	Silica Sand	504300	401400
75	Saturday Pits	Dormant	Chalk	533970	385150
76	Scopwick	Dormant	Limestone	505300	357005
77	Skegness	Dormant	Clay	554955	364881
78	Sudbrook	Dormant	Sand & Gravel	497000	344300

79	Thunderbolt & Willow	Dormant	Sand & Gravel	499801	318201
80	Thistleton/South Witham	Dormant	Ironstone	492500	318900
81	Welton Le Wold	Dormant	Sand & Gravel	527875	388260
84	North Ormsby Quarry	Dormant	Chalk	528767	393572

### Lincolnshire Waste Sites

Ref	Site Name	Postcode	Easting	Northing
1	Gainsborough Landfill	DN21 1AF	481500	388000
2	North Hykeham Landfill Site	LN6 3QZ	493050	367630
3	Whisby Quarry	LN6 9BT	489841	366898
3	Whisby Quarry	LN6 9BT	489841	366898
4	Leadenham Landfill Site	LN5 0QF	496190	352300
4	Leadenham Household Waste Site	LN5 0QF	496400	352400
5	Colsterworth Landfill Site	NG33 5QT	490500	324400
6	Kirkby on Bain Landfill site	LN10 6YN	523340	361400
7	Boston Landfill Site	PE21 7AA	534500	341500
8	Middlemarsh Landfill	PE24 5AD	553690	363550
10	Nettleton Bottom Quarry	LN7 6SR	512730	397880
13	Inert Treatment Facility	LN4 2JA	499500	361800
13	Harmston Quarry	LN4 2JA	499183	361926
14	Brauncewell Quarry Transfer Station	NG34 8RL	502735	351711
14	Brauncewell Quarry	NG34 8RL	502730	351710
16	2 Recycling Ltd	NG31 7XF	489610	334935
17	East Kirkby AD Plant	PE23 4BU	534153	362298
18	The Scrapyard	LN9 5AA	526000	370200
19	RRR (Horncastle) Ltd	LN9 6SB	526779	368484
20	Agri-Cycle Ltd	PE23 4AY	538202	360940
21	Alchemy Farms Ltd	PE21 7PJ	533898	342597
22	Andigestion Ltd	NG33 4SW	496892	319468
23	Bardney Tyre Recycling Facility	LN3 5UF	511312	369150
24	Nocton Fen Farm	LN4 2AY	509026	365734
25	Bio Convertors In-Vessel Composting Facility	NG32 3EW	494740	348550
26	Blue Sky Plastic & Electrical Recycling	PE10 0DN	514268	318775
27	B W T O R Ltd	PE24 4TB	555020	367563
28	Norton Bottoms Quarry	LN6 9JN	486154	359086
29	Bourne Waste Transfer Station	PE10 0DL	510700	319600
30	Bulldog Remoulds Ltd	PE10 9LA	510659	319536
31	Bourne Household Waste Recycling Centre	PE10 9HT	510550	320500
31	Bourne Waste Transfer Station & Civic Amenity Site	PE10 9HT	510500	320500
32	H C I Transfer Station	LN3 5AG	509650	384060
33	Lissinglea House Farm	LN3 5AG	509400	384000
34	Carousel Recycling Ltd	PE25 3TB	555508	362798
35	Manor Pit Quarry	PE6 9PT	512388	314679
36	Tattershall Quarry	LN4 4JT	521400	361400
37	Norton Disney Quarry	LN6 9JT	488027	359922

Ref	Site Name	Postcode	Easting	Northing
38	Clarkeson Organic Recycling	DN37 8NQ	518574	408539
39	Central Depot Transfer Station (Stamp End Depot)	LN5 7JD	498170	371070
40	Composting Facility	PE22 8LA	541500	358400
41	Day Lee Auto Breakers	NG31 9SE	493841	337205
42	Department Of Trucking Vehicle Depollution	PE22 7HR	529986	352835
43	Glebe Farm	LN11 0UT	532012	390981
44	Spittlegate Level	NG31 7UH	491900	333400
45	Reed Point	PE20 2EP	527530	335193
46	European Metal Recycling Ltd - A T F & Scrap Yard	LN6 7AD	496200	371120
47	Caenby Hall Waste Transfer Station	LN8 2BU	496930	388430
47	Fox Plant (Caenby Hall)	LN8 2BU	496874	388466
48	Boardsides Recycling	PE11 4DS	527488	330498
49	G W Lords (Gainsborough)Y	DN21 3DB		
50	G B M Waste Management	LN11 0WN	532706	388929
51	G B M Waste Management	LN6 9NQ	492920	364808
51	Building 3, Roe House	LN6 9NQ	492897	364816
52	Winchester Marine (Brookenby) Ltd	LN8 6HF	519627	395298
53	G B M Waste Management	LN11 8UZ	538592	386613
54	Greentech Waste Managment LtdY	LN2 3QF	499128	378360
55	Greenworld Composting Site	NG33 5LY	494003	321589
56	Mushroom Farm	LN6 9NQ	492834	364823
57	Heron Renewable Energy A D	LN9 6QU	532148	372015
58	Autby House Materials Recycling Facility	DN36 5SB	528118	397107
59		LN8 3HA	510405	389488
60	B W Riddle A T F And Scrap Yard	PE10 0DN	514470	318760
61	West Deeping Quarry	PE6 9JB	510624	310184
62	Sturgate Airfield	DN21 5DT	488236	387895
63	Dunston Quarry	LN4 2EX	505320	363200
64	Grantham Waste Transfer Station	NG32 2BP	489045	339219
65	Sleaford Waste Transfer Station	NG34 8GL	507311	346846
65	Sleaford Waste Transfer Station	NG34 8GL	507221	346827
66	Boston Waste Transfer Station	PE21 7AA	534065	341584
66	Boston Hwrc/transfer Station/mrf	PE21 7AA	534148	341536
67	Gainsborough Household Waste Recycling Centre	DN21 1AF	481812	388375
68	Skegness Household Waste Recycling Centre	PE25 2JS	555200	364300
69	Gainsborough Waste Transfer Station	DN21 1GD	483185	389519
70	Whisby Landfill Site	LN6 9BT	489880	368130
71	Lindum Group Ltd	LN1 2LR	491150	374580
72	Longwood Quarry	LN4 3BN	506300	358870
73	Belvoir Way	LN11 0LQ	532800	388900
74	Ansons Farm	LN6 9HS	488126	363478
75	Four Acre Farm	PE10 0DN	511082	319300

Ref	Site Name	Postcode	Easting	Northing
76	A A V Exports	PE12 6BW	526733	320849
77	The Ring Way Depot	NG34 7EW	507484	346518
78	Thompson Metals LtdY	DN21 1AH	481883	388392
79	Riverside Auto Breakers	PE21 7TN	533713	342533
80	Materials Recycling Facility	NG32 3EW	494702	348562
81	The Recycling Centre	PE6 8AR	514071	311311
82	Midland Skip Hire	LN4 3HX	507963	361576
83	Monksview Demolition Ltd	PE12 0NT	534081	312393
84	Anaerobic Digestion Plant	DN21 5TU	494756	390481
85	Bourne Skip Hire & Recycling	PE10 9LA	510600	319700
86	Lincs Rubbish Clearance Services	LN6 3QY	494018	367754
87	Greenaway Green Waste Services	LN13 0LW	545600	381575
88	Copper Hill Quarry	NG32 3PY	498451	342667
89	Tunnel Bank	PE10 0DJ	510620	319279
90	The Recycling Centre	LN9 5PN	526077	370279
91	Willow Tree Farm Recycling Centre	LN1 2NX	487816	376669
92	Decoy Farm	PE6 0LX	526200	312800
92	Decoy Farm	PE6 0LX	525821	312856
93	Baston Fen Mrf	PE6 9PU	512468	314658
93	Baston Fen Mrf	PE6 9PU	512620	314880
94	Barff Farm	LN8 2AG	501162	390059
95	Prince's Skip Hire	NG31 7AP	491000	335400
96	Grange Farm	PE23 5DD	540129	361734
97	Skirbeck Bulk Store WEEE ATF & Non-hazardous W T S	PE21 6BN	533200	343200
98	Track Recycling Ltd	PE23 4BU	533955	362390
99	Home Farm	LN9 6JB	526408	366109
100	Sid Dennis & Sons Ltd	PE24 4RE	553700	362400
101	The Warehouse, Riverside Ind Est, Boston	PE21 7TN	533605	342563
102	Spalding Pallets Ltd	PE11 3HA	523041	316796
103	Hanbeck Farm	NG32 3PB	500544	343173
104	Station Farm Anaerobic Digestion Facility	PE22 0SE	536529	350539
105	Tessmill - Woodland Drive	NG31 9SR	494200	337500
106	The Boundary	NG31 7UE	490400	333300
107	U K Tyre Technicians Ltd	NG31 7UH	491800	333200
108	Waste Away Solutions Ltd Transfer Station	NG34 7EW	507528	346647
109	Highfield Quarry	PE23 5SX	545200	369000
110	The Pig Farm	NG33 5LZ	494182	322254
111	Wildmore Renewables Ltd	PE22 7AN	526057	349346
112	N K R Motors Ltd	PE12 0SS	530851	315079
113	Balcan Engineering Ltd	LN9 6JR	526687	368494
114	Plot 7 ( Also Known As 6a) Dale Street	LN5 8LL	498889	370659
115	County Waste	LN6 3QY	493640	367660
116	Eco Plastics Ltd	DN21 5TU	494773	390417
117	Lincolnshire EfW Facility	LN6 3QZ	493950	367850

Ref	Site Name	Postcode	Easting	Northing
118	Westville Farm Transfer Station	PE22 7HR	529900	352900
119	Boardsides Recycling	PE21 7PB	529715	343879
120	Hambleton Brothers	LN7 6RX	511,188	402,371
121	Manor Farm A D Plant	PE12 8LR	540431	328455
122	I Mole Autospares	LN6 5UA	491000	372200
123	South Elkington Estate	LN11 0RY	529741	389319
124	Len Kirk Plant Hire Ltd	LN6 3QZ	493400	367900
125	Barrowby Waste Transfer Station	NG32 1BX	488900	336300
126	Louth Non-hazardous & Hazardous Household Waste Amenity Site	LN11 0WA	532897	389110
127	Louth Waste Transfer Station	LN11 0WA	532988	389264
128	Great Northern Terrace Household Waste Recycling Centre	LN5 8HJ	498650	370771
129	Market Rasen Household Waste Recycling Centre	LN8 3HA	509943	389638
130	Grantham Household Waste Recycling Centre	NG31 7AS	490800	335300
131	Sleaford Household Waste Recycling Centre	NG34 8SU	507300	344700
132	Spalding Household Waste Recycling Centre	PE11 2BB	526104	324962
133	Whisby Civic Amenity Site	LN6 9DD	489800	368300
134	Kirkby On Bain Civic Amenity Site	LN10 6YN	523400	361500
135	Lincoln Road Transfer Station	LN1 2NF	490799	375120
136	East Road Salvage A T F	NG34 7EH	507551	346369
137	The Salvage Yard	LN11 7NU	542752	397921
138	Brown's Autobreakers	LN5 9NT	497868	364504
139	Lincolnshire Processed Scrap Metal	NG31 6HN	491800	335100
140	South Witham Quarry	NG33 5QL	491100	318800
141	Barkstone Heath Warehousing Facility	NG32 3PY	497646	341758
142	Part Of O S Field No 0023	LN9 5AA	526000	370200
143	Gainsborough Skip Hire	DN21 3ET	480566	392859
144	Gainsborough Skip Hire	DN21 3ET	480681	392761
145	3 F Pallets	LN1 2RG	496700	375300
146	The Grey House	PE21 7JD	529482	343033
147	Alford Road TS	LN13 9RB	550800	376500
148	The Orange Skip Company	LN6 3QY	493948	367746
149	Camp Farm	PE6 9QF	515500	313200
150	Nationwide Metal Recycling Ltd	PE12 8QA	536100	324300
151	Caythorpe Biomass Energy Recovery Plant	NG32 3EQ	494700	348400
152	T Shooter (boston) Ltd	PE21 7AA	532200	343400
153	Primetake Storage Facility	d	504576	372517
154	Skirbeck Road, Port Of Boston	PE21 6BN	533290	343430
155	Rilmac Holding Skip	LN3 4NJ	499941	371789
156	Sky Lane	LN5 9FE	491108	363936
157	The Ranch Scrapyard (transfer)	PE12 6BL	525200	320800
158	The Breakers Yard	PE10 0TU	514800	328900

Ref	Site Name	Postcode	Easting	Northing
159	Dale Street Transfer Station	LN5 8LL	498930	370700
160	A T F & Fridge Storage Site	LN5 8LG	498760	370710
161	Alexander Road Depot	NG31 7AP	490880	335440
162	Wrangle A D Plant	PE22 9HE	544660	350590
163	Gorse Lane, Grantham	NG31 7UF	491900	333900
164	Vacu Lug Traction Tyres Limited	NG31 8HE	490400	337500
165	North Warren Road Depot	DN21 2TH	480578	390822
166	Windley's Salvage Ltd	LN4 4JS	519800	360100
167	Pimlico Farm A D Plant	DN37 8LL	511374	407858
168	Global Auto Salvage	LN3 5TP	514306	370458
169	Fiddlers Elbow Dredging Tip	LN1 2BE	493700	373100

### Sewage Treatment Works

Ref	Site Name	Postcode	Easting	Northing
<b>Anglican Water</b>				
AW01	NORTH KELSEY STW	LN7 6JU	504783	402458
AW02	NORTH THORESBY STW	DN36 5QG	529021	398943
AW03	LEGBOURNE STW	LN11 8LW	537034	384216
AW04	ALFORD STW	LN13 9BN	546082	375900
AW05	OLD BOLINGBROKE STW	PE23 4HB	535189	364486
AW06	TOYNTON STW	PE23 5AX	540291	362808
AW07	MAREHAM LE FEN STW	PE22 7SF	528073	360371
AW08	EAST KIRKBY STW	PE23 4DB	533296	361559
AW09	NEW LEAKE STW	PE22 8JT	540049	357278
AW10	SPILSBY STW	PE23 5PF	541684	364497
AW11	STICKNEY STW	PE22 8DG	534861	356741
AW12	SWATON STW	NG34 0JQ	513092	337044
AW13	HELPRINGHAM STW	NG34 0RP	514071	341005
AW14	SWINESHEAD STW (LINCS)	PE20 3NB	522698	341902
AW15	SOUTH KYME STW	LN4 4AB	516156	350227
AW16	AMBER HILL STW	PE20 3RQ	523149	347361
AW17	SUTTON BRIDGE STW	PE12 9QF	546405	322991
AW18	GEDNEY DROVE END HOLBOURN STW	PE12 9PF	546075	329338
AW19	MANTHORPE STW	PE10 0JE	506793	316263
AW20	WADDINGHAM STW	DN21 4ST	498953	396273
AW21	FALDINGWORTH MOD STW	LN8 3NQ	504032	387220
AW22	MARKET RASEN STW	LN8 3TT	507461	388992
AW23	CLAXBY STW	LN8 3YS	511183	394281
AW24	KIRKBY CUM OSGODBY STW	LN8 3PE	506306	392963
AW25	OWMBY STW	LN8 2HP	500517	387313
AW26	FALDINGWORTH STW	LN8 3SF	507058	384182
AW27	GLENTHAM STW	LN8 2ER	500343	390757
AW28	WELTON-LE-WOLD STW	LN11 0QT	528124	387801
AW29	LOUTH STW	LN11 7DX	535938	390238
AW30	COVENHAM PACKAGED STW	LN11 0PA	534618	396174
AW31	STOKE ROCHFORD STW	NG33 5EJ	491803	328268
AW32	HARLAXTON STW	NG32 1AG	489134	333066

Ref	Site Name	Postcode	Easting	Northing
AW33	GREAT PONTON STW	NG33 5DY	493071	330604
AW34	LITTLE PONTON STW	NG33 5BS	492620	332470
AW35	MARSTON STW (LINCS)	NG32 2HX	490629	342581
AW36	LONDONTHORPE STW	NG31 9RX	495228	338348
AW37	SWINDERBY STW	LN6 9QD	489878	361882
AW38	SOUTH HYKEHAM STW	LN6 9TU	494209	364803
AW39	NORTH HYKEHAM STW	LN5 9AJ	495795	366079
AW40	SAXILBY STW	LN1 2PB	488615	375042
AW41	SKELLINGTHORPE STW	LN6 5TY	493659	372608
AW42	DEEPING STW	PE6 8RQ	517393	308548
AW43	SUTTERTON-ROPER LA STW	PE20 2HZ	528651	336985
AW44	FRAMPTON STW	PE20 1BW	531566	339893
AW45	FRITHVILLE STW	PE22 7EX	531634	350571
AW46	GIPSEY BRIDGE STW	PE22 7BN	529383	348483
AW47	INGOLDMELLS STW	PE25 1JH	555968	367615
AW48	CANWICK STW	LN4 1EF	499679	370408
AW49	SPRIDLINGTON STW	LN8 2DF	501281	384462
AW50	NETTLEHAM STW	LN2 2QQ	501915	375699
AW51	KEELBY STW	DN41 8SL	516886	409806
AW52	HOLTON LE CLAY STW	DN36 5AS	529698	403083
AW53	NORTH COTES STW	DN36 5UT	535440	400280
AW54	CAISTOR STW	LN7 6NH	510755	401080
AW55	BIGBY STW	DN38 6EE	505722	407111
AW56	GRASBY STW	DN38 6AP	508669	404254
AW57	BURTON COGGLES STW	NG33 4JP	498169	325859
AW58	IRNHAM STW	NG33 4JD	502817	326918
AW59	CORBY GLEN STW	NG33 4LA	499315	324682
AW60	BOOTHBY PAGNELL STW	NG33 4DG	497335	330726
AW61	ROPSLEY STW	NG33 4HW	500100	333661
AW62	INGOLDSBY STW	NG33 4HA	502147	330184
AW63	OLD SOMERBY STW	NG33 4AE	496962	333686
AW64	EDENHAM STW	PE10 0LS	506622	321577
AW65	BOURNE STW	PE10 0AT	510896	320121
AW66	DUNSBY STW	PE10 0ST	510524	327510
AW67	PICKWORTH STW (GRANTHAM)	NG34 0TQ	504241	333535
AW68	CRANWELL STW	NG34 8HU	501641	350221
AW69	SOUTH RAUCEBY STW	NG34 8QF	503157	344880
AW70	ANCASTER STW	NG32 3QQ	498990	344192
AW71	AUNSBY VILLAGE STW	NG34 8SA	504842	338897
AW72	SILK WILLOUGHBY STW	NG34 8PE	505930	342934
AW73	KIRKBY LA THORPE STW	NG34 9NS	510078	344895
AW74	SLEAFORD DROVE LANE (WP) STW	NG34 8JQ	505554	346228
AW75	SLEAFORD STW	NG34 9PA	508378	347304
AW76	MANBY STW	LN11 8HL	540507	386280
AW77	NORTH SOMERCOTES STW	LN11 7PD	541832	398318
AW78	WELTON LE MARSH (WTW) STW	PE23 5TA	547313	368522
AW79	STRUBBY STW	LN13 0DZ	544704	379089
AW80	MABLETHORPE STW	LN12 2QN	548984	382527

<b>Ref</b>	<b>Site Name</b>	<b>Postcode</b>	<b>Easting</b>	<b>Northing</b>
AW81	ANDERBY-SEA ROAD STW	PE24 5XY	553929	375976
AW82	LEASINGHAM STW	NG34 8LJ	506270	349078
AW83	HORBLING STW	NG34 0PW	512334	334622
AW84	DONINGTON STW	PE11 4XE	519644	334839
AW85	GOSBERTON STW	PE11 4PN	522649	332227
AW86	SUTTERTON-WIGTOFT STW	PE20 2EN	527175	335586
AW87	SURFLEET STW	PE11 4BH	525728	329448
AW88	MARTIN STW	LN4 3QU	512383	359469
AW89	BILLINGHAY STW	LN4 4AZ	516069	355470
AW90	WOODHALL SPA STW	LN10 6QY	518434	363287
AW91	CONINGSBY STW	LN4 4TE	521658	356842
AW92	HORNCastle STW	LN9 5LB	526045	367488
AW93	MOULTON STW	PE12 6PY	529844	324385
AW94	FOSDYKE BELL LANE STW	PE20 2BS	531801	333614
AW95	GEDNEY DYKE ANVIL CLOSE STW	PE12 0BG	541449	326173
AW96	SKILLINGTON STW	NG33 5HF	490363	325646
AW97	STAINBY STW	NG33 5QT	490804	322970
AW98	SCAMPTON RAF STW	LN1 2SE	496545	378844
AW99	NORTH CARLTON STW	LN12RU	494261	377603
AW100	AISTHORPE STW	LN1 2SG	494227	380190
AW101	STURTON BY STOW STW	LN1 2YX	489378	380837
AW102	NORTH COTES (RAF) STW	DN36 5XE	536551	402848
AW103	BECKINGHAM STW	LN5 0RN	487609	354074
AW104	SWALLOW STW	LN7 6DN	517757	403202
AW105	DORRINGTON STW	LN4 3QA	508856	352924
AW106	ROWSTON STW	LN4 3LU	508494	356940
AW107	ASHBY DE LA LAUNDE STW	LN4 3JG	504984	355011
AW108	LITTLE BYTHAM STW	NG33 4RX	500783	318077
AW109	BRANSTON BOOTHS STW	LN4 1AJ	506308	369225
AW110	WASHINGBOROUGH STW	LN4 1AE	504232	370684
AW111	REEPHAM STW (LINCS)	LN2 2QX	504260	374762
AW112	FISKERTON STW	LN3 4HN	505351	371893
AW113	UPTON (LINCS) STW	DN21 5NR	487678	386792
AW114	WILLINGHAM STW	DN21 5LH	487996	384559
AW115	TATHWELL STW	LN11 9SR	532120	382987
AW116	TETFORD STW	LN9 6QF	533849	374191
AW117	SKENDLEBY STW	PE23 4QE	543279	369816
AW118	FISHTOFT STW	PE21 ORD	536537	344465
AW119	SIBSEY STW	PE22 0SG	536138	351055
AW120	OLD LEAKE-SKIPMARSH LANE STW	PE22 9LT	538955	350171
AW121	FULBECK STW	NG32 3JG	494206	350684
AW122	CARLTON SCROOP STW	NG32 3AR	495121	345411
AW123	CAYTHORPE STW	NG32 3BG	494359	347169
AW124	HOUGH ON THE HILL STW	NG32 2BB	492324	346853
AW125	CANDLESBY STW	PE23 5RR	545333	367041
AW126	CROFT STW	PE24 4RR	551005	361561
AW127	ALLINGTON STW	NG32 2FS	486105	339916
AW128	NAVENBY STW	LN5 0EX	498116	357684

Ref	Site Name	Postcode	Easting	Northing
AW129	HOLTON CUM BECKERING STW	LN8 5NG	511794	380997
AW130	SUTTON ST JAMES-NEEDHAM DR ST	PE12 0EG	539536	318154
AW131	COWBIT STW	PE12 6DN	528723	319122
AW132	GLENTWORTH STW	DN21 5ED	494351	387863
AW133	HEMSWELL R A F STW	DN21 5XP	495625	389955
AW134	SALTFLEET STW	LN11 7SA	545773	393557
AW135	LAND OFF STOWE ROAD STW		509213	311876
AW136	FRISKNEY STW	PE22 8NU	546563	356460
AW137	WAINFLEET STW	PE24 4QY	549213	359677
AW138	SKELLINGTHORPE #2 STW	LN6 5TY	493597	372571
AW139	BROCKLESBY STW	DN41 8PP	514155	411725
AW140	TETNEY-NEWTON MARSH STW	DN36 5LA	533247	403284
AW141	BOSTON STW	PE21 0SH	535483	341088
AW142	ROTHWELL STW (LINCS)	LN7 6DT	515890	399754
AW143	LUDFORD STW	LN8 6AS	520821	389307
AW144	BINBROOK STW	LN8 6HU	520664	394819
AW145	TEALBY STW	LN8 3XL	515086	390472
AW146	CLAYPOLE STW	NG23 5AJ	483869	349682
AW147	LONG BENNINGTON STW	NG23 5DW	483993	345169
AW148	STUBTON STW	NG23 5DD	487463	349127
AW149	CROWLAND STW	PE6 0BZ	524551	309146
AW150	METHERINGHAM STW	LN4 3HX	507982	361449
AW151	WELTON (WTW) STW	LN2 3PB	501485	381467
AW152	DUNHOLME STW	LN2 3QZ	503435	379687
AW153	BASSINGHAM STW	LN5 9HA	490484	359895
AW154	BRANT BROUGHTON STW	LN5 0SP	492358	354218
AW155	LEADENHAM STW	LN5 0PG	495374	353163
AW156	SPALDING STW	PE11 2BB	526185	325111
AW157	BARDNEY STW	LN3 5SU	512655	368218
AW158	HEMINGBY-MAIN RD STW	LN9 5QF	523500	374337
AW159	MINTING STW	LN9 5SB	518589	373285
AW160	DONINGTON ON BAIN STW	LN11 9TN	523287	382708
AW161	BUCKNALL STW	LN10 5DT	517158	368729
AW162	MARKET STAINTON STW	LN8 5LJ	523108	380119
AW163	WILSFORD STW	NG32 3PD	501100	342689
AW164	OSBOURNBY STW	NG34 0DL	507542	338243
AW165	ANWICK STW	NG34 9SP	511404	349997
AW166	TATTERSHALL BRIDGE STW	LN4 4JJ	519103	356161
AW167	CHAPEL HILL STW	LN4 4ZL	520038	354641
AW168	HOLBEACH STW	PE12 8AD	535673	325826
AW169	DEEPING ST NICH - WREN CL STW	PE11 3DX	520889	315225
AW170	CORRINGHAM STW	DN21 5QP	487316	390557
AW171	COLSTERWORTH STW	NG33 5NT	492683	324697
AW172	INGHAM STW	LN1 2YP	494338	383077
AW173	NOCTON (RAF) STW	LN4 2DB	506577	364692
AW174	HECKINGTON STW	NG34 9PT	515048	345529
AW175	WILSTHORPE STW	PE9 4PD	508102	314867
AW176	WRAGBY STW	LN8 5QZ	512617	377961

<b>Ref</b>	<b>Site Name</b>	<b>Postcode</b>	<b>Easting</b>	<b>Northing</b>
AW177	SOUTH WITHAM STW	NG33 5PN	492818	319720
AW178	SUTTON STJAMES SUTTON GATE STW	PE12 0HP	540398	317900
AW179	SALTFLEETBY ST PETER STW	LN11 7SZ	542908	390341
AW180	THEDDLETHORPE SILVER ST STW	LN12 1PA	547299	386886
AW181	OASBY MILL LANE STW	NG32 3NA	500309	338768
AW182	PICKWORTH CHURCH LANE STW	NG34 0TE	504613	333870
AW183	FENTON PUMP LANE STW	NG23 5DF	488441	350908
AW184	DEEPING ST NICHOLAS NEW RD STW	PE11 3DU	521582	314804
AW185	LAND OFF WILSTHORPE LANE STW		509317	313467
AW186	WOODCOTE LANE STW		495623	374649
<b>Seven Trent Water</b>				
ST01	Land Opposite Park Farm Cottage STW	-	485579	374183
ST02	Blyton STW	DN21 3LA	485650	395033
ST03	Gainsborough STW	-	481782	387469
ST04	Scotter Riverside STW	DN21 3UG	488639	401057
ST05	Heapham Road STW	DN21 1PT	483056	389287
ST06	East Stockworth STW	DN21 3DH	478616	394472
ST07	Pilham STW	DN21 3NU	486092	393966
ST08	Willoughton STW	DN21 5RT	492541	393738
ST09	Laughterton STW	LN1 2BD	484023	376143
ST10	Northorpe STW	DN21 4AQ	489579	396887
ST11	Marton STW	DN21 1AF	481885	388546

### **Appendix 3: Minerals and Waste Site Mapping by District**

Figure 6 Existing Minerals and Waste Sites West Lindsey District

Figure 7 Existing Minerals and Waste Sites East Lindsey District

Figure 8 Existing Minerals and Waste Sites Lincoln District

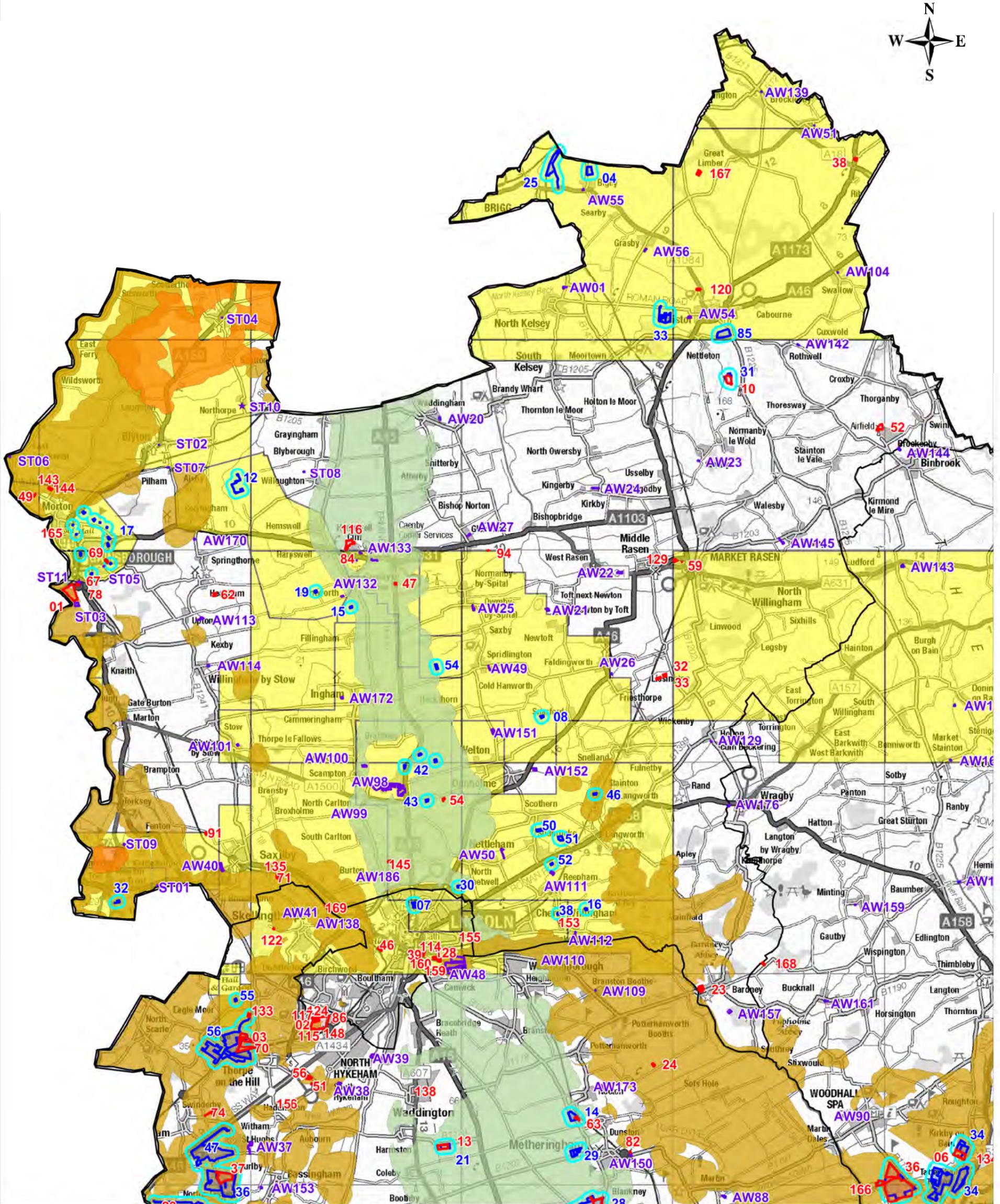
Figure 9 Existing Minerals and Waste Sites North Kesteven District

Figure 10 Existing Minerals and Waste Sites Boston District

Figure 11 Existing Minerals and Waste Sites South Kesteven District

Figure 12 Existing Minerals and Waste Sites South Holland District

**Figure 6 Existing Minerals and Waste Sites  
West Lindsey District**



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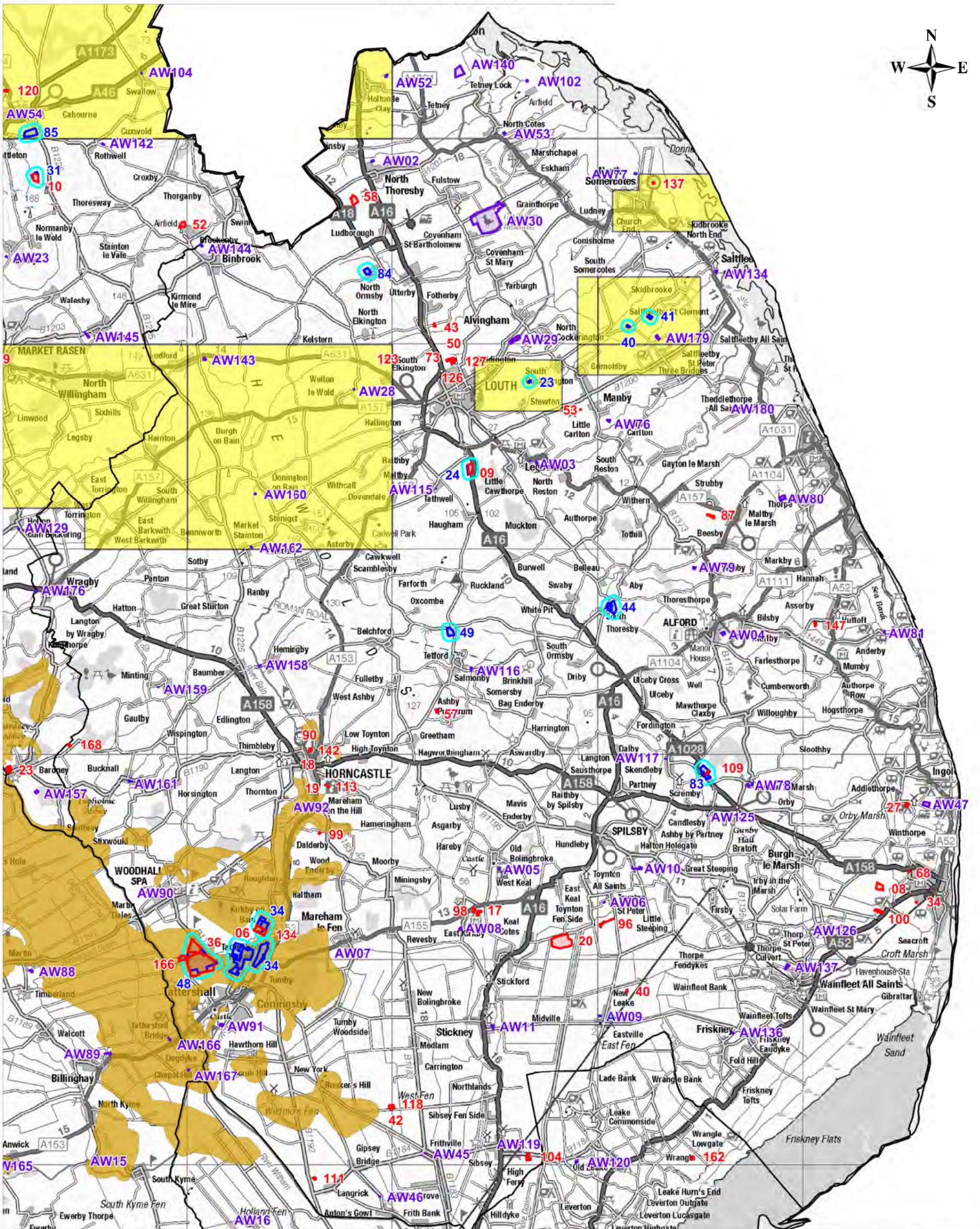
**Key**

- Limestone MSA
- Sand & Gravel MSA
- Wind Blown Sand MSA
- Minerals
- Consultation Area
- Existing Waste Site
- Existing Minerals Site
- Sewage Treatment Works
- PED Licence Area

Date: December 2014  
Scale: 1:175,000 @A3



**Figure 7 Existing Minerals and Waste Sites  
East Lindsey District**



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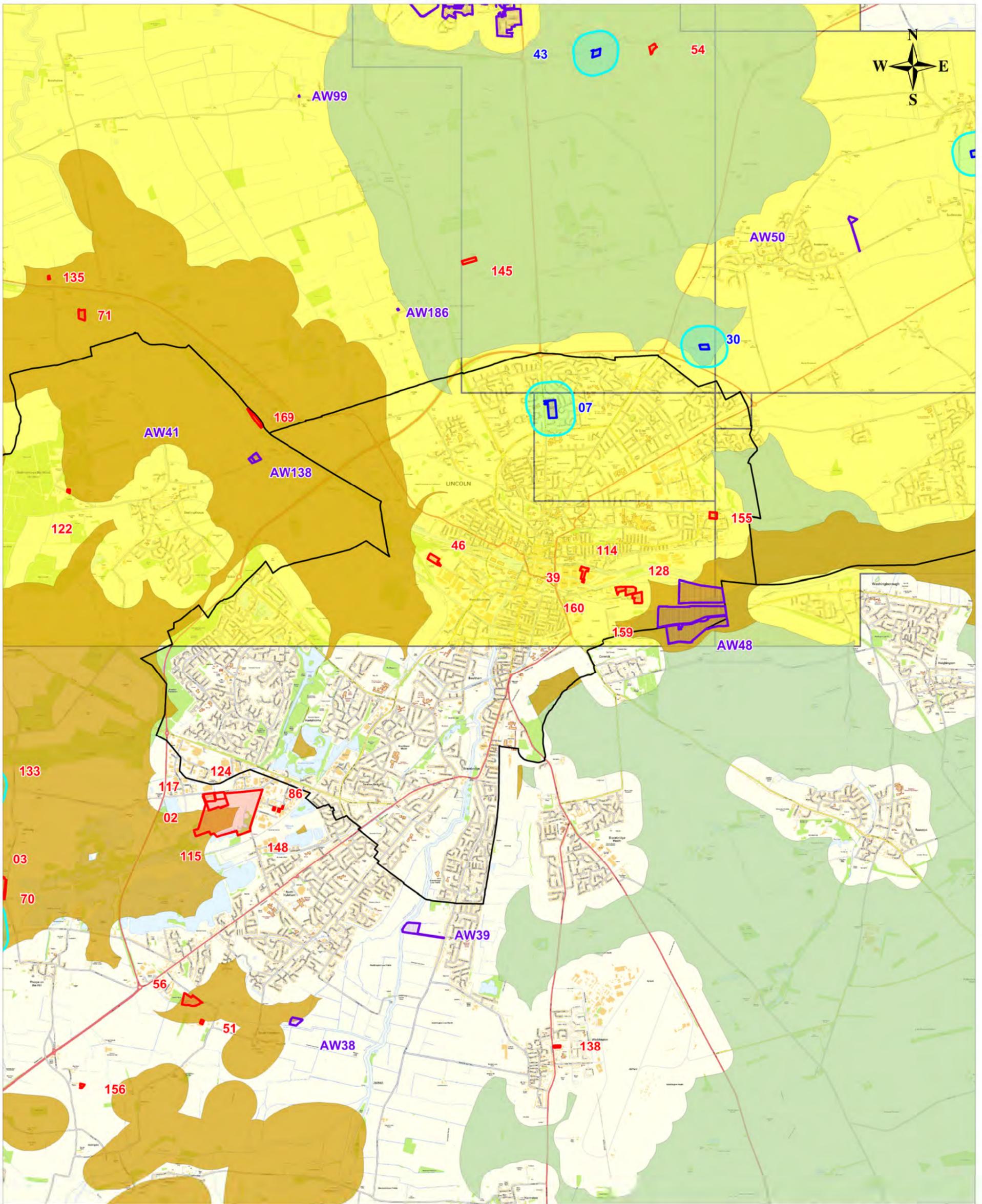
**Key**

- Limestone MSA
- Sand & Gravel MSA
- Wind Blown Sand MSA
- Minerals Consultation Area
- Existing Waste Site
- Existing Minerals Site
- Sewage Treatment Works
- PED Licence Area

Date: December 2014  
Scale: 1:180,000 @A3



**Figure 8 Existing Minerals and Waste Sites  
Lincoln District**



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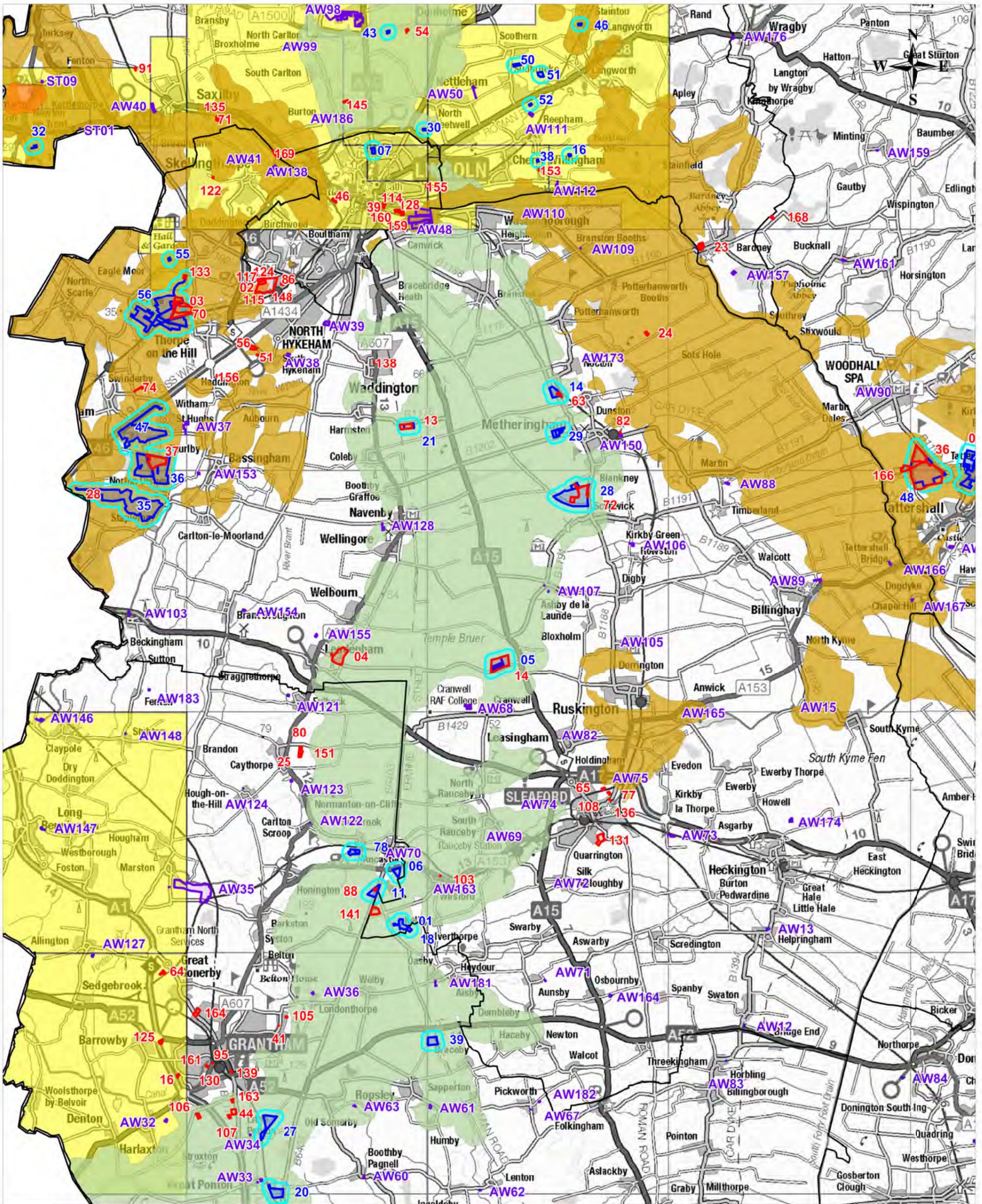
**Key**

- |   |                            |   |                        |
|---|----------------------------|---|------------------------|
|  | Limestone MSA              |  | Existing Waste Site    |
|  | Sand & Gravel MSA          |  | Existing Minerals Site |
|  | Wind Blown Sand MSA        |  | Sewage Treatment Works |
|  | Minerals Consultation Area |  | PED Licence Area       |

Date: December 2014  
Scale: 1:50,000 @A3



**Figure 9 Existing Minerals and Waste Sites  
North Kesteven District**



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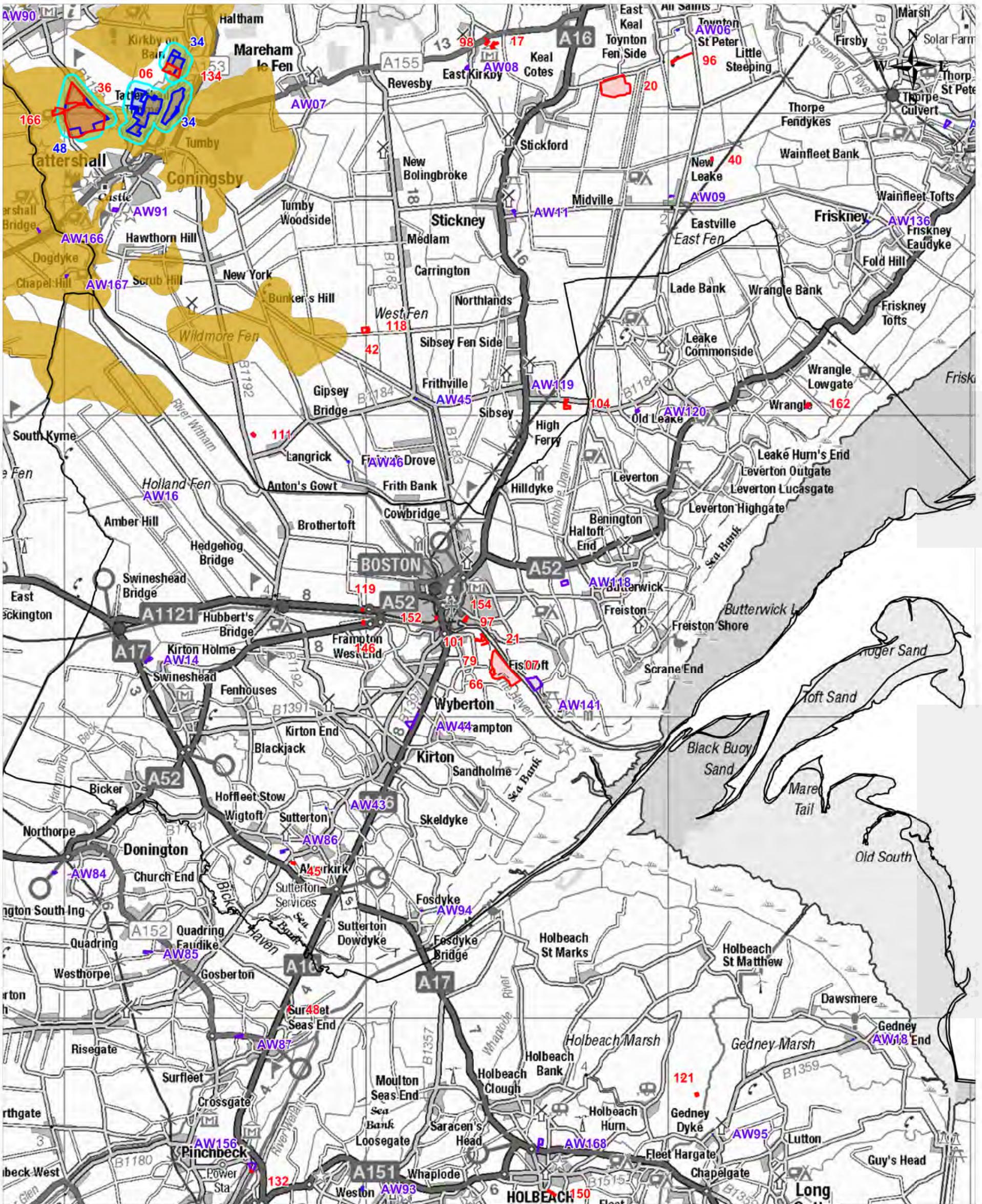
**Key**

- Limestone MSA
- Sand & Gravel MSA
- Wind Blown Sand MSA
- Minerals
- Consultation Area
- Existing Waste Site
- Existing Minerals Site
- Sewage Treatment Works
- PED Licence Area

Date: December 2014  
Scale: 1:150,000 @A3



**Figure 10 Existing Minerals and Waste Sites  
Boston District**



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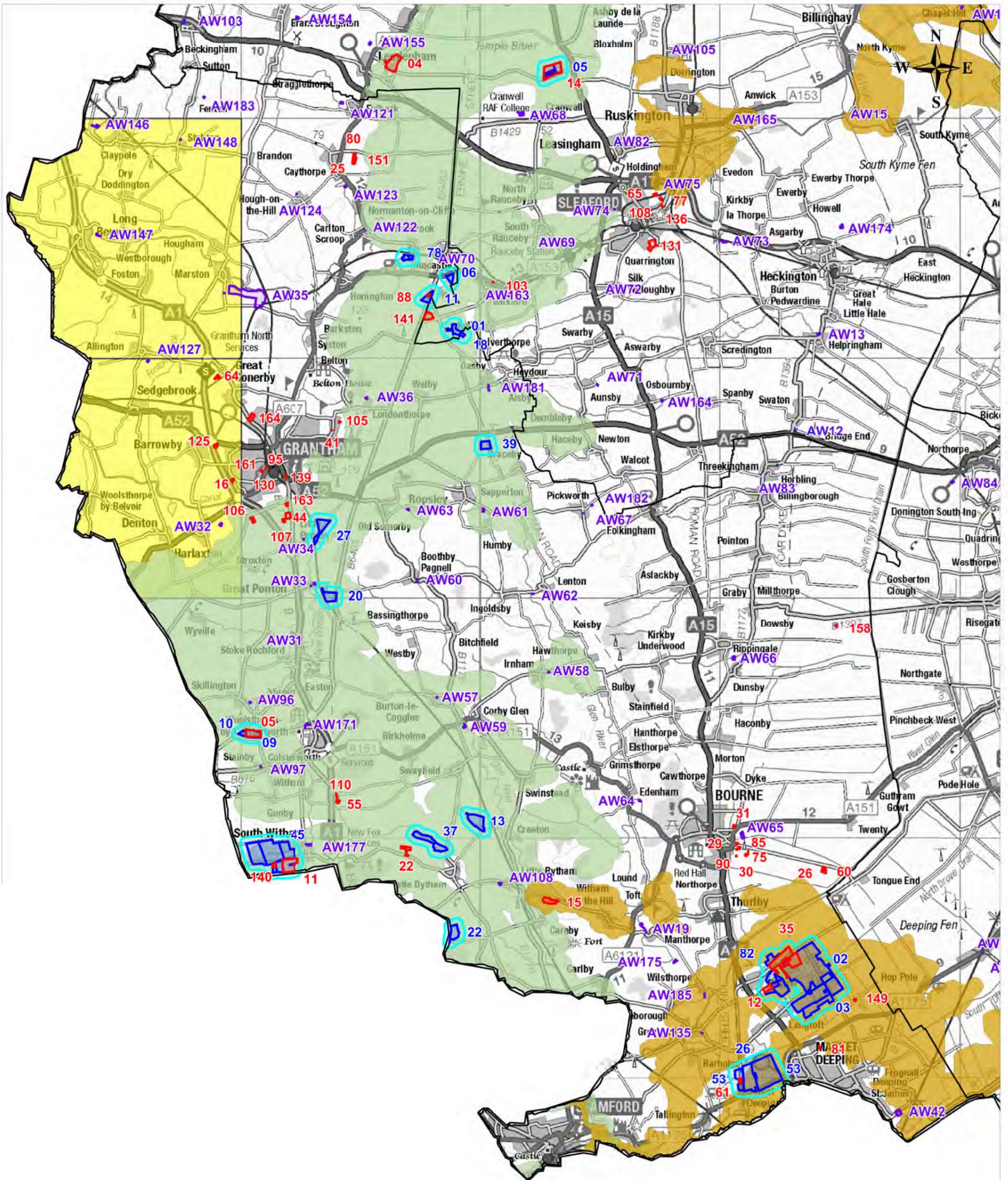
**Key**

- Limestone MSA
- Sand & Gravel MSA
- Wind Blown Sand MSA
- Minerals
- Consultation Area
- Existing Waste Site
- Existing Minerals Site
- Sewage Treatment Works
- PED Licence Area

Date: December 2014  
Scale: 1:120,000 @A3



**Figure 11 Existing Minerals and Waste Sites  
South Kesteven District**



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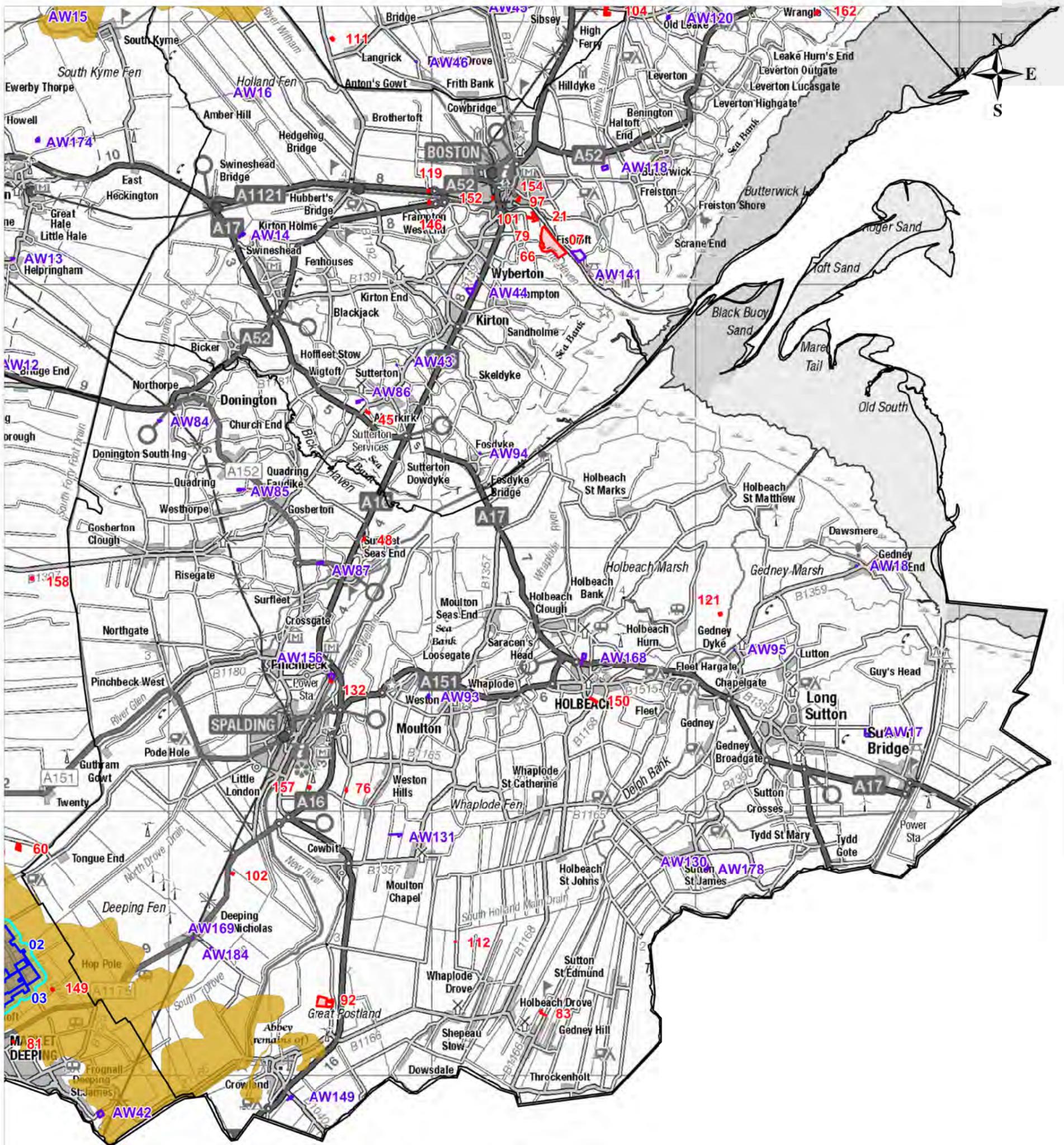
**Key**

- Limestone MSA
- Sand & Gravel MSA
- Wind Blown Sand MSA
- Minerals
- Consultation Area
- Existing Waste Site
- Existing Minerals Site
- Sewage Treatment Works
- PED Licence Area

Date: December 2014  
Scale: 1:150,000 @A3

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COUNTY COUNCIL  
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**Figure 12 Existing Minerals and Waste Sites  
South Holland District**



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**Key**

- Limestone MSA
- Sand & Gravel MSA
- Wind Blown Sand MSA
- Minerals
- Consultation Area
- Existing Waste Site
- Existing Minerals Site
- Sewage Treatment Works
- PED Licence Area

Date: December 2014  
Scale: 1:150,000 @A3

**Lincolnshire**  
COUNTY COUNCIL  
*Working for a better future*

## Appendix 4: Glossary of Terms

**Active Mining Site:** Mineral workings that are classified as active under the Planning and Compensation Act 1991 or the Environment Act 1995.

**Aftercare:** An agreed programme of work designed to bring a restored mineral or waste site to a satisfactory standard for agriculture, amenity or nature conservation use. Normally imposed in the form of a planning condition once a site has been granted permission to operate.

**After-use:** The use to which a mineral or waste site is put to on completion of restoration and any aftercare provisions e.g. agriculture, forestry, amenity (including nature conservation). Planning permission will be required to develop more formal uses of land (e.g. change of use of land to create a leisure facility).

**Aggregates:** Materials used in construction work or as fill consisting of rock crushed by nature (sands and gravels) or crushed by man (quarried rock, such as limestone which is then crushed on site).

**Alternative (Secondary) Aggregates:** The re-use of construction materials e.g. from demolition or road maintenance or the use or reprocessing of waste materials from other industries such as power station ash or colliery spoil, to replace primary aggregates.

**Ancient Woodland:** An area of woodland which has had a continuous history of tree cover since at least 1600.

**Apportionment:** The County's share of Regional aggregate provision.

**Appropriate Assessment:** A process required by the Habitats Directive 92/43/EEC- the Conservation of Natural Habitats and Wild Flora and Fauna to avoid adverse effects of plans, programmes and projects on Natura 2000 sites and thereby maintain the integrity of the Natura 2000 network and its features. To comply with the Directive, Lincolnshire County Council has carried out an Appropriate Assessment screening exercise.

**Area of Outstanding Natural Beauty (AONB):** AONB is a statutory designation in recognition of their national importance and to ensure that their character and qualities are protected for all to enjoy. The legal framework for Areas of Outstanding Natural Beauty is provided by the Countryside and Rights of Way Act 2000.

**Area of Search:** An extensive area of land believed to contain significant, but generally unproven mineral resources within which the Mineral Planning Authority would have no objection in principle to mineral working, on at least part of the site subject to satisfactory proposals to protect the range of interests of acknowledged importance within and adjoining the area (see also "Preferred Areas").

**Biodiversity:** Summarises the phrase biological diversity – the variety of life on earth around us (mammals, birds, reptiles, amphibians, fish, invertebrates, plants, fungi and microorganisms) and the systems that support that variety.

**Biodiversity Action Plan (BAP):** A strategy for conserving species and enhancing, restoring, and creating habitats of importance.

**Biodiversity Opportunity Mapping (BOM):** Collation and assessment of existing data to provide guidance on the most suitable areas for landscape-scale biodiversity enhancement.

**Biodiversity 2020:** The national (England) strategy for the conservation of biodiversity 2011-2020.

**Borrow pit:** A temporary mineral working to supply material for a specific construction project.

**Coal Bed Methane:** Clean coal technology and a potential long-term source of indigenous natural gas which can be extracted from underground coal seams.

**C&I Waste** (*Commercial and Industrial Waste*): Definition provided at beginning of Chapter 6 – Waste.

**C&D Waste** (*Construction and Demolition Waste*): Definition provided at beginning of Chapter 6 – Waste.

**Core Strategy:** Sets out the key elements of the planning framework for the area, including a long term spatial vision, the spatial objectives, and the strategic policies to deliver that vision. All other Development Plan Documents in the Local Development Framework (LDF) must be in conformity with the Core Strategy.

**Development Plan:** Sets out policies and proposals for the development and use of land within the area of the application. Under the new planning system being introduced by the Planning and Compulsory Purchase Act, the development plan will eventually consist of regional spatial strategies and development plan documents contained within a local development framework. The statutory development plan will continue to be the starting point in the consideration of planning applications (Section 38(6) of the Planning and Compulsory Purchase Act 2004).

**Development Management Policies:** A suite of criteria-based policies which are required to ensure that all development within the area meets the vision and strategy set out in the core strategy.

**Development Plan Documents (DPD):** The development plan documents which local planning authorities must prepare include a core strategy; generic development control policies; site specific allocations and policies (where relevant); and a proposals map (with inset maps, where necessary). They may also include area action plans (AAP). A DPD may form one document covering a range of policy areas or a number of individual documents. They will be spatial planning documents subject to independent examination and will have 'development plan' status (please see the explanation of 'the development plan' above).

**Dormant Mineral Sites:** Mineral Sites and Old Mining Permissions that are classified as dormant under the Environment Act 1995 or the Planning and Compensation Act 1991 respectively.

**Geodiversity:** Summarises the phrase geological diversity - the variety of rocks, minerals, fossils, soils and landscapes, together with the natural processes which form them. It is the link between geology, landscape, biodiversity and people.

**Geodiversity Action Plan (GAP):** A strategy for promoting and managing the sustainable use of geodiversity resources.

**Green infrastructure:** a strategically planned and delivered network of high quality green spaces and other environmental features. It should be a multifunctional resource capable of delivering a wide range of environmental and quality of life benefits for local communities. Green Infrastructure includes parks, open spaces, playing fields, woodlands, allotments and private gardens.

**Groundwater:** Water associated with soils or rocks below the ground surface, usually taken to mean water in the saturated zone, below the water table.

**Hydraulic Fracturing ('Fracking'):** Hydraulic fracturing - or, as it is commonly known, fracking - is a process used to extract natural gas from shale rock. In simple terms, the technique involves pumping water into the ground at high pressure to make narrow fractures in the rock. The water contains sand and chemicals to help stimulate the gas. The process of fracking allows the gas or oil that's trapped inside the rock to be released so it can be recovered on the surface. The Department of Energy and Climate Change (DECC) and numerous independent organisations have published papers which provide guidance about shale oil and gas and 'fracking'.

**Inert Waste:** waste that is biologically, chemically and physically unreactive with the environment.

**Landbank:** A stock of planning permissions (permitted reserves) for the winning and working of minerals generally expressed in 'years worth of supply'.

**Lincolnshire Geodiversity Action Plan (LGAP):** The local GAP that covers the historic county of Lincolnshire, i.e. the areas administered by Lincolnshire County Council, North Lincolnshire Council and North East Lincolnshire Council.

**Local Aggregate Assessment:** A Local Aggregate Assessment is an annual assessment of the demand for and supply of aggregates in a mineral planning authority's area.

**Local Development Scheme (LDS):** Describes the Local Plan documents which the authority intends to prepare and the timetable for their preparation.

**Local Geological Sites:** Geological or geomorphological sites that are considered worthy of protection for their educational, research, historical or aesthetic importance. One of a number of designations under the umbrella term Local Sites.

**Local Nature Reserves (LNR):** Sites for people and wildlife offering special opportunities to study or learn about nature or simply to enjoy it. They are declared by principal authorities under Section 21 of the National Parks and Access to the Countryside Act 1949, and amended by Schedule 11 of the Natural Environment and Rural Communities Act 2006.

**Local Wildlife Sites (LWS):** Local Wildlife Sites are usually selected within a local authority area and support both locally and nationally threatened wildlife. Many sites will contain habitats and species that are priorities under the county or UK Biodiversity Action Plans (BAP).

**Marine Protected Area (MPA):** zones of the seas and coasts where wildlife is protected from damage and disturbance. The Government is committed to establishing a well-managed ecologically coherent network of MPAs in our seas.

**Mineral Planning Authority (MPA):** The Local Planning Authority responsible for overseeing all aspects of mineral operations. In the case of the County of Lincolnshire, these powers rest with the County Council.

**Municipal Waste:** See definition of Local Authority Collected Waste (LACW) provided at beginning of Chapter 6 – Waste.

**National Character Area (NCA):** subdivide England into 159 areas of similar landscape character. Each NCA has a unique identity resulting from the interaction of wildlife, landforms, geology, land use and human impact.

**National Nature Reserve (NNR):** NNRs are the finest sites in England for wildlife and / or geology. They are a selection of the very best parts of England's Sites of Special Scientific Interest and many also have European nature conservation designations.

**National Planning Policy Framework (NPPF):** The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied.

**The Natural Environment White Paper:** Sets out how the value of nature can be mainstreamed across society by facilitating local action; strengthening the connections between people and nature; creating a green economy and showing leadership in the EU and internationally. It sets out 92 specific commitments for action.

**Non-Inert Waste:** waste not classified as inert and thus in some manner will react with the environment.

**Permitted Reserves:** Mineral reserves for which planning permission has been granted (usually expressed in million tonnes). The MPA will not release details of reserves for individual quarries or quarry operators to ensure 'commercial confidentiality'.

**Planning and Compulsory Purchase Act 2004:** The legislation that introduced the new development planning system, which at the local level is

based on Local Development Frameworks. The Act commenced in September 2004.

**Preferred Areas:** An area of known mineral resource, proven by survey information, where planning permission might reasonably be anticipated, subject to all other considerations being met.

**Priority habitat/species:** Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 details the list of habitats and species which are of principal importance for the conservation of biodiversity in England.

**Ramsar sites:** wetlands of international importance, designated under the Ramsar Convention.

**Recycled Aggregates:** Aggregates produced from recycled construction and demolition wastes such as crushed concrete, road planings etc.

**Regionally Important Geological and Geomorphological Site (RIGS/RIGGS):** Established in 1990 by the Nature Conservancy Council (NCC), RIGSs were the predecessor to Local Geological Sites. One of a number of designations under the umbrella term Local Sites.

**Reserves:** Mineral deposits which have been tested to establish the quality and quantity of material present which could be economically and technically exploited. Permitted reserves are those with benefit of planning permission for extraction.

**Restoration:** Process of returning a site to its former or a new use following mineral extraction. Involves reinstatement of land by contouring and the spreading of soils or soil making materials.

**Secondary (Alternative) Aggregates:** Aggregates derived from by-products of the extractive industry, e.g. china/ball clay waste, colliery spoil, blast furnace slag, pulverised fuel ash, etc.

**Sensitive Receptors:** Land uses that are sensitive to the impacts of Minerals and Waste development. These include, but are not limited to, residential and commercial properties, places of employment, schools, and leisure activities (whether passive or active).

**Site of Nature Conservation Importance (SNCI):** Sites referred to in a Local Plan, selected as being of importance for nature conservation on the basis of local knowledge and were the predecessor of Local Wildlife Sites. One of a number of designations under the umbrella term Local Sites.

**Sites of Special Scientific Interest (SSSIs):** the national suite of sites providing statutory protection for the best examples of the UK's flora, fauna, or geological or physiographical features. These sites are also used to underpin other national and international nature conservation designations. Currently designated under the Wildlife and Countryside Act 1981.

**Special Area of Conservation (SAC):** An area which has been given special protection under the European Union's Habitat's Directive. SACs provide increased protection to a variety of wild animals, plants and habitats and are a vital part of global efforts to conserve the world's biodiversity.

**Special Protection Area (SPA):** A Special Protection Area (SPA) is an area of land, water or sea which has been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds found within the European Union. SPAs are European designated sites, classified under the European Wild Birds Directive which affords them enhanced protection.

**Statement of Community Involvement (SCI):** Statement of the local authority's proposed standards and approach to involving the local community and stakeholders in the preparation, alteration and review of all Local Development Documents and development control decisions.

**Sterilisation:** Where minerals cannot be extracted because of surface level development.

**Strategic Environmental Assessment (SEA):** The European SEA Directive requires a formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment, including those in the field of planning and land use. Local authorities are advised to take an integrated approach towards Sustainability Appraisal and Strategic Environmental Assessment to avoid unnecessary duplication and confusion. Together they will play an important part in testing the soundness of Local Development Documents, ensuring that they contribute towards sustainable development.

**Sustainability Appraisal (SA):** Local Planning Authorities are bound by legislation to appraise the degree to which their plans and policies contribute to the achievement of sustainable development. The process of Sustainability Appraisal is similar to Strategic Environmental Assessment but is broader in context, examining the effects of plans and policies on a range of social, economic and environmental factors. To comply with Government policy, Lincolnshire County Council is producing a Sustainability Appraisal that incorporates a Strategic Environmental Assessment of all its LDDs.

**Sustainable Development:** Resolution 24/187 of the United Nations General Assembly defined sustainable development as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The UK Sustainable Development Strategy *Securing the Future* set out five 'guiding principles' of sustainable development: living within the planet's environmental limits; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly. The policies in paragraphs 18 to 219 of the NPPF, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.

**Waste Planning Authority (WPA):** The Local Planning Authority responsible for land-use planning control for waste management. In the case of the County of Lincolnshire, these powers rest with the County Council.



Lincolnshire County Council  
01522 782070

This information can be provided in another language  
or format.

For all enquiries please contact the above number.

## Representations Received (NEW)

Res pon dent Name	Doc ument Part Name	Co mment ID	P ar agraph	Pol icy	P ol ic ie s M a p	Leg ally Co mpliant ?	S ou nd ?	Co mpl y with DtC ?	Unsou nd because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part icip ate?	Reasons for participating in oral examination:	LCC response:
Gill Wils on (City of Linc oln Cou ncil)	Intro ducti on - End	192									The city of Lincoln supports the objection raised by the Central Lincolnshire Core Team to the Draft Minerals and Waste Local Plan in respect of the lack of inclusion of adequate maps or text needed to comply with the plan making regulations (2012), and the legal conformity issues that this may raise.  <b>Change requested</b> that submitted documents make it clear, using appropriately scaled maps, what amendments to the Policies Map will arise (if the plan is adopted).			
Bast on Pari sh Cou ncil - (R H Woo lley)	Intro ducti on - End	244								No requests for changes to Mineral Plan response				
Cast le Byth am Pari sh Cou ncil -	Intro ducti on - End	88				Yes	Y e s			Castle Bytham Parish Council believes that a document of six pages with bullet points would have been preferable.				

Respondent Name	Document Part Name	Comment ID	Paragraph	Policy	Policies Map	Legally Compliant?	Sound?	Comply with DtC?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Participate?	Reasons for participating in oral examination:	LCC response:
(Muriel Cooke)														
Cemex UK Operations Ltd (Kirsten Hanford-hill)	Introduction - End	246								<p>The Council's approach to retaining the Sub Regional Apportionment it is considered additional justification should be provided as part of the supporting information in light of Essex Local Plan Public Inquiry and Inspectors Report.</p> <p>It is considered the Lincolnshire Local Aggregate Assessment is out of date it would be prevalent to submit 2014 LAA updating current sites, 10y average sales up to 2013.</p> <p>The Minerals and Waste Local Plan - Background Technical Paper; Minerals Dec 2014 utilises the 2013 LAA data so it is also out of date therefore the Councils approach to mineral resourcing could be questioned and considered unsound. The proposed sites referenced in Table 14 is also inaccurate as Cemex seek to promote extensions to Tattershall Quarry and Swinderby which the</p>				

Respondent Name	Document Part Name	Comment ID	Paragraph	Policy	Policies Map	Legally Compliant?	Sound?	Comply with DtC?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Participate?	Reasons for participating in oral examination:	LCC response:
										Company would anticipate coming online toward the end of the plan period.				
Cofely UK (on behalf of North East Lincs hire Council) (Craig Woolmer)	Introduction - End	79				No	No	No		<p>Having read your draft plan and duty to co-operate statement, we feel that the substantive issues we raised in previous consultations regarding mineral safeguarding and the movement of minerals have been satisfactorily addressed.</p> <p>We have no further comments to make at this stage, but would like to be kept informed of future consultations.</p>		No		
Crowland Parish Council (Dihalliwell)	Introduction - End	86								The Parish Council does not feel sufficiently knowledgeable to comment on this programme, and therefore must rely on the expertise of SHDC's officers to comment on our behalf.				
Environment	Introduction -	209				Yes	No	Yes	Justified	<b>Key Points (in order of appearance in the pre-submission draft)</b>		No		

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant?	Sound?	Com- pliant with DtC?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Partic- ipate?	Reasons for participating in oral examination:	LCC response:
t Agency (Andrew Bailey)	End									<ul style="list-style-type: none"> <li>•The policy for Irrigation Reservoirs should be strengthened to ensure opportunities for multiple benefits are considered and delivered where feasible.</li> <li>• It is unclear why the evidence base for calculating future need is based on 2000 – 2010 data when the plan identifies that annual monitoring reports are produced.</li> <li>• There is a vision that the Greater Lincolnshire agri-food sector will double its contribution to the economy by 2030. This does not appear to have been accounted for in the waste needs assessment.</li> <li>• We recommend that a separate section and policy on energy recovery / energy from waste is produced.</li> <li>• Policy W9 should be amended to more accurately reflect the text contained within the Water Framework Directive.</li> </ul> <p>The government recently consulted on 'Further changes to statutory</p>				

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Pa- ra- gra- ph	Pol- icy	Pol- icie s Ma- p	Leg- ally Com- pli- ant ?	So- und ?	Com- pl- y wit- h DtC ?	Unso- und becau- se they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part- icip- ate?	Reasons for participating in oral examination:	LCC response:
										<p>consultee arrangements for the planning application process'. Relevant amendments should be made.</p> <ul style="list-style-type: none"> <li>The opportunities for the restoration of worked out mineral and landfill sites to deliver multiple benefits are clearly identified. However, this is not always translated into the policies. It is important that such opportunities are clearly expressed as requirements within the policies in order for them to be delivered.</li> </ul>				
Gre- ater Lon- don Auth- ority (Pet- er Hea- th)	Intro- ducti- on - End	183								<p><b>Duty To Co-operate – Consultation Response to Lincolnshire Minerals and Waste Plan</b></p> <p>Thank you for consulting the Mayor of London on your Minerals and Waste Plan.</p> <p>The adopted London Plan (2011) seeks to ensure net-self-sufficiency in London's waste by 2031, in the Further Alterations to the London Plan (FALP) – examined in public September 2014 - the Mayor is seeking to bring forward this date to 2026, so London can</p>				

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant ?	Sound ?	Com- ply with DtC ?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part- icip- ate?	Reasons for participating in oral examination:	LCC response:
										<p>maximise the benefits to London from the energy and employment opportunities its own waste offers, and reduce reliance on landfill, particularly those outside of London.</p> <p>The Mayor has also updated his projections for waste arisings (Household and Commercial/Industrial Waste) in the FALP. In the adopted Plan the Mayor was anticipating that by 2031 London would be producing 11,700,000 tonnes of Household and Commercial waste. The FALP now anticipates London will be producing c. 8,200,000 tonnes by 2031. Although the updated figures represent a 30 per cent fall, London's waste arisings are expected to increase by c.500,000 tonnes over the plan period as London's population grows. The Mayor, through the London Waste and Recycling Board, has funding to support the development of new waste infrastructure to help meet the capacity cap and retain the value of</p>				

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant?	Sou- nd?	Com- pliy with DtC?	Unsou- nd because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part- icipate?	Reasons for participating in oral examination:	LCC response:
										<p>London's waste. You may wish to consider the implications of lower waste exports from London for your on-going policy development.</p> <p>Your Plan makes no reference to evidence of your area importing/exporting Municipal, Commercial or Construction waste from/to London. In these circumstances, the Mayor does not feel the need to comment. In order to ensure the Mayor can respond swiftly to any future consultations on this matter, you may find it helpful to contact me directly.</p>				
High way s Agency (Raji nder Kau r)	Intro ducti on - End	189								<p>Conclusion</p> <p>The Agency welcomes the opportunity to comment on the Pre-Submission Draft of the Core Strategy and Development Management Policies. This is an important and final stage in the formulation of appropriate policies for mineral working and waste management in Lincolnshire.</p> <p>The Agency</p>				

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Pa- ra- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant ?	Sou- nd ?	Com- ply with DtC ?	Unsou- nd be- cause they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part- icip- ate?	Reasons for participating in oral examination:	LCC response:
										<p>acknowledges that minerals are a finite natural resource and can only be worked where they are found. However, the associated increase in traffic with the allocations of minerals or waste sites has the potential to impact on the <b>SRN. Therefore, the Agency welcomes the Council's aim to transport</b> minerals more sustainably either through the use of other modes such as the rail or river network, and to manage down traffic impacts through the implementation of measures such as voluntary site travel plans.</p> <p><b>It also welcomes the Council's intention for all planning applications to be subject to a transport impact</b> assessment which will serve to strengthen the robustness of the evidence base. Where the assessment reveals that traffic generated from the sites would have a severe impact on the SRN, the Agency would expect that an appropriate package of mitigation measures would be put forward for</p>				

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										implementation.				
MARINE MANAGEMENT ORGANISATION	Introduction - End	190								<p>Thank you for inviting the Marine Management Organisation (MMO) to comment on the above consultation. As the marine planning authority for England the MMO is responsible for preparing marine plans for English inshore and offshore waters. At its landward extent, a marine plan will apply up to the mean high water springs mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of the mean high water spring tides mark there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark. In our duty to take all reasonable steps to ensure compatibility with existing development plans, which apply down to the low water mark, we are seeking to <b>identify the 'marine relevance' of applicable plan policies.</b></p> <p>On 2 April 2014 the East Inshore and East Offshore marine plans were published, becoming a material consideration for</p>				

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										<p>the Marine Management Organisation (MMO) and other public authorities with decision making functions. The East Inshore and East Offshore Marine Plans provide guidance for sustainable development in English waters, and cover the coast and seas from Flamborough Head to Felixstowe. Marine plans will inform and guide decision makers on development in marine and coastal areas. More information including the East Inshore and East Offshore marine plans document can be found at <a href="http://www.marinemangement.org.uk/marineplanning/areas/east_plans.htm">http://www.marinemangement.org.uk/marineplanning/areas/east_plans.htm</a></p> <p>If you have any questions or need any further information please just let me know. More information on the role of the MMO can be found on our website <a href="http://www.gov.uk/mmo">www.gov.uk/mmo</a></p>				
Norfolk County Council	Introduction - End	80				Yes	Yes	Yes		It is not considered that the Plan raises any strategic cross-boundary issues with Norfolk County Council and therefore I have no				

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(Caroline Jeffery)										comments to make.				
Office of Rail Regulation (A Harrison)	Introduction - End	182								<p>Thanks for your e-mail of 5.2.15 in regard to the Lincolnshire Minerals &amp; Waste Local Plan: Core Strategy and Development Management Policies (Pre-Submission Draft).</p> <p>We have reviewed your proposals and supporting documents &amp; note that your proposals do not affect the current or (future)operation of the mainline network in Great Britain.</p> <p>It might be helpful if I explain that the office has a number of key functions and duties in our role as the independent regulator of Britain's Railways. If your plans relate to the development of the current railway network including the operation of passenger and freight services, stations, stabling and freight sites (including the granting of track and station access rights and safety approvals) within your administrative area,</p>				

Respon- dent Name	Docu- ment Part Name	Com- ment ID	P ar- a- graph	Pol- icy	P ol- ic- ie- s Map	Leg- ally Com- pliant ?	S o- und ?	Co- mpl- y with DtC ?	Unsoun- d because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part- icip- ate?	Reasons for participating in oral examination:	LCC response:
										<p>we would be happy to discuss these with you once they become more developed so we can explain any regulatory and statutory issues that may arise.</p> <p>I have attached a copy of our localism guidance for reference, which can be found at: <a href="http://www.rail-reg.gov.uk/upload/pdf/localism-guidance.pdf">http://www.rail-reg.gov.uk/upload/pdf/localism-guidance.pdf</a></p>				
Peel & Gas Oil (Mat the w Sheppard)	Intro- ducti- on - End	248									<p>Peel Gas &amp; Oil are part of the Peel Group, a leading UK real estate, transport and infrastructure company with a diverse range of business activities, including the ports, airports, energy and property, Peel Gas and Oil works in partnership with onshore gas and oil operators to identify and deliver land, consents and construction of oil and gas infrastructure to facilitate the establishment of a major potential industry. Additionally, Peel Gas and Oil is able to provide water through its Utilities business to provide water for hydraulic fracturing, but also is able to appropriately manage resulting flowback and produced water. Peel are generally supportive of the approach taken in the draft local plan, but feel that some changes would</p>	No		

Respondent Name	Document Part Name	Comment ID	Paragraph	Policy	Policies Map	Legally Compliant?	Sound?	Comply with DtC?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Participate?	Reasons for participating in oral examination:	LCC response:
											benefit the clarity of the document for interested parties and better link the document to the guidance in the NPPG. This would ensure that the key soundness tests of ensuring consistency with national policy is achieved, and should also make it a more effective document.			
Peel & Gas Oil (Matthew Sheppard)	Introduction - End	249									<p>We note that Figures 4 and 5 do not show the PEDL areas, as required by the NPPG</p> <p>8. We consider that these should be included on the figures, so that members of the public and interest groups can ascertain which areas of the plan are likely to be subject to hydrocarbon extraction. We also note that the 14th Round of licenses is due to conclude shortly, and that new PEDLs will be issued. The figures should be updated once these new areas are known.</p> <p>We note that Figures 6 to 12 do show the current PEDL areas. As noted above, these should also be updated once the 14th Round is concluded.</p>	No		
Peterborough City Council	Introduction - End	96				Yes	Yes	Yes		Peterborough City Council and Cambridgeshire County Council find the Local Plan to be legally compliant, sound and to meet the requirements of		No		

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant?	Sound?	Com- pliant with DtC?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Partic- ipate?	Reasons for participating in oral examination:	LCC response:
ncil (Gemma Wildman)										the duty to cooperate.				
Savills (James Stewart - Irvine)	Introduction - End	179				Yes	Yes	Yes		<p>The overall strategy adopted by the Council in the Pre-Submission Core Strategy and Development Management Policies document is supported. It will contribute to meeting the objectives of the NPPF in that it will “<i>plan for a steady and adequate supply of aggregates</i>” in accordance with paragraph 145.</p> <p>Additionally, the policies of the emerging Core Strategy will contribute to the District and Borough Council’s ability to satisfy the requirements of paragraph 47 of the NPPF in that it will enable them to “<i>boost significantly the supply of housing</i>”. However, we recommend that the apportionment figures for aggregate production are revised to enable a more equal distribution of mineral production throughout</p>		No		

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant?	Sound?	Com- pliy with DtC?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Partic- ipate?	Reasons for participating in oral examination:	LCC response:
										Lincolnshire. The emerging Core Strategy will be consistent with the presumption in favour of sustainable development at the heart of the NPPF (paragraph 14) since it will enable sufficient land-won aggregates to be supplied from within the Local Authority area and to meet local needs.				
Savills (UK) (Martin Ott)	Introduction - End	191				Yes	Yes	Yes		In summary the overall strategy adopted by the Council in the Pre-Submission Core Strategy and Development Management Policies document is supported. It will contribute to meeting the objectives of the NPPF in that it will " <i>plan for a steady and adequate supply of aggregates</i> " in accordance with paragraph 145.  Additionally, the policies of the emerging Core Strategy will contribute to the District and Borough Council's ability to satisfy the requirements of paragraph 47 of the NPPF in that it will enable them to " <i>boost significantly the supply of housing.</i> "		No		

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Policy	Policy Map	Legally Compliant ?	Sound ?	Compliant with DtC ?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Participate?	Reasons for participating in oral examination:	LCC response:
										<p>However, we recommend that the apportionment figures for aggregate production are revised with a greater proportion of mineral production being sourced from the South Production Zone.</p> <p>The emerging Core Strategy will be consistent with the presumption in favour of sustainable development at the heart of the NPPF (paragraph 14) since it will enable sufficient land-won aggregates to be supplied from within the Local Authority area and to meet local needs.</p>				
Savills (UK) (Martin Ott)	Introduction - End	251								<p>In terms of planning policy, the extraction of minerals is now principally governed by the policies of the NPPF. At the heart of the NPPF is a powerful presumption in favour of sustainable development (paragraph 14). It states that for plan-making, this means that:</p> <p>Local planning authorities should positively seek opportunities to meet the development needs of their area; Local Plans should meet</p>				

Respondent Name	Document Part Name	Comment ID	Paragraph	Policy	Policies Map	Legally Compliant?	Sound?	Comply with DtC?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Participate?	Reasons for participating in oral examination:	LCC response:
										<p>objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:            Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or            Specific policies in the Framework indicate that development should be restricted (such as statutory or non-statutory land and habitat designations).            Paragraph 142 of the NPPF recognises that minerals can be worked only where they are found. Accessing economic reserves of mineral can present some impacts, albeit temporary, to the local area.            Paragraph 144 of the NPPF emphasis that Local Planning Authorities <i>“should give great weight to the benefits of...mineral extraction, including to the economy...”</i> The NPPF continues, at paragraph 145, to state that <i>“mineral planning authorities should plan for a steady and adequate supply of</i></p>				

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										aggregates".																
Savills (UK) (Martin Ott)	Introduction - End	254								<p>The latest Annual Monitoring Report (AMR) published by Lincolnshire County Council covers the period 2011/2012. It demonstrates that, on a regional level, 16 planning permissions related to mineral workings were granted consent. However, none of these planning permissions were for new mineral workings. The Mineral Background Paper, at Table 13, demonstrated that as of 31/12/2010 Lincolnshire had 20.93 million tonnes of permitted sand and gravel reserves, giving rise to a total shortfall across the Plan period of 47.95 million tonnes.</p> <p>The emerging Core Strategy (and set out within paragraph 2.34 of the Minerals Background Paper) seeks to direct overall mineral extraction towards the Lincoln/Trent Valley Production Area. This approach is consistent with the rationale that the Central Lincolnshire and South Kesteven areas of the</p>	<table border="1"> <thead> <tr> <th></th> <th>Average annual housing completions 2001-2010</th> <th>Level of future housing provision</th> </tr> </thead> <tbody> <tr> <td>Lincoln/Trent Valley</td> <td>1613</td> <td></td> </tr> <tr> <td>Central</td> <td>852</td> <td></td> </tr> <tr> <td>South</td> <td>1161</td> <td></td> </tr> </tbody> </table>		Average annual housing completions 2001-2010	Level of future housing provision	Lincoln/Trent Valley	1613		Central	852		South	1161				
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Central	852																									
South	1161																									

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										<p>County are identified as the those which will accommodate the greater proportion of housing in Lincolnshire over the Plan Period. These provisions within the emerging Core Strategy will therefore be consistent with paragraphs 144 and 145 of the NPPF.</p> <p>We also welcome the apportionment of aggregate production for the South Lincolnshire Production Area (21 million tonnes) which demonstrates a clear need for further sites to come forward in order to meet the anticipated production targets.</p> <p><i>Background Technical Paper: Minerals (December 2014)</i></p> <p>Paragraph 2.34 of the Background Technical Paper demonstrates that Lincolnshire is identified for a significant quantity of housing for the period up to 2031. The level of future housing is acknowledged to be 9.8% higher than the average number of completions calculated for the previous 10 year period between</p>				

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										<p>2001 – 2010. Paragraph 2.35 acknowledges that the production of sand and gravel will need to be increased above the average assumed extraction rate for that period to cope with future demand.</p> <p>It is therefore important that the County Council makes robust provision for sand and gravel extraction and the recent Call of Sites exercise seeks to address this shortfall through identifying both new workings and extensions to existing workings. Paragraph 2.37 states that the potential sand and gravel provision by each production zone should be increased proportionally based on the level of future housing provision, as follows:</p> <p><b>Table 16: Calculation of future sand and gravel provision by Production Zone based on levels of future housing</b></p> <p><b>Please see below for table</b></p> <p>However, it is clearly not sustainable for the Lincoln/Trent Valley Production Zone to</p>				

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										<p>support a 32.7% increase in aggregate production. This methodology is overly simplistic and the apportionment of figures calculated will burden the Lincoln/Trent Valley Production Zone. Furthermore the plan needs to provide greater head room for increased overall demand and flexibility in the allocation of provision between Zones. We believe that the South Production Zone is capable of making a greater contribution toward the provision of sand and gravel in Lincolnshire during the plan period.</p> <p>We therefore recommend that the Council review the methodology applied to calculating these apportionment figures so as to take into consideration the contribution from surrounding Production Zones, which are in equally sustainable locations to provide aggregates to the key housing growth area, and will reduce the County's reliance on cross-boundary movements.</p>				

Res pon den t Na me	Doc ume nt Part Nam e	Co mm ent ID	P ar a gr a p h	Pol icy	P ol ic ie s M a p	Leg ally Co m pl iant ?	S o u n d ?	Co m pl y wit h DtC ?	Unsou nd becau se they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part icip ate?	Reasons for participating in oral examination:	LCC response:
										<p><b>SUMMARY</b></p> <p>The overall strategy adopted by the Council in the Pre-Submission Core Strategy and Development Management Policies document is supported. It will contribute to meeting the objectives of the NPPF in that it will “<i>plan for a steady and adequate supply of aggregates</i>” in accordance with paragraph 145.</p> <p>Additionally, the policies of the emerging Core Strategy will contribute to the District and Borough Council’s ability to satisfy the requirements of paragraph 47 of the NPPF in that it will enable them to “<i>boost significantly the supply of housing</i>”. However, we recommend that the apportionment figures for aggregate production are revised and that the Southern Production Zone is allocated a greater proportion of the future sand and gravel supply.</p> <p>The emerging Core Strategy will be consistent with the presumption in favour of sustainable development at the heart</p>				

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										of the NPPF (paragraph 14) since it will enable sufficient land-won aggregates to be supplied from within the Local Authority area and to meet local needs.				
Skegness Town Council - (Anthony Cumberworth)	Introduction - End	181								<p>The Council's Direction and Strategy Committee considered this on 28<sup>th</sup> January 2015.</p> <p>Whilst the document is no doubt technically rich and covers everything it needs to for legal purposes, from a local community point of view the document, associated policies and appendices are virtually impenetrable for lay people. As a result it was impossible to determine the extent to which the proposed plan impacts Skegness and the local community. The Committee has asked whether a non-technical summary could be provided for this and future consultations so that the Town Council (and other centres of population) can meaningfully participate in the consultation.</p> <p>To move things forward,</p>				

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										the Committee has asked Councillor S Dennis to contact you to discuss the plan and its implications.				
South Linc- olns hire Fen- lands Partnership (Am- and- a- Jen- kins)	Intro- ducti- on - End	197								South Lincolnshire Fenlands Partnership welcomes the positive changes to the document since the public consultation in December 2013 but still has concerns regarding some of the policies & the lack of policy relating to biodiversity, geodiversity and landscape.				
South Linc- olns hire Fen- lands Partnership (Am- and- a- Jen- kins)	Intro- ducti- on - End	198					No		Consistent with national policy	<p>Biodiversity &amp; Geodiversity</p> <p>The South Lincolnshire Fenlands Partnership (SLFP) recognises that there has been rewording of development management policies relating to the protection of nationally and locally designated sites of biodiversity and geological value. However the policies do not reflect the general protection and enhancement of</p>	<p><b>The SLFP considers that In order to comply with the NPPF a new policy, as suggested by Lincolnshire Wildlife Trust is added relating to biodiversity and geodiversity as follows:</b></p> <p><b>New Policy DM X: Biodiversity and Geodiversity</b></p> <p>All development should protect and enhance biodiversity and geodiversity and seek to deliver net biodiversity and geodiversity gains. Development proposals should create new habitats and links between habitats in line</p>	No		

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)										<p>biodiversity and geodiversity within the NPPF. There are no policies which reflect that all developments should be required to enhance biodiversity/geodiversity. This is only referred to in terms of whether development will have impact on a designated site, in policies DM8, DM9 &amp; DM10.</p> <p>It is important that there is reference to Nature Improvement Areas (NIAs) and other landscape scale initiatives in the Local Plan. NIAs are landscape scale initiatives that aim to ensure that land is used sustainably to achieve multiple benefits for people, wildlife and the local economy. The SLFP is within The Fens Landscape Character area and it is important to have this valued local landscape character reflected in local development plans. SLFP will be applying for NIA status within the lifetime of the minerals plan.</p> <p>The suggested omissions in biodiversity, geodiversity &amp; landscape</p>	<p>with the landscape scale objectives and priorities of the area to maintain a network of wildlife sites and corridors to minimise habitat fragmentation and provide opportunities for species to respond and adapt to climate change. Where development is within a Nature Improvement Area (NIA) this should contribute to the aims and aspirations of the NIA. Development should seek to contribute to the targets for priority habitats and species set out in the Lincolnshire Biodiversity Action Plan and Geodiversity Action Plan.</p>			

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										<p>in the LMWLP relate to paragraphs <b>109; 114, 117; 118 &amp; 157</b> of the National Policy Planning Framework</p> <p>Given the omission in policy relating to biodiversity, geodiversity and landscape the SLFP suggest that the Local Plan does not comply with the requirements of the National Planning Policy Framework (NPPF) which requires the planning system to contribute to the enhancement of biodiversity to provide net gains, and support Nature Improvement Areas and landscape scale initiatives and is therefore unsound.</p>				
West Ash by Parish Council (Karen Elliot)	Intro- ducti- on - End	82								No comments to make in connection with this consultation.				
West Stoc	Intro- ducti- on -	134								Please note that West Stockwith Parish Council have no comments to				

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kwit h Parish Council (Dave Harford)	End									make on this consultation at this time				
Environment Agency (Andrew Bailey)	Legislative and Policy Context - End	210				Yes	No	Yes		<ul style="list-style-type: none"> <li>Other relevant European Directives should be referred to in this chapter and where appropriate considered elsewhere within the pre-submission draft: <ul style="list-style-type: none"> <li>oWater Framework Directive (WFD) (2000/60/EC)</li> <li>oMining Waste Directive</li> <li>oIndustrial Emissions Directive</li> <li>oUrban Waste Water Treatment Directive (UWWTD) (91/271/EEC)</li> </ul> </li> <li>Paragraphs 2.17 – 2.18 refer to a review of the Joint Municipal Waste Management Strategy (JMWMS) happening during 2014. The JMWMS is an important document in identifying how waste management authorities</li> </ul>		No		

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										will manage Local Authority Collected Waste / municipal waste, relevant objectives and targets, and the necessary facilities. It is not apparent within the pre-submission draft (and supporting documents such as the Waste Needs Assessment) how the review has informed the pre-submission draft. It may be that the review has been delayed. If so this should be clarified.				
Linc- olns hire Wild- life Trust (Eliz- abeth Biott)	Spat- ial Port- rait and Envi- ronmen- tal Ass- ets - End	7	3.19			Yes	Yes	Yes		The Lincolnshire Wildlife Trust welcomes this paragraph relating to the Lincolnshire Coastal Grazing Marshes. However, as a point of accuracy we would like to point out that the Lincolnshire Coastal Grazing Marshes Project, referred to in the last sentence, is no longer hosted by East Lindsey District Council.	We would recommend that the last sentence is reworded as follows: 'The Lincolnshire Coastal Grazing Marshes Project is a partnership project which supports local farmers and landowners to conserve the remaining traditional grazing marsh landscape and heritage.'	No		
NAT- ION- AL TRU- ST (Kim Mille)	Spat- ial Port- rait and Envi- ron	168	2.1			No				Para 2.1 refers to the P&CP Act 2004 but not its subsequent amendments (e.g. those made by the Planning Act 2008 and Localism Act 2011) nor associated Regulations.	Review all references to planning legislation in main text and Glossary and ensure that these are consistent with current statute.	No		

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r)	men- tal Assets - End									While this may not, of itself, pose a problem we are concerned that within Appendix 4. Glossary of Terms there are references to 'development plan documents' and 'local development frameworks'. We would therefore ask the local planning authority to review procedures and terminology in relation to the current legislative framework, in particular the Town and Country Planning (Local Planning) (England) Regulations 2012.				
South Linc- olns hire Fen- lands Part- nership (Am- and a Jen- kins )	Spat- ial Port- rait and Envi- ron- men- tal Assets - End	199								Paragraph 3.22 for South Lincolnshire Fenlands doesn't read well.	<b>Suggest the following</b> The <b>South Lincolnshire Fenlands Project area</b> covers approximately 7000 hectares of land centred on the nationally important Baston and Thurlby Fens Nature Reserves & Sites of Special Scientific Interest (SSSI). The South Lincolnshire Fenlands Partnership aims to restore and re-create up to 800 hectares of fenland between Bourne, Spalding and Market Deeping as part of the Fens for the Future Partnership. Habitat restoration includes creation of wet grasslands for grazing and hay production; reed beds, wet	No		

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											woodland and open water. Restoration of mineral sites in this area will provide opportunities for fenland habitat creation and wider multifunctional benefits through well thought out landscape scale restoration for, agriculture, the environment, water resources, flood defence and access to the countryside.			
Bedford Borough Council (Natalie Chillcott)	Spatial Vision	103				Yes	Yes	Yes		Bedford Borough Council supports the vision, but suggests that the words "an adequate supply" be added to the Vision so the first line reads: "Lincolnshire County Council will provide a strategic planning framework to facilitate an adequate and sustainable supply..."		No		
Lincolnshire Wildlife Trust (Elizabeth Biott)	Spatial Vision	8		Spatial Vision		Yes	No	Yes	Consistent with national policy	The Lincolnshire Wildlife Trust welcomes the commitment within the vision to protect and enhance Lincolnshire's natural environment. However, we do not think that this Spatial Vision adequately reflects the requirements of the National Planning Policy Framework which states: 109. The planning system should contribute to and	We would strongly recommend that an additional paragraph is added to the vision regarding the restoration of mineral and waste sites to better reflect the guidance given in the NPPF regarding net gains in biodiversity and the establishment of coherent ecological networks. This would also be in line with the County's Natural Environment Strategy to enhance biodiversity and would also help meet targets in	No		

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										<p>enhance the natural and local environment by:</p> <ul style="list-style-type: none"> <li>• minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; 114. Local planning authorities should:</li> <li>• set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure; 117. To minimise impacts on biodiversity and geodiversity, planning policies should:</li> <li>• plan for biodiversity at a landscape-scale across local authority boundaries;</li> <li>• promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to</li> </ul>	<p>Biodiversity 2020 and the Lincolnshire Biodiversity Action Plan for the creation of priority habitats, such as fenland and calcareous grassland. We would suggest something along the lines of: 'Lincolnshire County Council will ensure that development will result in an environment richer in wildlife with the net gain in biodiversity and green infrastructure benefiting local communities. Development proposals will take a strategic, co-ordinated and landscape-scale approach to the creation of priority habitats through site restoration, such that they make a significant contribution to establishing a coherent and resilient ecological network.'</p>			

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										national and local targets, and identify suitable indicators for monitoring biodiversity in the plan;				
NATIONAL TRUST (Kim Miller)	Spatial Vision	226					No		Consistent with national policy	In defining sustainable development, the thrust of the NPPF is that economic, social and environmental gains should be sought. In contrast, the emphasis in the pre-ambble to the Spatial Vision is ensuring that impacts are 'acceptable'. This is not consistent with national policy.	The spatial vision for provision of <u>minerals and waste developments in Lincolnshire</u> recognises <u>that the balance that must be struck in Lincolnshire between making provision for minerals and waste developments to meet future requirements, whilst at the same time ensuring that such developments are socially, environmentally and economically acceptable gains should be sought simultaneously through development and that there should not be unacceptable impacts.</u>	No		
Environment Agency (Andrew Bailey)	Strategic Objectives	211								The Environment Agency, planning authorities and others have a duty to ensure that WFD requirements are met by new development. On the whole this has been met in specific chapters and policies. However, the 2nd River Basin Management Plan should be identified in paragraph 4.4 (NPPF paragraph 165).		No		
Fisher	Strategic	43	4.3	M1		Yes	No		Justified	We support the Spatial Vision highlighted in the	We would like to see part (h) amended to permit, where	Yes	We wish to reserve our position on this	

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Ger- man (Will- iam Gag- ie)	Obj- ective s		to 4. 5						Effec- tive Posi- tively pre- par- ed	pre-submission draft of the Core Strategy and Development for Management Policies (CSDMP) and the need to identify mineral resources and to facilitate their sustainable supply throughout the country. We generally support the strategic objectives at 4.5 but do have concerns regarding part (h). As set out earlier in the CSDMP, 44% of Lincolnshire's agricultural land falls within Grades 1 and 2 and minerals can only be extracted where they are found. This policy implies a desire to avoid land falling within Grade 1, 2 and 3A which in a county such as Lincolnshire may not be practicable. In addition, with the importance of food security, the restoration of agricultural land back to agricultural production is likely to be of increasing importance through the plan period and we would encourage more flexibility in this clause to allow for any changes in the balance of importance between Habitat Creation and agricultural production in the future.	approp- riate, agricul- tural restora- tion of high quality farmland.		mat- ter pend- ing the out- come of the cur- rent con- sulta- tion pro- cess.	

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										We would also wish to make similar comments regarding paragraph (i) which identifies as key objectives the enhancement of existing and the creation of new priority habitats. If higher quality agricultural land is to be the subject of mineral development, which due to the location of mineral reserves might be something which may be unavoidable, then restoration of this land to agricultural production will be in line with the desire for food security and we would suggest that a more balanced approach would be more appropriate.				
Highways Agency (Rajinder Kaur)	Strategic Objectives	184								The Agency welcomes the strategic objective to prioritise sustainable modes of transport and minimise vehicular-tonne miles for the movement of minerals and waste. This should help to reduce the traffic impact on the SRN and safeguard its operation.				
Mick Georger Ltd	Strategic Objective	47	4.5	M1			No		Positively prepared	Minerals can only be worked where they are present and that to ensure that a steady supply of	Seek to ensure that minerals are supplied from sources that reflect an acceptable balance of economic objectives, social			

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(John Gough)	s									mineral is available to the construction sector then carefully balanced planning decisions are needed in respect of the economic, social and environmental impacts of such development. Objective (c) appears to give undue weight to environmental considerations.	improvements and environmental criteria.			
Mick Georger Ltd (John Gough)	Strategic Objectives	48	4.5	M1			No		Positively prepared	Whilst support is offered to the concept of the application of the proximity principle in Objective (e) the reference to the promotion of net self-sufficiency also needs to have regard to the Duty to Co-operate with adjacent authorities. This is especially relevant in the south west of the county where active quarries need to achieve a beneficial after-use to secure the objective of truly sustainable development. Quarries that lie close to the county boundary being a short distance from Truck Roads or "A" class roads can provide excellent access to adjoining regions. In a situation where a shortage of inert waste disposal capacity	<i>e. Deliver adequate capacity for managing waste more sustainably when it is needed; proactively work with adjacent authorities to achieve sustainable development within the county; promote net self-sufficiency in Lincolnshire to ensure waste is managed as near as possible to where it is produced, including the need for waste water management infrastructure.</i>			

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										exists in an adjoining authority and the importation of fill to worked-out quarries in Lincolnshire would aid their timely final restoration the Lincolnshire Local Plan should make more positive acknowledgement of its Duty to Co-operate in meeting future needs including those in adjacent areas whilst delivering sustainable development within the county.				
Mick George Ltd (John Gough)	Strategic Objectives	49	4.5	M1			No		Positively prepared	In respect of the strategic objective (h) the focus on biodiversity for soil conservation seems to mitigate against the restoration of sites to a normal agricultural afteruse notwithstanding that the re-instatement of the physical characteristics of site soils prior working coupled with appropriate agricultural aftercare can be readily achieved. In a county where agriculture is such an important activity the policy bias in favour of biodiversity led is surprising and worthy of review. The NPPF	<i>h) To protect Lincolnshire's high quality agricultural land and soil (Grades 1, 2 and 3a) where practicable from development; ensure that the original physical characteristics of the soil and re-instated on quarry land to be restored to productive agriculture; and encourage the use of lower quality soil resources on sites to be returned to biodiversity, enabling habitat creation in addition to soil preservation for future agricultural needs;</i>			

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										recognises the importance of "best and most versatile".				
Mick George Ltd (John Gough)	Strategic Objectives	50	4.5	M1			No		Positively prepared	Whilst the setting of Listed Buildings and Scheduled Ancient Monuments are understood and clearly a material consideration the use of the term "natural landscape features and their settings" is ill defined and could be used to stifle development and growth.	<i>j. Ensure the unique historical heritage of Lincolnshire, including its built, archaeological sites and their settings together with natural landscape features are protected from the adverse impacts of mineral and waste developments ;</i>			
NATIONAL TRUST (Kim Miller)	Strategic Objectives	227					No			The Strategic Objectives are supported		No		
Ben Hunt Planning Ltd (Ben Hunt)	Recycled and Secondary Aggregates - Policy M1	119	6.21 & Table 6	W1			No		Justified Effective	GOLAG would like to make the following comments on this part of the Plan.  <b>A.</b> It is noted that in Paragraph 6.21 and Table 6, it has been assumed that for CD&E waste:  forecasts of arisings are based on an assumption of slow growth in employment rates – rather than a relationship to housebuilding, as is the	<b>GOLAG recommends that the following changes are made to improve the clarity and justification of the Plan, which will in turn assist in making it more effective:</b>  <b>A.</b> the Plan should be reviewed with a view to offering a clearer explanation of how the Capacity Gaps for each waste management function have been calculated, if necessary by reference to the relevant parts of the Waste Needs Assessment.	No		

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										<p>case for primary aggregate demand forecasts</p> <p>recycling is forecast to divert as much as 95% from landfill by 2031</p> <p>Para 6.22 results in a forecast need for additional management capacity to deal with an additional 60,000 tonnes of both C&amp;D and E waste per annum by 2031 compared with the current position. Table 6 also indicates that an additional 247,000 tonnes of recycling capacity will be needed by 2031.</p> <p>Unfortunately the Plan is not written in such a way that it is easy to relate the forecast arisings and capacity requirements in Table 6 to the Capacity Gaps identified in Table 9.</p> <p><b>B.</b> Notwithstanding this comment, it is noted that for inert landfill, a considerable surplus of capacity is noted across the Plan period; and that void space will be created by “... continuing extraction in sand/gravel pits and quarries” (para 6.34). GOLAG is concerned that this latter statement might be</p>	<p><b>B.</b> the Plan should clarify the relationship between policies for additional mineral extraction and policies for additional waste management capacity in this respect. In particular, the Plan should make clear that the creation of landfill capacity would not constitute “exceptional circumstances” or “proven need” under Policy M5.</p>			

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										misinterpreted to mean that if proposals for a new mineral extraction site come forward, there might be an attempt to justify them on the basis that this might also provide landfill capacity for inert or non-hazardous wastes.				
Ben Hunt Planning Ltd (Ben Hunt)	Recycled and Secondary Aggregates - Policy M1	121	5.5 - 5.10	M1			No		Justified Effective	<p>In respect of paragraphs 5.5 – 5.6, it is not clear what direction the policy towards the extension of mineral working sites is taking in the new Plan. In the 1991 Minerals Local Plan it was clear, but less so in this Plan.</p> <p>Paragraph 5.9 – 5.10 compare the last two Sub-Regional Apportionments from the East Midlands Aggregate Working Party, but it is not clear why both of these are set out.</p>	<p>The following changes are recommended in order to improve the clarity and justification of the Plan, which will in turn assist in making it more effective:</p> <p>1) It is suggested that paragraphs 5.5 – 5.6 should be amended to clarify what approach the Plan is taking towards the extension of mineral working operations, as opposed to new sites – whether this is generally in favour of extensions or against them; whether they are considered generally preferable to new sites or not; or some other approach.</p> <p>2) It is suggested that the word “revised” could be removed from the first sentence of this paragraph, as it is the most recent Sub-Regional Apportionment adopted by the East Midlands Aggregate Working Party.</p> <p>3) It is also suggested that paragraph 5.10 should be more</p>	No		

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											clearly justified if it is to be retained - it appears to be a historic note which now has little relevance.			
Mick George Ltd (John Gough)	Recycled and Secondary Aggregates - Policy M1	51		M1			Yes			The Company offers support for Policy M1 which seeks to positively encourage the production of recycled aggregates to help meet the future needs of the construction sector.				
NATIONAL TRUST (Kim Miller)	Recycled and Secondary Aggregates - Policy M1	228		M1			No		Effective	There is an inconsistency amongst the 'M' policies (and other policies), with some stating that proposals should 'accord with all relevant Development Management Policies set out in the Plan' whilst others do not.  We assume that the Development Management Policies should apply in every case where they are relevant, as should the 'R' policies relating to restoration.	One option for addressing this issue would be to include a single statement at the start of the plan that: "development proposals must be in accordance with all Development Management and Restoration policies that are deemed by the local planning authority to be relevant to the determination of the application". Similar statements could therefore be removed from individual policies.  Alternatively all M and W policies should include a provision to ensure that relevant DM and R policies are considered.	No		

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Savills (James Stewart - Irvine)	Recycled and Secondary Aggregates - Policy M1	178	5.9	M1						<p>Paragraph 5.9 of the Pre-Submission document states that Lincolnshire is to provide 52.48 million tonnes of sand and gravel and 18 million tonnes of crushed each year for the period 2005 – 2020 (as agreed by the East Midlands Aggregates Working Party). This amounts to an average of 3.28 million tonnes of sand and gravel and 1.1 million tonnes of crushed rock each year over the 16 year period. Paragraph 5.9 continues, stating that <i>“careful judgements will need to be made if these apportionment targets are to be achieved and the worst environmental impact of mineral development avoided”</i>.</p> <p>The latest Annual Monitoring Report (AMR) published by Lincolnshire County Council covers the period 2011/2012. It demonstrates that, on a regional level, 16 planning permissions related to mineral workings were granted consent. However, none of these planning permissions were for new mineral workings. The Mineral</p>				

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										<p>Background Paper, at Table 13, demonstrated that as of 31/12/2010 Lincolnshire had 20.93 million tonnes of permitted sand and gravel reserves, giving rise to a total shortfall across the Plan period of 47.95 million tonnes.</p> <p>The emerging Core Strategy (and set out within paragraph 2.34 of the Minerals Background Paper) seeks to direct overall mineral extraction towards the Lincoln/Trent Valley Production Area. This approach is consistent with the rationale that the Central Lincolnshire and South Kesteven areas of the County are identified as those which will accommodate the greater proportion of housing in Lincolnshire over the Plan Period. These provisions within the emerging Core Strategy will therefore be consistent with paragraphs 144 and 145 of the NPPF.</p>				
Savills (UK) (Mar	Recycled and	253		M1						Paragraph 5.9 of the Pre-Submission document states that Lincolnshire is to provide 52.48 million				

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tin Ott)	Secondary Aggregates - Policy M1									tonnes of sand and gravel and 18 million tonnes of crushed each year for the period 2005 – 2020 (as agreed by the East Midlands Aggregates Working Party). This amounts to an average of 3.28 million tonnes of sand and gravel and 1.1 million tonnes of crushed rock each year over the 16 year period. Paragraph 5.9 continues, stating that <i>"careful judgements will need to be made if these apportionment targets are to be achieved and the worst environmental impact of mineral development avoided"</i> .				
South Kesteven District Council	Recycled and Secondary Aggregates - Policy M1	38	2.15	M1		Yes	No			Detail of existing policies and strategies should include reference to the adoption, in April 2014, of the South Kesteven District Council's Site Allocation and Policies DPD.				
South Kesteven	Recycled and	39	3.5	M1		Yes	No			Discussion of Lincolnshire's highway network should include the A52 road which				

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n District Council	Secondary Aggregates - Policy M1									connects Boston to the Midland via Grantham.				
South Kesteven District Council	Recycled and Secondary Aggregates - Policy M1	40	3.6	M1		Yes	No			Discussion of Lincolnshire's rail connectivity gives the impression that the capital can only be accessed from Lincoln, and via Nottingham. The East Coast Main Line direct Lincoln-London service is, in reality, only a once-a-day service, while the midlands Train journeys involve changing trains at Newark or Nottingham. It is felt that the importance of Grantham, which has a regular fast direct train service to London, should also be included.				
Cemex UK Operations Ltd (Kirsten Hanaford)	Sand and Gravel - Policy M2	10	5.19	M3		Yes	No	Yes	Justified	Cemex commends the Council's approach for the provision of future mineral extraction and the recommended sub regional apportionment of 3.28mtpa continues to accommodate future growth. It is considered additional justification of housing growth as	Further clarification on projected growth over and above 10y to substantiate proposed apportionment figure.	No		

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rd-hill)										reference in 2.35 of the back ground technical paper on minerals should be included in the core strategy in additional to justification of 0.27pa over and above 9.8% housing growth.				
Cemex UK Operations Ltd (Kirsten Hanford-hill)	Sand and Gravel - Policy M2	15	table 15.20			Yes	No	Yes	Justified	No reference to Local Aggregate Assessment		No		
CLOVER PLANNING - (E. CLOVER)	Sand and Gravel - Policy M2	133		M2			No		Effective	The strategy for sand and gravel supply over the plan period is reliant on 3 production areas identified on the Key Diagram. Policy M2 goes onto state that provision for the release of sand and gravel reserves will be made in the Site Locations Document this will include new quarries allocated where they are required to replace existing Active Mining Sites and where they are located in the relevant	An additional plan should be produced as part of the Core Strategy to clarify the full extent of each area of search and thus inform the Site Locations Document.  The Areas of Search could be added to Figure 5 Policies Map.	No		

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										<p>Areas of Search as shown on the Key Diagram.</p> <p>The Key Diagram, however is not considered to be sufficiently detailed to determine the extent of the designated areas of search and thus does not provide a sufficiently clear basis for the subsequent Site Locations Document.</p>				
Environment Agency (Andrew Bailey)	Sand and Gravel - Policy M2	212				Yes	No	Yes	Justified	Paragraph 5.21 recognises that calculating estimates of demand to deliver growth against previous years of an economic downturn is challenging and comes with uncertainties.		No		
Fisher German (William Gagie)	Sand and Gravel - Policy M2	44		M2		Yes	No		Justified Effectively Positively prepared	We support the annual requirement of 3.28 million tonnes per annum and the total provision during the plan period of 68.88 million tonnes. However we feel the apportionment of 1 million tonnes per annum (21 million tonnes in the plan period) from the South Lincolnshire production area is in danger of curtailing sustainable economic growth within	We believe the apportionment figure for South Lincolnshire should be increased to 1.18mp pa and that lower regard should be had for consented reserves that are situated within inactive sites.	Yes	We wish to reserve out position on this matter pending the outcome of the current consultation process.	

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										<p>this sub region. Much of the material from this area is likely to support economic activity in the important towns of Spalding, Grantham and Stamford as well as crossing the border into Cambridgeshire to the Peterborough market. Such cross border supply is a key issue in testing the soundness of the proposals as it comes back to the effectiveness of the policy. These areas cannot practically be supplied from the other sub-regions in Lincolnshire. Given that housing growth is likely to be above the national average we feel that the historic South Lincolnshire average production of 0.978 million tonnes per annum should be increased by a greater amount than 20,000 tonnes per annum. South Lincolnshire accounts for 36% of aggregate sales within the county and it is logical for the supply requirement to be in line with this, which would require an average production for the plan period of 1.18mt pa within the South Lincs area. We</p>				

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										<p>are also concerned that the figure for permitted reserves includes those tied up in active quarries where there is no guarantee that this material will ever come forward to the market. According to the background technical paper provided as part of this consultation exercise, over a third of permitted reserves at 31st December 2010 were located in active sites (Table 10.) This can create much uncertainty with the future provision of material and it may be that the shortfall of 48 million tonnes which is identified in the plan could be a conservative estimate if these inactive sites do not resume operation. We support the policy for new quarries to be allocated where they are required to replace existing active mining sites that become exhausted during the plan period but we feel that this policy should also include sites where there is no realistic possibility of extraction resuming as otherwise the reserves tied up at those sites will</p>				

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										remain in the calculations without any guarantee of coming forward within the plan period.				
Hanson (Brian Chapman)	Sand and Gravel - Policy M2	154		M2						<p>There does seem to be a potential conflict in the approach taken by Lincolnshire in dividing the sand and gravel resource into three Production Areas and then specifying a Climate Change policy which tries to "identify locations which reduce distance travelled by HGV's in supply of minerals..."</p> <p>Hanson supports the presumption of the 3 Production Areas and the allocation of reserves on that basis, with the view that these will be the closest resources to the markets they historically supply.</p>				
Heaton Planning (Kate Todd)	Sand and Gravel - Policy M2	91		M2		Yes	Yes			<p><b>*Please note our full response is set out in our letter of representation to the Council dated 12th February 2015*</b></p> <p>We are supportive of the Council's proposed annual sand and gravel apportionment figure</p>		No		

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant?	Soun- d?	Com- pliy with DtC?	Unsou- nd becau- se they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part- icipate?	Reasons for participating in oral examination:	LCC response:
										<p>3.28mt throughout the plan period) and the proposed distribution of sand and gravel supply between the three identified Production Areas.</p> <p>We note that the Area of Search for the Lincoln/Trent Valley Production Area (west of Lincoln and north/south of Gainsborough) includes a significant belt of land to the south of Gainsborough. The proposed Lea Marsh sand and gravel site (which has previously been promoted through the Lincolnshire County Council Minerals Development Framework) is located within this Area of Search. As stated in our previous representations the Lea Marsh site has the potential to make a valuable contribution to the future supply of sand and gravel to the Lincoln/Trent Valley production Area. We are therefore supportive of the location and extent of this Area of Search.</p> <p>Policy M2 is positively prepared, justified and consistent with national</p>				

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										policy. As such, we consider Policy M2 to be sound.				
NAT ION AL TRU ST (Kim Miller)	Sand and Gravel - Policy M2	229		M2		No				<p>Tattershall Thorpe is identified by the plan as an area of search for sand and gravel extraction. During May-June 2014 East Lindsey District Council also identified Coningsby/Tattershall as one of the district's 'five inland towns' within its proposed growth strategy.</p> <p>National Trust is the owner of Tattershall Castle – an important designated heritage asset located in this area. Bearing in mind the considerable pressure for both housing growth and minerals extraction in this area we are concerned to ensure that:</p> <ul style="list-style-type: none"> <li>- Tattershall retains its character and identity as a distinct settlement</li> <li>- Landscape character around Tattershall is maintained and enhanced</li> <li>- The setting of Tattershall Castle is adequately protected</li> <li>- The combined impact of new housing development</li> </ul>	<p>For the reasons set out above, we consider that this policy should include a specific reference to</p> <p>integration of proposals in the Site Locations Document with proposals in Local Plans. This is particularly important in districts that host Areas of Search for sand and gravel extraction, such as East Lindsey. We therefore suggest that a final provision is added to this policy:</p> <p>In identifying Site Locations the County Council will work closely with Local Planning Authorities to ensure that these proposals take full account of the development proposals in adopted and emerging Local Plans. The possibility of combined gains or cumulative impacts will be considered.</p>	No		

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										and extraction (including for example traffic and HGV movements) are carefully considered and planned				
Savills (James Stewart - Irvine)	Sand and Gravel - Policy M2	177	5.22	M2						<p>We welcome the provision for the release of additional sand and gravel reserves as stated in paragraph 5.22 in response to the Call for Sites exercise that supports the production of the emerging Site Locations document. The Council acknowledges a significant shortfall in permitted reserves to meet the estimates demands for the period 2011 – 2031 (Table 1). Table 2 demonstrates the shortfall in production by Production Area for the same period. Paragraph 5.31 continues to state that the County council's preferred spatial strategy will be to secure the County's future supplies of sand and gravel from extensions to existing operational sites.</p> <p>The strategy is underpinned by policy M2 which sets a target for the production of aggregates throughout the Plan</p>				

**Table 16: Calculation of Future Sand and Gravel Provision by Production Zone based on Levels of Future Housing**

Average	Level of	%	Average	Sand and Gravel
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Respon- dent Name	Docu- ment Part Name	Com- ment ID	Pa- ra- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant ?	Sou- nd ?	Com- ply with DtC ?	Unsou- nd be- cause they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part- icip- ate?	Reasons for participating in oral examination:	LCC response:
										<p>period. It is consistent with the earlier consultation of the Draft Core Strategy (November 2013) in making provision for the extraction of a total of 68.8mt over the Plan period to meet the recognised shortfall in permitted reserved within the County. The combination of policies M2 and M3 of the Draft Core Strategy document (November 2013) into single policy M2 provides greater clarity and we support this approach.</p> <p>We also welcome the apportionment of aggregate production for the South Lincolnshire Production Area (21 million tonnes) which demonstrates a clear need for further sites to come forward in order to meet the anticipated production targets.</p> <p>We welcome the emphasis on extensions to existing Active Mining sites within policy M2, which are recognised to represent a highly sustainable form of mineral development, reducing the overall impact to the local</p>				

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										<p>environment and which utilise existing infrastructure. This approach is consistent with the sustainability principles enshrined in the NPPF.</p> <p><i>Background Technical Paper: Minerals (December 2014)</i></p> <p>Paragraph 2.34 of the Background Technical Paper demonstrates that Lincolnshire is identified for a significant quantity of housing for the period up to 2031. The level of future housing is acknowledged to be 9.8% higher than the average number of completions calculated for the previous 10 year period between 2001 – 2010. Paragraph 2.35 acknowledges that the production of sand and gravel will need to be increased above the average assumed extraction rate for that period to cope with future demand.</p> <p>It is therefore important that the County Council makes robust provision for sand and gravel extraction and the recent Call of Sites exercise seeks to</p>				

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										<p>address this shortfall through identifying both new workings and extensions to existing workings. Paragraph 2.37 states that the potential sand and gravel provision by each production zone should be increased proportionally based on the level of future housing provision, as follows:</p> <p>Please see table at bottom of text.</p> <p>However, it is clearly not sustainable for the Lincoln/Trent Valley Production Zone to support a 32.7% increase in aggregate production and for a reduction in provision of 15.7% to be allocated for Central Lincolnshire. This methodology is simplistic overly simplistic and the apportionment figures calculated will burden the Lincoln/Trent Valley Production Zone.</p> <p>We therefore recommend that the Council review the methodology applied to calculating these apportionment figures to take into consideration the contribution from surrounding Production</p>				

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										Zones, which are in equally sustainable locations to provide aggregates to the key housing growth area, and will reduce the County's reliance on cross-boundary movements.				
Savills (UK) (Martin Ott)	Sand and Gravel - Policy M2	252		M2						<p>We welcome the provision for the release of additional sand and gravel reserves as stated in paragraph 5.22 in response to the Call for Sites exercise that supports the production of the emerging Site Locations document. The Council acknowledges a significant shortfall in permitted reserves to meet the estimates demands for the period 2011 – 2031 (Table 1). Table 2 demonstrates the shortfall in production by Production Area for the same period. Paragraph 5.31 continues to state that the County council's preferred spatial strategy will be to secure the County's future supplies of sand and gravel from extensions to existing operational sites.</p> <p>The strategy is underpinned by policy M2</p>				

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Policy	Policy Map	Legally Compliant ?	Sound ?	Compliant with DtC ?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Participate?	Reasons for participating in oral examination:	LCC response:
										which sets a target for the production of aggregates throughout the Plan period. It is consistent with the earlier consultation of the Draft Core Strategy (November 2013) in making provision for the extraction of a total of 68.8mt over the Plan period to meet the recognised shortfall in permitted reserved within the County. The combination of policies M2 and M3 of the Draft Core Strategy document (November 2013) into single policy M2 provides greater clarity and we support this approach.				
South Kesteven District Council	Sand and Gravel - Policy M2	35	5.33		Key diagram	Yes	No			The area of search described as West Deeping/Langtoft is shown on the key diagram as including the whole of Market Deeping and Deeping St James, along with the settlements of Baston, Langtoft, Tallington and West Deeping. While it is recognised that the key diagram is illustrative, it is considered that the area shown is too broad and is not truly representative of the area described in		No		

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										paragraph 5.33 and in the text on policy M2. If, however, the area depicted on the key diagram is the correct area of search, the council considers that the text in paragraph 5.33 and policy M2 should be amended to reflect this.				
South Kesteven District Council	Sand and Gravel - Policy M2	36	5.33	M2		Yes	No			This paragraph is clear that, when allocating sites, preference will be given to extensions to existing workings <b>provided that these do not have unacceptable impacts on local communities or the environment</b> [my highlighting]. However, these words have not been included within policy M2. It is considered important that these caveats are included, to ensure that impacts are kept to a minimum.				
South Kesteven District Council	Sand and Gravel - Policy M2	37	5.37	M2		Yes	No			The policy makes no reference to the need for restoration or aftercare to be considered at the beginning of the allocation and/or application process. While it is acknowledged that the core strategy includes several restoration and				

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										aftercare policies, it is felt that it would be helpful to include the principles within the policy as well. It is also felt that this caveat should be included in policy M4.				
Environment Agency (Andrew Bailey)	Policy M3	213				Yes	No	Yes	Justified	Paragraph 5.39 recognises potential negative impacts of over provision. Reasonable proposals to address this are identified through regular review / re-forecasting against annual monitoring reports such as the Report of Annual Survey published by the East Midlands Aggregates Working Party and the County Council's latest Local Aggregate Assessment (LAA). Such evidence will inform the Site Locations Document (currently being prepared). As these reports are produced annually (paragraph 2.16 of the Duty to Co-operate Statement identifies that LCC submitted a 2013 Local Aggregate Assessment for consideration by the East Midlands Aggregates Working Party which the Sustainability Assessment identifies as 'clearly highly		No		

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										relevant to the Plan') it is unclear why the period used is 2000 – 2010. Unless there is a justified reason the more recent reports should have been used to inform this pre-submission draft (NPPF Paragraph 158).				
Fisher German (William Gagie)	Policy M3	45		M3		Yes	No			We are concerned that this policy will base land bank figures on the previous 10 years average sales. Such figures will continue to be skewed significantly by the effects of the recession between 2008 and 2012. It will be some years before the effect of the recession has worked through this calculation and there is danger that in the meantime it will provide inadequate supply for the markets needs and less that the sub-regional apportionment that has been identified by the regional aggregates working party. We do not feel that this basis is sound and it is in danger of restricting economic growth within the county by providing an inadequate supply of material to the market.	We believe that the landbank should be based on the sub-regional apportionment, rather than an average sale in the last 10 years due to the significant effect of the recession on sale figures which will take some years to work through.	Yes	We wish to reserve our position on this matter pending the outcome of the current consultation process.	

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Heaton Planning (Kate Todd)	Policy M3	90		M3		Yes	Yes			<p><b>*Please note our full response is set out in our letter of representation to the Council dated 12th February 2015*</b></p> <p>We are supportive of the County Council's approach to maintaining a sand and gravel landbank over the plan period. We note that the Council recognise (para 5.40) that the 7 year landbank is a <u>minimum, not a target</u>, and that in order to maintain the level of output in each Production Area the landbank may on occasions need to <u>significantly exceed this level</u> (emphasis added). The positive and flexible approach to maintaining landbanks to meet future supply needs is effective and consistent with national planning policy guidance.</p> <p>Policy M3 is positively prepared, justified and consistent with national policy. As such, we consider Policy M3 to be sound.</p>		No		
Malcol	Policy M3	97	5.3			Yes	No	Yes	Justified	This policy is unsound being contrary to NPPG	We suggest the policy is amended as follows, (additions	Yes	The Mineral Products	

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m Ratcliff (Mineral Products Assn)			9						Effective Consistent with national policy	para 27-083 in that it proposes to calculate landbanks based on the past 10 years average sales, when NPPG advises a landbank is the sum in tonnes of all permitted reserves for which valid planning permissions are extant, divided by the annual rate of future demand based on the latest annual Local Aggregate Assessment.. Since the Plan calculates the annual rate of future demand as 3.28 mt per annum for sand and gravel, this figure should be used to calculate the landbank and not the 10 year average.	in <b>bold</b> ; deletions in <del>strikethrough</del> In order to ensure a steady and adequate supply of sand and gravel for aggregate purposes, the County Council will seek to maintain a landbank of permitted reserves of sand and gravel of at least 7 years within each of the Production Areas based on <del>their past 10 years average sales</del> <b>the level of 3.28 million tonnes per annum.</b>		Association (MPA) is the trade association for the aggregates, asphalt, cement, concrete, dimension stone, lime, mortar and silica sand industries. With the recent addition of The British Precast Concrete Federation (BPCF) and the British Association of Reinforcement (BAR), it has a growing membership of 450 companies and is the sectorial voice for mineral products. MPA membership is made up of the vast majority of independent SME companies throughout the UK, as well as the 9 major international and global companies. It covers 100% of GB cement production, 90% of aggregates production and 95% of asphalt and ready-mixed	

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													<p>concrete production and 70% of precast concrete production. Each year the industry supplies £9 billion of materials and services to the £120 billion construction and other sectors. Industry production represents the largest materials flow in the UK economy and is also one of the largest manufacturing sectors.</p> <p>Given the NPPF's recognition of the economic and employment benefits of the extractive industries (paras 28 &amp; 144) we should like to direct your attention to 'Making the Link', a document produced by the MPA to highlight the contribution that the sector makes to the economy. The</p>	

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Pa- ra- gra- ph	Pol- icy	Pol- icie s Ma- p	Leg- ally Com- pli- ant ?	So- und ?	Com- pli- y wit- h DtC ?	Unso- und becau- se they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part- icip- ate?	Reasons for participating in oral examination:	LCC response:
													document can be downloaded from the following website.  <a href="http://www.mineralproducts.org/documents/MPA_MTL_Document.pdf">http://www.mineralproducts.org/documents/MPA_MTL_Document.pdf</a>	
Swi- nder by Sand and Gravel Con- sorti- um (Alis- tair Dun- can)	Pol- icy M3	242		M3						There is a compelling need for additional sand and gravel resources in the county of Lincolnshire which is amply demonstrated by the County's own assessment of the severely diminished landbank. In particular the Trent Valley central area is showing a shortfall for the plan period of nearly 28 million tonnes. The Consortium has under its control land with substantial proven reserves of high quality sand and gravel located close to the western boundary of the county and with good access to the A46 dual carriage way. These minerals represent a strategically significant resource that can make a significant long term contribution towards the sustainable the provision of construction minerals that				

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										are essential to the requirements for infrastructure, housing and employment development with the minimum of impact on the local environment.				
Swinderby Sand and Gravel Consortium (Alisair Duncan)	Policy M3	247								<p>There is a compelling need for additional sand and gravel resources in the county</p> <p>of Lincolnshire which is amply demonstrated by the County's own assessment of</p> <p>the severely diminished landbank. In particular the Trent Valley central area is</p> <p>showing a shortfall for the plan period of nearly 28 million tonnes. Our client has</p> <p>land with substantial reserves of high quality sand and gravel located close to the</p> <p>western boundary of the county and with good access to the A46 dual carriage</p> <p>way. These minerals represent a strategically significant resource that can make</p>		Yes		

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										a significant contribution towards the sustainable the provision of infrastructure,  housing and employment development with the minimum of impact on the local environment.				
Cemex UK Operations Ltd (Kirsten Hanford-hill)	Policy M4	13		M4		Yes	No	Yes	Justified	It is considered the wording of the policy could limit production rates New quarry's required to replace an existing active mining site implies the same production rate and has the potential to negatively impact overall production rates.	Remove reference to replacing exhausted sites.	No		
Fisher German (William Gagie)	Policy M4	46		M4		Yes	No		Justified Effective Positively prepared	We support this policy but subject to the caveat where a new quarry is to replace an existing active mining site this definition should be extended beyond those sites that are nearing exhaustion but also to include any active sites that have been mothballed and have no realistic prospect of being reopened. If such a site cannot be replaced	We believe this policy should be amended to take into account long-term mothballed sites as well as those that have become exhausted.	Yes	We wish to reserve our position on this matter pending the outcome of the current consultation process.	

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										there is a danger of growth being limited by permitted reserves at such mothballed sites continuing to be taken into account in supply figures, despite the fact that they are very unlikely to come forward to the market.				
Malcolm Ratcliff (Mineral Products Assn)	Policy M4	98		M4		Yes	No	Yes	Justified Effective Consistent with national policy	This policy is unsound being contrary to NPPG paras 27-010, 27-083 & 27-084 in that the policy for allocated and unallocated sites links permission to calculation of the landbank in Policy M3 which is an invalid use of the term. Second, it limits the number of producing sites without reason, erecting barriers to entry for new mineral operators, and fails to treat applications for sites on their merits. Third, it fails to acknowledge that there is no maximum landbank and there are circumstances where new applications may come forward when there is already a high landbank. This policy is unsound being contrary to NPPG paras 27-010, 27-083 & 27-084 in that the policy fails to acknowledge that all allocated sites in a	We suggest the policy is amended as follows, (additions in <b>bold</b> ; deletions in <del>strikethrough</del> ) Sites allocated in the Site Locations Document will be granted planning permission for sand and gravel extraction for aggregate purposes provided that in each case the site: <del>is required to maintain the landbank of the relevant Production Area calculated in accordance with Policy M3; and in the case of a new quarry, is required to replace an existing Active Mining Site that is nearing exhaustion; and</del> accords with all relevant Development Management Policies set out in the Plan. For sites not allocated in the Site Locations Document, planning permission will be granted for sand and gravel extraction for aggregate purposes provided that the site is required to meet a specific shortfall in the landbank of the relevant Production Area	Yes	The Mineral Products Association (MPA) is the trade association for the aggregates, asphalt, cement, concrete, dimension stone, lime, mortar and silica sand industries. With the recent addition of The British Precast Concrete Federation (BPCF) and the British Association of Reinforcement (BAR), it has a growing membership of 450 companies and is the sectorial voice for mineral products. MPA membership is made up of the vast majority of independent SME	

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										development plan are by definition needed.	<p><del>calculated in accordance with Policy M3, and:</del></p> <p><del>the site forms an extension to an existing Active Mining Site; or where the proposal is for a new quarry, the site is required to replace an existing Active Mining Site that is nearing exhaustion;</del></p> <p>and:</p> <p>the proposal accords with all relevant Development Management Policies set out in the Plan.</p>		<p>companies throughout the UK, as well as the 9 major international and global companies. It covers 100% of GB cement production, 90% of aggregates production and 95% of asphalt and ready-mixed concrete production and 70% of precast concrete production. Each year the industry supplies £9 billion of materials and services to the £120 billion construction and other sectors. Industry production represents the largest materials flow in the UK economy and is also one of the largest manufacturing sectors.</p> <p>Given the NPPF's recognition of the economic and employment benefits of the extractive</p>	

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													industries (paras 28 & 144) we should like to direct your attention to 'Making the Link', a document produced by the MPA to highlight the contribution that the sector makes to the economy. The document can be downloaded from the following website.  <a href="http://www.mineralproducts.org/documents/MPA_MTL_Document.pdf">http://www.mineralproducts.org/documents/MPA_MTL_Document.pdf</a>	
Newark & Sherwood District Council (Matthew Tubb)	Policy M4	245		M4						From a planning perspective given the strategic nature of the Core Strategy there are at this stage no issues of significant concern.  Clearly this position may change as the Plan moves beyond its strategic stage and becomes site specific. In this respect I note that the proposed spatial strategy will focus the majority of future sand and gravel extraction within the Lincoln/Trent Valley				

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										<p>'production area'. Given the relatively low levels of permitted reserves present in this area there is a substantial shortfall which will need to be addressed through the 'Site Locations' document. As much of the production area is adjacent or in close proximity to the east of Newark &amp; Sherwood District there could be the potential for cross boundary impacts. Though the level of any impact will ultimately depend on the locations of future extraction and its intended markets.</p> <p>Given the geography of the District there is a tradition of sand and gravel extraction with a number of sites operating along the Trent Valley at Besthorpe, Cromwell and Langford. Significantly the emerging Nottinghamshire Minerals Local Plan has already proposed the further extension of these sites. Key concerns of the District Council in respect of future minerals development include ensuring that good standards of amenity are retained for local</p>				

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										<p>communities (both adjacent to sites and those along transportation routes), protection and enhancement of the local environment and impacts on the highway network. Accordingly where there is the potential for cross boundary impact then the Council would wish to see these concerns addressed as part of the site selection process and in developing site specific policy approaches.</p> <p>Newark Urban Area (Newark, Balderton and Fernwood) is located close to the County boundary with key access points onto the strategic road network also focussed around the settlement. These locational strengths have been reflected in the role defined for the settlement through the District's development plan. With at least 70% of future housing development (9913 dwellings) and significant amounts of employment land (150-157ha in the wider Newark Area) to be provided for over the plan period (2006-2026).</p>				

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										<p>The realisation of this planned growth is a key objective of the District Council and any proposals likely to impede its delivery would be objected to. Significant amounts of work have been undertaken to establish the impact of committed and planned growth on the Districts highway network. The capacity and continued suitability of the A1/A46/A17 junctions has been highlighted as a particular constraint, and as you will recall in December 2014 the government announced plans to dual the Newark northern bypass and replace the A46 junction with the A1 to support nearby housing growth.</p> <p>Given the levels of sand and gravel extraction anticipated for the Lincoln/Trent Valley production area the potential for significant additional impact on this series of junctions, prior to their improvement, would be of concern to the District Council. As the Local Plan continues to progress regard will</p>				

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										therefore need to be given to the work previously undertaken by this Authority to establish the impacts and support the delivery of growth - in particular that identified for the Newark Urban Area. Indeed it is on this basis that the District Council has raised strong objections to the identification of a greenfield sand and gravel allocation at Coddington (east of Newark) within the emerging Nottinghamshire Minerals Local Plan.				
Ben Hunt Plan- ning Ltd (Ben Hunt)	Lime- stone - Pol- icy M5	120	5. 4 3 - 5. 4 4	M5			No		Justified Effective	Overall, it is clear in respect of crushed limestone that there is no overall need for additional provision to be made. By any reasonable assessment there are permitted reserves sufficient to meet demand for over 40 years. GOLAG welcomes this recognition in the Plan.  However, GOLAG has some concerns, as follows.  <b>1. Forecasting Future Demand</b>  It is suggested that	In this context, GOLAG considers that Policy M5 should be re-written so as to be firmer and less ambiguous.  It is suggested that the policy should provide greater clarity regarding the " <i>exceptional circumstances</i> " (ref paragraph 5.44) in which new permissions for the extraction of limestone might be granted. A suggested wording is as follows:  " <i>Proposals for additional extraction of limestone (other than primarily for building stone purposes) will be permitted in exceptional circumstances where it has been demonstrated</i>	Yes	GOLAG wishes to retain the possibility of appearing at the Examination in order to more fully explain its position, which may be different to that of both the County Council and mineral operators.	

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										<p>insufficient justification is given in para 5.43 for using the 2010 Sub-Regional Apportionment (SRA) of 23.1Mt (1.1Mt per annum) to assess provision for crushed limestone aggregate over the Plan period 2010 - 2031.</p> <p>Although it is necessary to have regard to the SRA, the Plan should note that:</p> <p>The Minerals Background Paper 2012 offers a correlation between house building and sand and gravel sales – this is a key element of the pro-growth agenda which is used to justify a future sand and gravel requirement which is in line with the 2010 Sub-Regional Apportionments (SRA) of 68.88Mt (3.28Mt per annum) – representing a 20% rise on the ten year average of sand and gravel sales 2001 – 2010 (2.74Mt), and a 30% rise in the average figure for the period 2003 – 2012 (2.50Mt).</p> <p>However, the correlation between house building and limestone sales is less clear - whilst non-aggregate limestone</p>	<p><i>that:</i></p> <p><i>a) they would meet a proven need for the mineral that cannot be met by existing sites; and</i></p> <p><i>b) that meeting this need would clearly outweigh any planning disadvantages of the proposals, assessed against the Development Management Policies of this Plan.”</i></p> <p>The supporting text might usefully be expanded to provide additional examples of what might constitute “exceptional circumstances”.</p>			

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										<p>demand has remained relatively stable over the last 10 – 12 years, limestone aggregate sales appear to be in long-term decline.</p> <p>This calls into question the appropriateness of applying the 2010 SRA requirement for crushed rock, which is 23.1Mt (1.1Mt per annum) - over the 12 years 2001 – 2012, limestone aggregate sales have only reached 1.1Mtonnes during 2001 – 2003.</p> <p>Using the 2001 – 2010 ten year average sales (0.87Mt of limestone aggregate) and a reserve of 46.97Mt, the surplus over the Plan period would be 28.68Mt, and the landbank at the end of 2010 would have been 54 years. The ten year average for limestone aggregate sales has fallen further since that time.</p> <p>This context suggests that the annual Plan requirement in Table 3 (a level average of 1.1Mtonnes per annum over a 21 year Plan period) may well be an over-estimate. This forecast requirement for crushed limestone</p>				

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									<p>requires review, and either adjustment downwards, or at the very least additional justification.</p> <p><b>2. Plan Provision and Policy</b></p> <p>Nevertheless, because of the large landbank of permitted limestone reserves, the Plan does not propose to allocate specific additional land for crushed limestone aggregate usage. This is correct and welcomed by GOLAG. But Policy M5 does “leave the door open” for additional sites, or for extensions to existing sites to be permitted in certain circumstances.</p> <p>Above, GOLAG sets out why the annual requirement for crushed limestone may be less than that identified in the Plan; and hence why the surplus of permitted limestone aggregates should be considered even larger than the Plan indicates. The fact that there in reality even less need for further provision only serves to increase the emphasis on ensuring</p>					

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										that any proposals for additional limestone release must pass stringent criteria.				
BREEDON AGRAGATES LIMITED (Colin D'Oyley)	Limestone - Policy M5	30	5.44	M5		Yes	No	Yes	Justified	Policy M5 - Limestone does not reflect or provide for exceptional circumstances such as those described in paragraph 5.44	Amend policy M5 to include a reference to sites being permitted in exceptional circumstances for example where there are considered to be environmental benefits	No		
Malcolm Ratcliff (Mineral Products Assn)	Limestone - Policy M5	99		M5		Yes	No	Yes	Justified Effective Consistent with national policy	This policy is unsound being contrary to NPPG para 27-083 in that it does not address the locational aspects of this guidance, namely that the existing landbank may not be appropriately located to the main market area.	We suggest the policy is amended as follows, (additions in <b>bold</b> ; deletions in <del>strikethrough</del> ).  Proposals for extensions to existing limestone extraction sites or new limestone extraction sites (other than primarily for building stone purposes) will be permitted provided that they meet a proven need that cannot be met by existing sites, <b>or the location of the consented reserve is inappropriately located relative to the main market areas</b> and accord with all relevant Development Management Policies set out in	Yes	The Mineral Products Association (MPA) is the trade association for the aggregates, asphalt, cement, concrete, dimension stone, lime, mortar and silica sand industries. With the recent addition of The British Precast Concrete Federation (BPCF) and the British Association of	

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											the Plan.		Reinforcement (BAR), it has a growing membership of 450 companies and is the sectorial voice for mineral products. MPA membership is made up of the vast majority of independent SME companies throughout the UK, as well as the 9 major international and global companies. It covers 100% of GB cement production, 90% of aggregates production and 95% of asphalt and ready-mixed concrete production and 70% of precast concrete production. Each year the industry supplies £9 billion of materials and services to the £120 billion construction and other sectors. Industry production represents the largest materials flow in the UK	

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													<p>economy and is also one of the largest manufacturing sectors.</p> <p>Given the NPPF's recognition of the economic and employment benefits of the extractive industries (paras 28 &amp; 144) we should like to direct your attention to 'Making the Link', a document produced by the MPA to highlight the contribution that the sector makes to the economy. The document can be downloaded from the following website.</p> <p><a href="http://www.mineralproducts.org/documents/MPA_MTL_Document.pdf">http://www.mineralproducts.org/documents/MPA_MTL_Document.pdf</a></p>	
Mick George Ltd (John)	Limestone - Policy M5	53	5.42	M5			No		Positively prepared	Paragraph 5.42 deals with the quality and uses of limestone extracted in the County. As part of the appraisals undertaken as part of an Environmental	<p><i>"5.42 Normally crushed Lincolnshire Limestone ....." With the concluding sentence</i></p> <p><i>"In limited locations where MOT Type 1 specification limestone is present. The production of this</i></p>			

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Gou- gh)										Assessment of the Gorse Lane Quarry near Denton to the west of Grantham (which is coincidentally part of a wider permitted reserve under historic planning consents), the limestone has been tested by LCC's own highways laboratory and proven to be a far higher quality MOT Type 1 status. A copy of the analysis is enclosed and the paragraph should be amended to reflect the presence of this higher value mineral resource which could replace similar materials derived from adjoining Counties of Leicestershire and Derbyshire. As a conservative estimate between 200-250,000 HGV lorry miles could be saved per annum but using MOT Type 1 material derived from within Lincolnshire.	<i>valuable mineral resource should be promoted in preference to importing similar quality minerals from out of the county."</i>			
Mick Geo- rge Ltd (John Gou- gh)	Lime- stone - Polic- y M5	54	5. 4 3	M5			No		Consist- ent with nation- al policy Positiv- ely prepar	In para 5.43 and Table 3 of the draft Plan the future apportionment for limestone as an aggregate 2011 - 2031 is shown together with the level of permitted reserves (46.97 mt as at 31st	The company recommends that only permitted sites contributing to aggregate production should be identified as the permitted sites to address the annual apportionment of limestone production. Up to date information on aggregate			

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									ed	December 2010). By referring to the LCC Annual Monitoring Report 2012 the same figure for crushed rock is found together with a list of permitted extraction sites in Figure 1 of that document. It is clear from the list of permitted sites that five/six sites specialise in dimension of building stone. These are regarded as specialist end uses but the draft Plan seems to imply that they contribute to the aggregate supply to the construction industry. The company submits that these specialist suppliers should not be identified as producing aggregate and that to include could easily result in a misleading picture for the supply of aggregate for general construction purposes. The company consider that a more up-to-date picture of permitted reserves for aggregate use should be presented in the plan than data which is nearly 5 years old. It is also noted that the level of permitted reserves stated in Table 3 of the draft Plan included both active and inactive	producing sites that can realistically contribute to the landbank of permitted reserved within the county should be clearly identified together with their assessed permitted reserves to justify the figures used in the plan. The end date of any permissions should also be identified so that it can be seen whether an appropriate landbank can be maintained over the whole of the plan period. Landbank information presented should address the advice in paragraph 145 of the NPPF.			

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										<p>sites and excludes dormant sites. The total permitted reserve for limestone (2010) is stated as nearly 47 million tonnes. It should be noted that even at the time of the LCC Minerals Local Plan back in 1991 a number of quarry sites had not worked for many years (para 2.6 MLP). It is recommended that the permitted sites referred to in Table 3 should be identified together with their assessed capacities and the period of which these sites are expected to contribute to the landbank (any planning permission end date may be a relevant consideration). The success of the plan depends on its deliverability and at present there is insufficient information available to judge whether the permitted reserves will meet the future assessed need for aggregates over the plan period. Clearly if analysis suggests that permitted reserve availability will not address the assessed level of need further allocations of land will be</p>				

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										necessary in the plan and the associated sites of plan.				
Mick George Ltd (John Gough)	Limestone - Policy M5	55		M5			No		Consistent with national policy Positively prepared	Policy M5 of the draft plan is silent on the issues of mineral land bank for limestone although reference is made to one on page 114 of the draft plan as it relates to monitoring. To comply with Paragraph 145 of the NPPF the policy M5 should refer to the maintenance of the land bank. This would then ensure that the plan has a consistent between policies M3 and M5.	<i>"Policy M5 Limestone In order to ensure a steady and adequate supply of limestone for aggregate purposes the County Council will seek to maintain a landbank of permitted reserves of limestone of at least 10 years based on the past 10 years average sales. Proposals for extensions to existing.....etc. "</i>			
Mick George Ltd (John Gough)	Limestone - Policy M5	56	5.44	M5						Paragraph 5.44 of the draft Plan outlines some circumstances where exceptionally it could be appropriate granting planning permission for additional mineral reserves. The Company generally support this paragraph as it has identified a mineral deposit that complies with a MOT Type 1 specification and this type of aggregate is not currently found at permitted sites. The presence of this material	Amend the first sentence to better reflect the actual situation regarding deliverable mineral resources in the Plan Period.  <i>"e.g. the presence of MOT Type 1 specification limestone" should be inserted after "..... Found in other deposits being worked locally....."</i>			

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										constitutes and exceptional situation within the context of the draft policy. The company intend to bring forward proposals to work this deposit. However, the paragraph should be amended to reflect comments about paragraph 5.43 and Table 3. The paragraph should additionally be amended to reflect the presence (albeit limited in geographical distribution) of MOT Type 1 specification limestone.				
Hughes Craven Ltd (Gary Hughes)	Chalk - Policy M6	2	Paragraph 5:46 and 5:47	M6		Yes	No	Yes	Consistent with national policy	Para 5:46 indicates that, of the 9.2Mt of permitted reserves of chalk in the County, just 0.5Mt, or a little under 5.5% of this lies in active sites. This figure would appear to be at odds with the known permitted reserves at the single quarry operating within the Wolds AONB. It should be noted too that a large proportion of the reported 8.7Mt of reserves located in inactive sites are unlikely to be worked. Nevertheless, in the light of these observations, the reserve situation does not	Policy M6 should allow for extensions to existing quarries where this represents a more sustainable option which accords with draft policies DM1, DM2, DM3, DM5 DM13. We therefore consider that the preamble to policy M6 : Chalk and the Policy itself should reflect this	Yes	Hughes-Craven represents a number of mineral operators within the County and would wish to ensure that their views are made clear to the Inspector.	

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										necessarily represent the apparent potential oversupply suggested by these figures. Para 5.47 indicates that the County Council does not propose to make any additional provision for chalk extraction but para 5.48 does recognise that there may well be circumstances when additional reserves might be released. Whilst acknowledging that the demand for chalk is limited, the present quarries serve a significant local market in the east of the County whereas supplying from alternative sources of crushed stone could entail HGVs travelling approximately 60 miles further on each round trip. We would contend therefore that exceptional circumstances may exist where reserves at a particular quarry approach exhaustion and where alternative sources of stone, including Chalk from other sources, may be significantly further from local markets.				
Malcol	Chalk -	100		M6		Yes	No	Yes	Justified	This policy is unsound being contrary to NPPG	We suggest the policy is amended as follows, (additions	Yes	The Mineral Products	

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m Ratcliff (Mineral Products Assn)	Policy M6								Effective Consistent with national policy	paras 27-010, 27-083 & 27-084 in that the policy limits the number of producing sites without reason, erecting barriers to entry for new mineral operators, and fails to treat applications for sites on their merits. It fails to acknowledge that chalk is used in Lincolnshire for a range of industrial and aggregate uses and should be treated accordingly with reference to paras 145 and 146 of NPPF.	in <b>bold</b> ; deletions in <del>strikethrough</del>  Proposals for extensions to existing chalk extraction sites or new chalk extraction sites will be permitted <b>to provide a stock of permitted reserves of at least 10 years for an individual production site (or 15 years where significant new capital is required)</b> <del>provided that they meet a proven need that cannot be met by existing sites,</del> and accord with all relevant Development Management Policies set out in the Plan.		Association (MPA) is the trade association for the aggregates, asphalt, cement, concrete, dimension stone, lime, mortar and silica sand industries. With the recent addition of The British Precast Concrete Federation (BPCF) and the British Association of Reinforcement (BAR), it has a growing membership of 450 companies and is the sectorial voice for mineral products. MPA membership is made up of the vast majority of independent SME companies throughout the UK, as well as the 9 major international and global companies. It covers 100% of GB cement production, 90% of aggregates production and 95% of asphalt and ready-mixed	

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													<p>concrete production and 70% of precast concrete production. Each year the industry supplies £9 billion of materials and services to the £120 billion construction and other sectors. Industry production represents the largest materials flow in the UK economy and is also one of the largest manufacturing sectors.</p> <p>Given the NPPF's recognition of the economic and employment benefits of the extractive industries (paras 28 &amp; 144) we should like to direct your attention to 'Making the Link', a document produced by the MPA to highlight the contribution that the sector makes to the economy. The</p>	

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													document can be downloaded from the following website. <a href="http://www.mineralproducts.org/documents/MPA_MTL_Document.pdf">http://www.mineralproducts.org/documents/MPA_MTL_Document.pdf</a>	
NATIONAL TRUST (Kim Miller)	Chalk - Policy M6	230		M6			No		Consistent with national policy	The main problem with the current wording of this policy is that it appears to allow 'unacceptable impacts on local communities or the environment' to occur in instances where there are 'significant benefits to local communities and/or the environment'. It is quite possible that a development would result in both significant benefits and severe impacts and it is not appropriate for the former to simplistically cancel out the latter. A minor wording change is therefore proposed below.  A second minor issue is that while the supporting text establishes that most developments are likely to be within or adjacent to the AONB, there is no reference to the NPPF requirement for exceptional circumstances	Proposals for extensions to existing chalk extraction sites or new chalk extraction sites will only be permitted where they are required to meet a proven need and the proposal does not cause unacceptable impacts on local communities or the environment; or w . Where the proposals would result in significant benefits to local communities and/or the environment these benefits will be weighed against the adverse impacts.  Changes to supporting text: We recommend that the supporting text at 5.48 is expanded to make direct reference to the 'exceptional circumstances' requirement for major development in AONBs contained in paragraph 116 of the NPPF. This is consistent with other parts of Lincolnshire's plan, such as Policy M7 paragraph 5.51 which refers to provisions in NPPF paragraph 144.	No		

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										to justify major development within AONBs. We have also therefore suggested minor changes to the supporting text below.				
Bedford Borough Council (Natalie Chilcott)	Building Stone - Policy M7	104	5.49	M7		Yes	Yes	Yes		Bedford Borough Council supports the paragraph which recognises the valuable role Lincolnshire building stone plays, but asks for it to be amended to recognise the important role Lincolnshire building stone has in the wider area. Bedfordshire currently has no active quarries for building stone which is used in repair of historic buildings. Bedford Borough therefore currently imports building stone from Lincolnshire and Northamptonshire for building repair works. Whilst only relatively small quantities are imported from Lincolnshire, we would not want the policies in the emerging plan to prejudice ongoing supply.		No		
Hughes Craven Ltd	Building Stone - Policy	3	Paragraph			Yes	No	Yes	Positively prepared	Paragraph 5.50 implies that just four quarries in the Lincolnshire supply building stone as their principal product. Whilst	Paragraph 5.50 should be amended to reflect the importance of building stone production from such sites and its overall importance to the rural	Yes	Hughes Craven represents a number of building stone operators and is instructed to	

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(Gary Hughes)	y M7		ph 5.50							there may "historically" have been just four such quarries, building stone now represents the main product, in terms of value, from a number of other quarries, including two in the Ancaster area, where aggregate represents only a by-product. This reflects growing local demand for building stone and the requirement for the various qualities of stone available within the County.	economy.		attend the examination in public to ensure their interests are taken into account...	
Malcolm Ratcliff (Mineral Products Assn)	Building Stone - Policy M7	101		M7		Yes	No	Yes	Justified Effective Consistent with national policy	This policy is unsound being contrary to NPPF paras 142, 144 & 146 in that the policy requires demonstration of need, limits the number of producing sites without reason, limits proposals to small scale, erecting barriers to entry for new mineral operators, and fails to treat applications for sites on their merits. NPPF paragraph 142 says that <i>"Minerals are essential to support sustainable economic growth and our quality of life."</i> Paragraph 143 also says that <i>"In preparing Local Plans, local planning authorities should: identify and</i>	We suggest the policy is amended as follows, (additions in <b>bold</b> ; deletions in <del>strikethrough</del> ) Policy M7: Building Stone  Proposals for small-scale, new or extended building stone quarries will be permitted where <b>required to provide a stock of permitted reserves of at least 10 years for an individual production site (or 15 years where significant new capital is required) provided it can be demonstrated that:</b>  <del>there is a specific need for the stone; and</del>  <del>the stone cannot be obtained from existing permitted sites; and</del> proposals accord with all	Yes	The Mineral Products Association (MPA) is the trade association for the aggregates, asphalt, cement, concrete, dimension stone, lime, mortar and silica sand industries. With the recent addition of The British Precast Concrete Federation (BPCF) and the British Association of Reinforcement (BAR), it has a growing membership of 450 companies and is	

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										<p><i>include policies for extraction of mineral resource of local and national importance in their area...</i></p> <p>Dimension stone is an industrial mineral albeit is used in construction. Policy for these operations therefore falls under paragraph 146 of NPPF. This advises that <i>"Minerals planning authorities should plan for a steady and adequate supply of industrial minerals by: providing a stock of permitted reserves to support the level of actual and proposed investment required for new or existing plant and the maintenance and improvement of existing plant and equipment..."</i></p> <p>With this in mind and coupled with statements in paragraph 144 of NPPF <i>"When determining planning applications, local planning authorities should: give great weight to the benefits of the mineral extraction, including to the economy;"</i> there is no policy justification for limiting new mineral working sites or extensions to existing</p>	relevant Development Management Policies set out in the Plan.		the sectorial voice for mineral products. MPA membership is made up of the vast majority of independent SME companies throughout the UK, as well as the 9 major international and global companies. It covers 100% of GB cement production, 90% of aggregates production and 95% of asphalt and ready-mixed concrete production and 70% of precast concrete production. Each year the industry supplies £9 billion of materials and services to the £120 billion construction and other sectors. Industry production represents the largest materials flow in the UK economy and is also one of the largest manufacturing	

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										<p>sites in any way as long as they fulfil the requirements of other parts of NPPF. The MPA has a dedicated Dimension Stone group and our members are among the largest producers of dimension stone in the country (including Lincolnshire). We lobby mpas extensively on the problems our members face and seek a more understanding planning system. NPPF's approach to dimension stone is directly linked to previous policy in MPS1 Annex 3, which in its turn was derived from a Symonds report produced in 2004[1]. The Symonds report emphasised the small scale nature of the industry and stressed its difference from aggregates operations, and the importance of the heritage repair market. This continues to be emphasis of English policy, but our members report that typically, only 10% to 30% of their business is in the heritage market and the occurrence of contracts for it are so sporadic that</p>			<p>sectors.</p> <p>Given the NPPF's recognition of the economic and employment benefits of the extractive industries (paras 28 &amp; 144) we should like to direct your attention to 'Making the Link', a document produced by the MPA to highlight the contribution that the sector makes to the economy. The document can be downloaded from the following website.</p> <p><a href="http://www.mineralproducts.org/documents/MPA_MTL_Document.pdf">http://www.mineralproducts.org/documents/MPA_MTL_Document.pdf</a></p>	

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										<p>they cannot retain highly skilled labour forces nor provide operating margins to run a modern business if they are dependent on it solely.</p> <p>Dimension stone producers face a number of commercial obstacles which other mineral operators do not have. There is a significant competition with imports which are often a third of the price of indigenous natural stone and competition with reconstituted stone products which are typically half the price. Prospecting is risky and very expensive being dependent on core drilling at close intervals. Known sources of dimension stone tend to be located adjacent to existing workings.</p> <p>Health and safety requirements are increasingly onerous especially for siliceous products where operators have a duty to protect their workforce against Respirable Crystalline Silica (RCS). Current European-led initiatives are likely to cut the current British Workplace</p>				

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										<p>Exposure Limit (WEL) of 0.1 mg/m<sup>3</sup> by half, which would require substantial new investment in workforce protection. On top of that health surveillance and Stone Saw Guarding are additional (and necessary) burdens for a professional operator.</p> <p>Planning and development costs constitute one of the most and costly difficult things for dimension stone operators to deal with because of its open ended nature.</p> <p>Dimension stone is not a commodity like aggregates. It is often site or regionally specific and the major operators' products are branded. For new-build projects architects require demonstration that stone of consistent quality and colour will be available for decades or even centuries for any necessary repairs. Major new-build projects often specify the supply of extensive quantities of stone which many traditional operators are unable to supply, due to planning restrictions.</p> <p>Dimension stone</p>				

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										<p>production requires the retention of skilled workforces able to operate complicated and often dangerous machinery to make products of consistently high quality. Bearing the mind the foregoing, the industry needs planning policy to do the following, Allow long term reserves, not short term planning permissions which do not provide the necessary security of supply required by customers. Specifications of dimension stone require consistency of performance over long time scales – approaching the lifetime of buildings – and it takes time for a product to become established and for customers to have confidence in the consistency of colour, durability, hardness, porosity, workability and that volumes required will be guaranteed. Members continually report that they lose out to imports because they cannot guarantee volumes either because they have no security of supply or</p>				

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										<p>planning restrictions prevent them from doing so.</p> <p>Not limit proposals to local markets only which reflect the historic circumstances of the industry and the emphasis on heritage end uses. Local market means restricted outlets, low volumes and low turnover/operating profit. This scenario does not allow the operator to invest in the technology and training, and his low sales forecast means that he will be turned away by his bank manager for loans to keep the business going. This is a serious threat to continuity of security of supply. Conversely, serving wider markets makes it easier to guarantee that stone will also be available to serve the local market.</p> <p>Not limit proposals to small scale which will in the long term result in scarcity of supply because it leads to restrictions in income generation and money for investment.</p> <p>Not impose arbitrary restrictions on output volumes, traffic, aggregates output as a by-product, etc.</p>				

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										Aggregates produced as by-products of dimension stone manufacture (coming from quarry waste or overburden removal) often provide an essential accounting contribution to keep the high costs of production down and to supplement income between dimension stone contracts in addition to the need to create operational working space.				
NATIONAL TRUST (Kim Miller)	Building Stone - Policy M7	231		M7			No		Effective	A minor clarification is required to this policy. The first sentence could be read as a list, which is problematic, i.e. 'proposals for small scale or new or extended stone quarries...' Below we have proposed a minor wording change to clarify that all proposals are expected to be small-scale.	Proposals for small-scale, new or extended building stone quarries that are of a small scale will be permitted...	No		
Gill Wilson (City of Lincoln Council)	Energy Minerals - Policy M9	194									The City Council objects to the wording used in para 5.58 in support of the current MSA designation methodology that "building stone resources mainly occur in countryside locations where the risk of sterilisation by other development is low." The last preliminary draft local plan			

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											consultation call for sites suggests that there is appetite for Growth within the rural areas around Lincoln within the current Plan period (2011 to 2016) and possibly beyond. This, alongside the fact that MSAs are de facto made 'in perpetuity', means that the statement can not necessarily be a long term sustainable presumption. <b>Change Requested;</b> that this wording be deleted.			
Barton Willmore (Chris Collett)	Energy Minerals - Policy M9	241		M9		Yes	No	Yes	Consistent with national policy	2.1 The national Policy Statement for Energy (EN-1) sets out national policy for the delivery of major energy infrastructure. This states that energy is vital to economic prosperity and social well-being and so it is important to ensure that the UK has secure and affordable energy. 2.2 Europa raises concern with the proposed wording of Policy M9 'Energy Minerals' and it is noted that there is a significant change in the wording from the previous policy wording which stated that "planning permission will be granted for exploration, appraisal or production of oil and gas and	2.8 Europa suggest that a criteria-based policy is adopted which seeks to ensure that activities related to the exploration, appraisal and production of oil and gas and unconventional hydrocarbons take place in an environmentally acceptable manner. 2.9 It is suggested that the wording of Policy M9 Energy Minerals is revised to reflect a more criteria-based policy as follows: <b>Development for minerals operations will be supported where it can be demonstrated, by the provision of appropriate information, that all material, social, economic or environmental impacts that would cause adverse effects can be mitigated to acceptable levels. In assessing proposals</b>	Yes		

Res pon den t Na me	Doc ume nt Part Nam e	Com ment ID	P ar a gr a ph	Pol icy	P ol ic ie s M a p	Leg ally Com pl iant ?	S ou nd ?	Com pl y wit h DtC ?	Unsou nd becau se they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part icip ate?	Reasons for participating in oral examination:	LCC response:
									<p>unconventional hydrocarbons provided that they do not result in any significant adverse impacts on local communities or the environment".</p> <p>2.3 As stated in paragraph 142 of the National Planning Policy Framework (NPPF) published in March 2012, "Minerals are essential to support sustainable economic growth and our quality of life. It is therefore important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs." The comprehensive package of mitigation measures that now accompany applications for oil and gas denote that impacts such as noise, landscape and visual, highways, ecology and pollution control can be satisfactorily mitigated. Paragraph 142 goes on to state that "minerals are a finite natural resource, and can only be worked where they are found; therefore it is important to make best use of them to</p>	<p><b>account will be taken of the proposal's setting, baseline environmental conditions and neighbouring land uses, together with the extent to which its impacts can be controlled in accordance with current best practice and recognised standards.</b></p>				

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										<p>secure their long-term conservation". Paragraph 144 maintains this by starting that local planning authorities should give great weight to the benefits of the mineral extraction, including to the economy. As such, if policy dictates that planning permission will be granted for exploration, appraisal and /or production of conventional and unconventional hydrocarbons, provided that proposals accord with all the relevant Development Management Policies set out in the plan, this would be contrary to guidance in the NPPF as stated above.</p> <p>2.4 The concept of according with the development plan does not require compliance with every policy in the plan, since almost any proposal can reveal 'tensions' between various policies, and it not unusual for policies in a development plan to pull in different directions.</p> <p>2.5 Europa feel that the proposed change to Policy M9 would be</p>				

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										<p>onerous and not in accordance with the NPPF. For example, it is possible that a proposal for an exploratory well site may conflict with a landscape policy but because of the temporary nature of the development, the policy restriction is outweighed by other material circumstances. Therefore, the proposed change means that a proposal not in accordance with a policy could be refused. It is therefore considered that the draft plan is not sound, since it is not consistent with national policy.</p> <p>2.6 Europa is of the opinion that individual applications should be considered on their own merits. Guidance in the Planning Practice Guidance March 2014 (PPG) states in paragraph 125 that mineral planning authorities should use appropriate planning conditions, having regard to the issues for which they have responsibility, to mitigate against any adverse environmental impact.</p>				

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										2.7 In additional, the PPG states that "there is a pressing need to establish – through exploratory drilling –whether or not there are sufficient recoverable quantities of unconventional hydrocarbons such as shale gas and coalbed methane present to facilitate economically viable full scale production".				
Barton Willmore (Justine Bailey)	Energy Minerals - Policy M9	81				Yes	No		Justified Effective Consistent with national policy Positively prepared	2.1 The National Policy Statement for Energy (EN-1) sets out national policy for the delivery of major energy infrastructure. This states that energy is vital to economic prosperity and social well-being and so it is important to ensure that the UK has secure and affordable energy.  2.2 Egdon raises concern with the proposed wording of Policy M9 'Energy Minerals' and it is noted that there is a significant change in the wording from the previous policy wording which stated that "planning permission will be granted for exploration, appraisal or production of oil and gas and	Suggested Changes  2.7 Egdon suggest that a criteria-based policy is adopted which seeks to ensure that activities related to the exploration, appraisal and production of oil and gas and unconventional hydrocarbons take place in an environmentally acceptable manner.	Yes	We would like to be present at the examination to further articulate our position and to answer the Inspectors questions.	

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										<p>unconventional hydrocarbons provided that they do not result in any significant adverse impacts on local communities or the environment".</p> <p>2.3 As stated in paragraph 142 of the National Planning Policy Framework (NPPF) published in March 2012, "Minerals are essential to support sustainable economic growth and our quality of life. It is therefore important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs." The comprehensive package of mitigation measures that now accompany applications for oil and gas denote that impacts such as noise, landscape and visuals, highways, ecology and pollution control can be satisfactorily mitigated. Paragraph 142 goes on to state that "minerals are a finite natural resource, and can only be worked where they are found; therefore it is important to make best use of them to</p>				

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									<p>secure their long-term conservation." Paragraph 144 maintains this by stating that "local planning authorities should give great weight to the benefits of the mineral extraction, including to the economy. As such, if policy dictates that "planning permission will be granted for exploration, appraisal and/or production of conventional and unconventional hydrocarbons provided that proposals accord with all the relevant Development Management Policies set out in the Plan" this would be contrary to guidance in the NPPF as stated above.</p> <p>2.4 Egdon feel that this is an unnecessary change and to accord with all the relevant development management policies in the plan would be onerous and not in accordance with the NPPF. For example, it is possible that a proposal for an exploratory well site may conflict with a landscape policy but because of the temporary nature of the development, the policy</p>					

Respon dent Name	Docu ment Part Name	Com ment ID	P ar a g r a p h	Pol icy	P o l i c i e s M a p	Leg ally Co m p l i a n t ?	S o u n d ?	Co m p l y w i t h D t C ?	Un sou nd be ca u s e t h e y a r e n o t:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part icip ate?	Reasons for participating in oral examination:	LCC response:
										<p>restriction is outweighed by other material circumstances. Therefore, the proposed change means that a proposal not in accordance with a policy could be refused.</p> <p>2.5 Egdon is of the opinion that individual applications should be considered on their own merits. Guidance in the Planning Practice Guidance March 2014 (PPG) states in para 125 that mineral planning authorities should use appropriate planning conditions, having regard to the issues for which they have responsibility, to mitigate against any adverse environmental impact.</p> <p>2.6 In addition, the PPG states that "there is a pressing need to establish – through exploratory drilling – whether or not there are sufficient recoverable quantities of unconventional hydrocarbons such as shale gas and coalbed methane present to facilitate economically viable full scale production".</p>				

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										<p>2.8 It is suggested that the wording of Policy M9 Energy Minerals is revised to reflect a more criteria-based policy as follows:</p> <p>Policy M9 Energy Minerals</p> <p>2.9 Development for minerals operations will be supported where it can be demonstrated, by the provision of appropriate information, that all material, social, economic or environmental impacts that would cause adverse effects can be mitigated to acceptable levels. In assessing proposals account will be taken of the proposal's setting, baseline environmental conditions and neighbouring land uses, together with the extent to which its impacts can be controlled in accordance with current best practice and recognised standards.</p>				
Heigh- ington Parish Council	Energy Minerals - Policy M9	169		M9						The draft policy M9 does not accord with the NPPF, and therefore if not suitably amended would be open to a judicial challenge at any point in the future. A separate				

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(Nick Eyre )										<p>policy is required in respect of unconventional methods of extraction of energy minerals. The draft policy document as a whole, and its supporting documents have failed to give the required full and proper consideration of unconventional methods of energy extraction.</p> <p>Unconventional extraction methods are an emerging technology that requires proper management of risk. No consideration has been made of the emerging evidence of both the risk and environmental harm that unconventional extraction methods may bring, and the need for the policy to effectively handle those risks. The policy should not be presumptive in favour of development, with no demonstrated consideration of the emerging risks and impacts.</p> <p>It has not been demonstrated that objectives 1,3,4,5,7,8,9 and 10 of the Sustainability Appraisal have been met in relation to Policy M9.</p>				

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										<p>It has not been demonstrated that alternatives have been properly considered in respect of unconventional extraction methods. The Sustainability Appraisal has only taken evidence from the document "Securing the Future - Delivering UK Sustainable Development Strategy", a document which was prepared between 2005 and 2011, and therefore has failed to take account of current evidence of risk and impact.</p> <p>The apparent presumption in favour of hydrocarbon extraction ignores the requirement in NPPF para 147 to "clearly distinguish between the three phases of development". The NPPF supports only the sustainable use of minerals and therefore this presumption ignores the sustainability test.</p> <p>NPPF 143 (6) requires guidance to "set out environmental criteria, in line with the policies in this Framework, against which planning applications will be assessed so as to ensure that permitted operations</p>				

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										<p>do not have unacceptable adverse impacts on the natural and historic environment or human health, including from noise, dust, visual intrusion, traffic, tip- and quarry-slope stability, differential settlement of quarry backfill, mining subsidence, increased flood risk, impacts on the flow and quantity of surface and groundwater and migration of contamination from the site; and take into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality". In accordance with this the hydrocarbon specific environmental criteria should be spelled out clearly in the policy and not left to a later document the full policy and guidance must be considered and consulted on together.</p> <p>Sustainability Appraisal Table 3.2 on page 26 of the Sustainability Appraisal shows that draft policy M9 carries the highest negative impact rating, including that for climate change. To have</p>				

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										<p>made draft policy M9 presumptive in favour of development is a clear derogation from the Climate Change Act 2008.</p> <p>At 3.3.10 of the Sustainability Appraisal it is stated that "However the policy (M9) is a necessary response to national energy policy and a requirement imposed by NPPF". This is wholly incorrect and misleading with respect to unconventional extraction methods as there is no National Policy Statement that covers these operations. This is further grounds for requiring a separate policy in respect of unconventional extraction methods, as the justification for and consideration leading to the development of policy M9 does not include unconventional methods of extraction.</p>				
Peel & Gas Oil (Mat the w She	Ener- gy Mine- rals - Polic- y M9	130	5. 5 8	M9						The NPPG makes it clear <sup>1</sup> that there is a pressing need to establish whether or not there are sufficient recoverable quantities of unconventional hydrocarbons for full scale				

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ppar- d)										<p>production. This message is based on the wider energy policy of the UK which, as a whole, seeks to secure a transition to a lower carbon future. This transition recognises that there needs to be a mix of energy sources with an increasing reliance on renewables. However, it also recognises that gas, as a demand responsive and relatively clean fossil fuel, is an important step away from coal, and a necessary part of the supply mix to reduce our carbon footprint overall. This overall policy message should be made clearer in the Energy Minerals section of the guidance at paragraph 5.58.</p> <p>We consider this to be an important policy strand that needs to be explicitly stated in support of policy M9, as the overall carbon budget associated with oil and gas use is certain to be a key consideration in any application for unconventional hydrocarbons, which will be principally governed by this policy. The urgency of the need to establish the</p>				

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									<p>extent of this resource, as well the importance of gas in achieving a transition to a lower carbon UK, are both critical guiding factors behind any decision to be made on unconventional oil and gas.</p> <p><b>Energy Minerals: Paragraph 5.67</b></p> <p>The debates surrounding the changes to the now Infrastructure Act 2015 suggest that any applications for unconventional gas are likely to hinge on areas of technical assessments which are considered through regulatory regimes other than planning. Notably effects on ground water, well integrity and methane emissions are regulated by other bodies. The NPPG is clear</p> <p>2 that the focus of the planning system should be on the acceptability of the land use and its impacts, rather than control processes. It also notes that MPA's "should assume that these non-planning regimes will operate effectively".</p>					

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										<p>Paragraph 5.67 should be clear that these regimes are effective and that their detailed assessment of effects and controls will be relied upon in making planning decisions. Clearly applicants will always need to provide suitable information on the environmental effects of their activities to support their applications, although policy M9 should be supported by the assumption that these regimes will effectively provide checks and controls against any potential pollution events.</p> <p><b>Energy Minerals: Paragraph 5.70</b></p> <p>The NPPG notes that MPA's are expected to include criteria based policies for each of exploration, appraisal and production phases of hydrocarbon extraction</p> <p>3. Paragraph 5.70 notes that policy M9 is a criteria based policy, although, as we note below, we do not consider this to be the case. We agree that M9 should be a criteria based policy and note that it should reflect the different</p>				

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										<p>requirements of the different stages of hydrocarbon extraction. This would make the policy clear and effective. We suggest an alternative format below. If a draft of a suggested policy would be helpful, we would be happy to provide this for you.</p> <p>In addition, this paragraph requires field development plans which, as drafted, could be interpreted as applying to the exploration phase. It is not necessary or possible, in our view, to plan for extraction across an entire field until such time as the resource has been proven to exist, and that its extraction is viable on a larger scale. We accept that an outline of the field development plan may assist with public consultation, but a worked up plan is not feasible until appraisal has been completed. Therefore, we consider that field development plans should not be a requirement until the appraisal stage production phase.</p> <p><b>Policy M9: Energy Minerals</b></p>				

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										<p>We do not consider that Policy M9 complies with the guidance in the NPPG. The guidance requires</p> <p>4 the MPA's include criteria based policies for each of the exploration, appraisal and production phases. It also requires that these policies should set clear guidance and criteria for the location and assessment of hydrocarbon extraction within the PEDL area. Policy M9 is drafted in a positive manner, but it cross references a range of unspecified other Development Management policies, which are relevant but do not offer clear guidance about the considerations which will apply at each stage of the process.</p> <p>We consider that Policy M9 should be re-drafted to retain its positive introduction, but add in criteria on the issues relevant to the phase and the minimum information required to support applications. This should exclude any exploration activity which is permitted development or subject to</p>				

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										<p>a prior notification process. The restructured policy could follow a structure broadly along the lines set out below:</p> <p>All phases:</p> <ul style="list-style-type: none"> <li>•Ground and surface water protection measures, including any advance monitoring</li> <li>•Flood risk</li> <li>•Process / flowback / formation water management measures</li> <li>•Geology, land stability and contamination</li> <li>•Noise</li> <li>•Emissions to Air</li> <li>•Landscape and visual effects</li> <li>•Traffic and transportation, including vehicle routing</li> <li>•Heritage</li> <li>•Ecology/ Biodiversity</li> <li>•Seismic risk and monitoring proposals</li> <li>•Socio-economic effects</li> <li>•Site remediation, restoration and intended after uses</li> <li>•Outline construction and environmental</li> </ul>				

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										<p>management plans</p> <p>Exploration Phase:</p> <ul style="list-style-type: none"> <li>•Site selection information, including any geological or seismic survey data, and any environmental constraints</li> <li>•Gas management proposals, including the need for any flaring</li> <li>•Any proposed hydraulic fracturing</li> </ul> <p>Appraisal Phase</p> <ul style="list-style-type: none"> <li>•Site selection information, including any geological or seismic survey data, any environmental constraints and the potential longer term suitability of the site should it become a production site in the future</li> <li>•Gas management proposals, including the need for any flaring and the capturing / storage / on site generation, of produced gas.</li> <li>•Any proposed lateral drilling and hydraulic fracturing</li> <li>•Any cumulative effects with other appraisal or exploration works in the</li> </ul>				

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										<p>gas field</p> <p>Production Phase</p> <ul style="list-style-type: none"> <li>•Site selection information, including any geological or seismic survey data, and any environmental constraints</li> <li>•Field development proposals</li> <li>•Cumulative effects</li> <li>•Any onsite infrastructure required for the collection and compression of gas</li> <li>•Gas transport proposals or intentions</li> </ul> <p>We consider that this approach will offer better guidance to applicants; will clearly accord with national policy advice; and offer assurance to members of the public and interest groups that the oil and gas industry will need to undertake proportionate assessment work on this wide range of topics before decisions on unconventional oil and gas applications are approved.</p>				
Robin Shipston	Energy Minerals	173		M9		No	No		Justified Effective	Policy M9 and also the supporting Sustainability Assessment are unsound. The consideration,	A separate policy needs to be created for UEM, which is not presumptive in favour of development. A more neutral	Yes		

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	- Policy M9								<p>Consistent with national policy. Positively prepared</p>	<p>development and wording of policy M9 are perverse, and inconsistent with how other policies have been prepared due to the lack of proper consideration of material facts and risks. No consideration has been made of the emerging evidence of both significant risk and proven environmental harm that “unconventional extraction methods” (UEM) inherently bring, and the need for the policy to effectively handle those risks.</p> <p>UEM, as the term itself incorporates, is extraordinary. It is an emerging technology with substantial risks, that requires extraordinary consideration. A separate policy is required to address the extraordinary and unconventional nature, and great caution in the approach to permitting, to take account of the level of risk and emerging evidence. It is perverse to construct a policy which is presumptive in favour of development, with no demonstrated consideration of the risks,</p>	<p>approach is required, which demands the highest levels of proof of overwhelming benefit in proportion to risk, and a full assessment of both possible impacts and reversibility of them. Bonds should also be required to cover the full cost of remediation or consequential costs in dealing with adverse effects. The ability to quickly and cost effectively suspend or revoke permissions must be incorporated to cater for periods of drought and any instances of suspected harm.</p> <p>It is an unsound decision not to, given that these methods are unconventional, still quite new, and have caused proven harm elsewhere. Harm that was claimed by the operators to not be significant risks. Too little is known at this stage to positively legislate in favour of such operations.</p> <p>Research recently published by Stanford and MIT, concluded that the levels of methane pollution from UEM were up to 75% higher than predicted, and most likely on average 50% higher. 11 UEM sites have been shut down in California alone due to ground water contamination. The peer reviewed study "Birth Outcomes and Maternal Residential Proximity to Natural Gas</p>			

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									<p>impacts and extraordinary need to react to emerging data.</p> <p>The SA document has not been prepared in accordance with Environmental Assessment of Plans and Programmes Regulations 2004 and is in contravention of Reg12(3) Sch2 s6. The proven harm that UEM has already caused elsewhere, and known risks have not been considered in terms of likely significant effects and areas that may be affected. There is no consideration of the risks of UEM when considering risks to water supply and quality, or air quality. No mention is made of the now proven risk of causing earthquakes, both in areas of existing seismic activity and areas with no recent seismic history. There is also therefore no consideration of the reversibility of impacts.</p> <p>UEM operators themselves provide regulatory warnings to their investors that their</p>	<p>Development in Rural Colorado" shows a 30% higher risk of congenital heart defects to babies born, near UEM wells.</p> <p>The State of New York has banned UEM, and so has Denton TX which is the place where UEM was first started.</p> <p>The whole basis upon which UEM has been permitted and the stated level of risk has been shown to be false. These existing facts, and the knowledge that new information is still emerging, are material considerations that cannot simply be ignored.</p>				

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										<p>operations involve inherent risks including leaks, spills, explosions, blowouts, environmental damage, injury and death. Yet they do not state the risks in the same terms when seeking permits.</p> <p>It has not been demonstrated that Objectives 1,3,4,5,7,8,9 and 10 of the SA have been met in relation to Policy M9.</p> <p>It has not been demonstrated that alternatives have been properly considered in respect of UEM. The SA has only taken evidence from the document "Securing the Future – Delivering UK Sustainable Development Strategy", a document which was prepared between 2005 and 2011, and therefore has failed to consider the material consideration of current evidence of risk and proven harm.</p> <p>In the Consultation Statement document, in relation to Policy M9 it is stated that from the consultation there is a "perceived pro-development approach".</p>				

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										<p>This is a subjective opinion, with no supporting evidence of its correctness. It is both misleading and dismissive of the objections that were received.</p> <p>The draft policy M9 does not accord with the NPPF, and therefore if not suitably amended would be open to a judicial challenge at any point in the future. A separate policy is required in respect of unconventional methods of extraction of energy minerals. The draft policy document as a whole, and its supporting documents have failed to give the required full and proper consideration of unconventional methods of energy extraction.</p> <p>The apparent presumption in favour of hydrocarbon extraction ignores the requirement in NPPF para 147 to "clearly distinguish between the three phases of development".</p> <p>The NPPF supports only the sustainable use of minerals and therefore this sort of blanket presumption ignores the sustainability test.</p>				

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										<p>NPPF 143 (6) requires guidance to “set out environmental criteria, in line with the policies in this Framework, against which planning applications will be assessed so as to ensure that permitted operations do not have unacceptable adverse impacts on the natural and historic environment or human health, including from noise, dust, visual intrusion, traffic, tip- and quarry-slope stability, differential settlement of quarry backfill, mining subsidence, increased flood risk, impacts on the flow and quantity of surface and groundwater and migration of contamination from the site; and take into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality”. In accordance with this the hydrocarbon specific environmental criteria should be spelled out clearly in the policy and not left to a later document. The full policy and guidance must be considered and consulted</p>				

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										<p>on together.</p> <p>Table 3.2 on page 26 of the Sustainability Assessment shows that draft policy M9 carries the highest negative impact rating, including that for climate change. To have made draft policy M9 presumptive in favour of development is a clear derogation from the Climate Change Act 2008, and therefore is considered to be both perverse and unlawful.</p> <p>At 3.3.10 of the Sustainability Assessment it is stated that "However the policy (M9) is a necessary response to national energy policy and a requirement imposed by NPPF". This is wholly incorrect and misleading with respect to unconventional extraction methods as there is no National Policy Statement that covers these operations. This is further grounds for requiring a separate policy in respect of unconventional extraction methods, as the justification for and consideration leading to the development of policy M9 does not include</p>				

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										unconventional methods of extraction.				
Gill Wils on (City of Linc oln Cou nci)	Safe guar ding Mine ral Res ourc es - Polic y M11 (and maps)	193									As matters of concern we also highlight the primary use of BGS's mineral resources maps for allocation of Mineral Safeguarding Areas (MSA) and that the lack of 'sufficient detailed knowledge of the nature and extent of suitable building stone resources to identify potentially workable materials" (para 5.84) has resulted in extensive areas of Safeguarded land around Lincoln, an area that the draft Central Lincolnshire Local Plan has identified as a priority for meeting Housing and Economic Growth targets.  <b>Change Requested;</b> that the concerns raised are noted and reference made to the need for the Waste and Minerals Plan to support Growth both through the provision of mineral resources and through the consideration of suitable development sites.			
Gill Wils on (City of Linc oln Cou	Safe guar ding Mine ral Res ourc es -	195									The City Council supports the exception clauses outlined in Policy M11 regarding the refusal of Planning Permissions within MSA, but request further clarity be given.  <b>Change Requested</b>			

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ncil)	Pol- icy M11 (and maps)										<p>That the exception text of Policy M11 be amended as highlighted;</p> <p><b>“Planning permission will be granted for development within a Minerals Safeguarding Area provided that it would not sterilise mineral resources within the Mineral Safeguarding Areas or prevent future minerals extraction on neighbouring land unless:</b></p> <p><b>the applicant can demonstrate to the Mineral Planning Authority that prior extraction of the mineral would make the development unviable, and that the development could not reasonably be sited elsewhere; or</b></p> <p><b>the incompatible development is of a temporary nature and can be completed and the site restored to a condition that does not inhibit extraction within the timescale that the mineral is likely to be needed; or there is an overriding need for the development, to meet locally evidenced Housing and/or economic needs ( ‘evidence’ defined as that demonstrated through Local Strategic Housing Market need and Strategic Housing and Economic Land Availability assessment)</b></p> <p>or the development is of a</p>			

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Pa- ra- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant?	So- und?	Com- pliy with DtC?	Unso- und becau- se they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part- icipate?	Reasons for participating in oral examination:	LCC response:
											minor nature which would not inhibit extraction of the mineral resource; Or the development is, or forms part of, an allocation in the Development Plan.			
Boston Borough Council (Peter Udy)	Safe guarding Mineral Resources - Policy M11 (and maps)	5		M11		Yes	Yes	Yes			The first two paragraphs are clear but we have difficulty in following the sense of the bullet points. Should "unless" be "provided"?	No		
Central Lincolnshire Local Plan (Gemma Wildman)	Safe guarding Mineral Resources - Policy M11 (and maps)	95		M11		No	No	Yes	Effective	The plan making system dictates that, for any geographical area, only one Policies Map can exist which represents geographically the policies of the 'development plan' for that area. With Minerals and Waste plans forming part of the 'development plan' for an area, it therefore means, in two-tier council areas, that it is the responsibility of each district to incorporate on their adopted Policies Maps any allocations or spatial	At the point of submission, the County Council should make it clear precisely what changes would be brought about to the Policies Map should the plan be adopted. This will require, as a minimum, the publication of a separate Map at a sufficient scale which clearly showed the exact location of all allocations intended to subsequently be identified on the Policies Map (including safeguarded areas, if they are intended to be included on the Policies Map).  For the avoidance of doubt, anything within the Local Plan	No		

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										<p>policies from the County Councils' Minerals and Waste Local Plans.</p> <p>On that basis, it falls on Central Lincolnshire to include all Lincolnshire Minerals and Waste allocations or spatial policies which fall within its area on its Policies Map.</p> <p>Further, within the plan making regulations (2012), it is made clear that if, on adoption, a development plan document would result in the need to amend the Policies Map, then it needs to be made clear at the point of Submission of that plan what amendments these would be.</p> <p>In this regard, Central Lincolnshire is concerned that the Lincolnshire Minerals Waste Local Plan (Core Strategy and Development Management Policies) Pre Submission plan does not include adequate maps or text to confirm what amendments to the Policies Map would be needed, should the plan be adopted in its current</p>	<p>which does not explicitly say that this will result in amendments to the Policies Map, will mean they will not be included on the Central Lincolnshire Policies Map. The County Council should, therefore, prior to submission fully review all diagrams, maps and other material, including the text accompanying such items, accordingly. It should also review text within the plan, including its policies, and clarify statements such as that in Policy M11 and clarify whether, in this example, it means 'shown on Figure 1' or whether it would more appropriately say 'shown on the Policies Map'.</p> <p>If the submitted documents make it clear, using appropriately scaled maps, what amendments to the Policies Map will arise (if the plan is adopted) then Central Lincolnshire will likely withdraw its objection.</p>			

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										form. As such, if submitted as per the pre-submission version, the Plan would not be legally compliant with the requirements of the Town and Country (England) Regulations 2012, and thus unsound.				
East Lindsey District Council (Alexander Murphy)	Safeguarding Mineral Resources - Policy M11 (and maps)	94		M11						<p>Thank you for consulting East Lindsey District Council on the Draft Lincolnshire Minerals and Waste Local Plan.</p> <p>Whilst in general support of the Plan and welcome the proposed progressive reduction of mineral extraction within the AONB we still have concerns relating to policy M11.</p> <p>It is accepted that within the NPPF Local Minerals Authorities are to define Mineral Safeguarding Areas and we recognise that clear improvements have been made to policy M11 since the last consultation. Through increased co-operation between authorities the policy has become much clearer to understand than was the case before; it is however felt further work</p>				

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										<p>is still required.</p> <p>The policy would not be easy for the man in the street to understand, there are far too many acronyms and it is overly long and is not set out in plain English. Also unfortunately, whilst the addition of exempted development within the MSA is welcomed, due to the poor quality of maps provided as part of the consultation it is not possible for the Council to fully understand the implications the policy will have on possible windfall sites, etc until such time as we have allocations in place.</p> <p>Due to the large geographical area covered on the supplied maps the ability to gauge the extent the safeguarding areas and Minerals Consultation Areas covers is not possible.</p> <p>It is also felt along with showing the Minerals Consultation Areas more clearly within this consultation document, it would also have been beneficial at this stage to</p>				

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										<p>have been provided a list of the development criteria requiring consultation in the proposed Mineral Consultation Areas as well.</p> <p>Unfortunately therefore due to the above we have to object to the plan as a whole until such time as the true implications of having Mineral Safeguarding Areas and Mineral Consultation Areas can be gauged.</p>				
Hanson (Brian Chapman)	Safeguarding Mineral Resources - Policy M11 (and maps)	155		M11						Mineral Safeguarding Areas – the principle of mineral safeguarding and the use of Mineral Consultation areas is supported. However, in the specific location of Baston \ Langtoft I think the MSA needs to extend further south and west to the A1175 and A15 respectively. This is an area of important resource which requires protection.				
Heaton Planning (Kate)	Safeguarding Mineral Res	92		M11		Yes	Yes			<b>*Please note our full response is set out in our letter of representation to the Council dates 12th February 2015*</b>		No		

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Tod- d)	our- ces - Pol- icy M11 (and maps)									<p>We are supportive of the location and extent of the minerals safeguarding area, which broadly follows the boundaries of the proposed Areas of Search. We note that the safeguarding area includes the proposed Lea Marsh site (to the south of Gainsborough). As previously mentioned, the Lea Marsh scheme has the potential to make a valuable contribution to future sand and gravel supply in the Lincoln/Trent Valley production area in the latter stages of the plan period. We are therefore supportive of its safeguarding in the Plan.</p> <p>It is unclear from the safeguarding Plan whether the Eagle Hall area (to the west of the Whisby Quarry site) is included within the sand and gravel safeguarding area. In the longer term, there is the prospect for Eagle Hall to provide a potential source of sand and gravel by way of an extension or as a satellite site to Whisby Quarry. As such, this area should be safeguarded from unnecessary sterilisation.</p>				

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Malcolm Ratcliff (Mineral Products Assn)	Safeguarding Mineral Resources - Policy M11 (and maps)	102	5.79-5.94	M11		Yes	No	Yes	Justified Effective Consistent with national policy	<p><b>Policy M11: Safeguarding of Mineral Resources &amp; Paras 5.79 – 5.94</b></p> <p>This policy is unsound being contrary to NPPF para 143 and NPPG para 27-002 – 27-004 and BGS Mineral Safeguarding in England good practice advice. In particular, Locations of economic mineral are unjustifiably left out of the MSAs – e.g. chalk</p> <p>Urban areas are excluded from the proposed designation contrary to good practice</p> <p>Spot safeguarding should be included for all permitted mineral sites including building stone having due regard to operators' aspiration for future working,</p> <p>In addition, the requirement for consideration of prior extraction is watered down to only if it would not make the non mineral development unviable. We consider that this unreasonably places the onus on mineral safeguarding to justify itself rather than a non mineral development</p>	<p>We suggest the policy is amended as follows, (additions in <b>bold</b>; deletions in <del>strikethrough</del>)</p> <p>Policy M11: Safeguarding of Mineral Resources</p> <p>Sand and gravel, blown sand, <b>chalk</b> and limestone resources that are considered to be of current or future economic importance within the Minerals Safeguarding Areas shown on Figure 1, together with potential sources of dimension stone for use in building and restoration projects <b>including those</b> connected to Lincoln Cathedral/Lincoln Castle within the areas shown on Figure 2 will be protected from permanent sterilisation by other development.</p> <p>Planning permission will be granted for development within a Minerals Safeguarding Area provided that it would not sterilise mineral resources within the Mineral Safeguarding Areas or prevent future minerals extraction on neighbouring land unless:</p> <p>the applicant can demonstrate to the Mineral Planning Authority that prior extraction of the mineral would <del>make the development unviable</del> <b>not be possible</b>, and that <b>the development could not</b></p>	Yes	The Mineral Products Association (MPA) is the trade association for the aggregates, asphalt, cement, concrete, dimension stone, lime, mortar and silica sand industries. With the recent addition of The British Precast Concrete Federation (BPCF) and the British Association of Reinforcement (BAR), it has a growing membership of 450 companies and is the sectorial voice for mineral products. MPA membership is made up of the vast majority of independent SME companies throughout the UK, as well as the 9 major international and global companies. It covers 100% of GB cement production, 90% of aggregates production and	

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										<p>proposed in a MSA. A developer should be required to show why prior extraction cannot take place in accordance with the BGS advice para 2.3.3.</p> <p>We also consider that the criterion, that the development could not reasonably be sited elsewhere, should be a separate criterion. The BGS good practice advice para 7.0.4 advises lpas to make sure that prospective developers always consider other locations for the development.</p> <p>We also object to the retention of thresholds in para 5.94 which is contrary to the advice of the BGS good practice. Even small developments can sterilise minerals not just building stone. For example, a 1 ha sensitive development situated in resource area has the potential to sterilise an area of 28.27[1] ha in the case of sand and gravel, and 95.03[2] ha in the case of crushed rock. If we apply average yields of mineral per hectare to these figures up to 1.41 Mt[3] of sand and gravel</p>	<p><b>reasonably be sited elsewhere; or</b> the incompatible development is of a temporary nature and can be completed and the site restored to a condition that does not inhibit extraction within the timescale that the mineral is likely to be needed; or there is an overriding need for the development, to meet local economic needs; or the development is of a minor nature which would not inhibit extraction of the mineral resource; or the development is, or forms part of, an allocation in the Development Plan.</p> <p><i>Exemptions</i></p> <p><i>This policy does not apply to the following:</i></p> <p><i>Applications for householder development</i></p> <p><i>Applications for alterations to existing buildings and for change of use of existing development, unless intensifying activity on site;'</i></p> <p><i>Applications for Advertisement Consent</i></p> <p><i>Applications for Listed Building Consent</i></p> <p><i>Applications for Conservation Area Consent</i></p> <p><i>Applications for reserved matters including subsequent applications after outline consent has been granted</i></p>		<p>95% of asphalt and ready-mixed concrete production and 70% of precast concrete production. Each year the industry supplies £9 billion of materials and services to the £120 billion construction and other sectors. Industry production represents the largest materials flow in the UK economy and is also one of the largest manufacturing sectors.</p> <p>Given the NPPF's recognition of the economic and employment benefits of the extractive industries (paras 28 &amp; 144) we should like to direct your attention to 'Making the Link', a document produced by the MPA to highlight the contribution that the sector</p>	

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										could be sterilised and 33.76 Mt[4] of crushed rock. These figures very effectively illustrate the dangers of proximal development for mineral sterilisation and why it is exceedingly unwise to adopt thresholds for mineral sterilisation. We also consider that para 5.93 needs to go further by making the submission of proof of potentially workable reserves through a mineral assessment to be mandatory for developers in the non exempted categories in accordance with BGS good practice advice Section 6.	<p><i>Prior Notifications (telecommunications; forestry, agriculture; demolition)</i></p> <p><i>Certificates of Lawfulness of Existing or Proposed Use or Development (CLEUDs and CLOPUDs)</i></p> <p><i>Applications for Tree Works</i></p> <p><b>NB: all sites with known resources of chalk and building stone should be included in the MSAs with suitable buffers.</b></p>		makes to the economy. The document can be downloaded from the following website.  <a href="http://www.mineralproducts.org/documents/MPA_MTL_Document.pdf">http://www.mineralproducts.org/documents/MPA_MTL_Document.pdf</a>	
Mick George Ltd (John Gough)	Safeguarding Mineral Resources - Policy M11 (and maps)	57		M11			Yes			The company supports the policy relating to the Safeguarding of Mineral Resources (Policy M11) together with the safeguarding of existing mineral extraction areas (Policy M12) as being consistent with national planning policy (paragraph 143). It is important that other land uses should not be allowed to unnecessarily sterilise mineral resources or encroach on operational or allocated				

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										sites which would affect the capacity to meet assessed mineral needs in the county.				
South Kesteven District Council	Safeguarding Mineral Resources - Policy M11 (and maps)	41		M11		Yes	No			The wording of this policy should be amended to remove references to "applications for Conservation Area Consent", to reflect the changes brought about by the Enterprise and Regulatory Reform Act (Abolition of Conservation Area Consent) (England) Order 2013.				
South Kesteven District Council (Rachel Armstrong)	Safeguarding Mineral Resources - Policy M11 (and maps)	74		M11						Having read the plan it is apparent that at some point in the near future we will need shapefiles to use on our GIS constraint layers, particularly for the consultation and safeguarding areas. This will enable us to include them on Land charge searches and for them to be used in our development management team for consultations. They will also be used by the Planning policy team in determining future site allocations for housing				

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										<p>and employment use.</p> <p>Please can you confirm the following:</p> <p>When you think we should start referring to these designations on land charge searches and what form of words should we be using?</p> <p>When we should start using the consultation for development management and who consultations should be addressed to.</p> <p>When will you be able to provide the shape files for these designations and what process you will employ to ensure these are updated as the plan progresses to adoption.</p>				
Swinder by Sand and Gravel Consortium (Alis tair Duncan)	Safe guarding Mineral Resources - Policy M11 (and maps)	243		M1 1						The size of the mineral resource within the Consortium's holdings is capable of meeting a significant proportion of the County's overall requirements for the life of the Plan. By concentrating production in fewer locations the industry is enabled through greater economies of scale to make long term investment in the site designed to mitigate its local environmental				

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										impact and the County is enabled to focus its provision of construction materials in fewer key locations thereby achieving a lower overall impact on the environment.				
Gill Wils on (City of Lincoln Council)	Safe guarding of Existing Mineral Sites and Infrastructure - Policy M12 (and map )	196									Policy M12 <b>“Safeguarding of Existing Mineral Sites and Associated Minerals Infrastructure”</b> does not currently have any exemption text as Policy M11. In some instances it may be suitable for some of these sites to be considered for development and as such an exemption clause should be included.  <b>Change Requested</b>  That Policy M12 includes exemption text as per policy M11.			
Mick George Ltd (John Gough)	Safe guarding of Existing Mineral	58		M12			Yes			The company supports the policy relating to the Safeguarding of Mineral Resources (Policy M11) together with the safeguarding of existing mineral extraction areas (Policy M12) as being				

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	Sites and Infrastructure - Policy M12 (and map)									consistent with national planning policy (paragraph 143). It is important that other land uses should not be allowed to unnecessarily sterilise mineral resources or encroach on operational or allocated sites which would affect the capacity to meet assessed mineral needs in the county.				
South Kesteven District Council	Safe guarding of Existing Mineral Sites and Infrastructure - Policy M12 (and map)	42		M12		Yes	No			The wording of this policy should be amended to remove references to "applications for Conservation Area Consent", to reflect the changes brought about by the Enterprise and Regulatory Reform Act (Abolition of Conservation Area Consent) (England) Order 2013.				
Environment	Irrigation Reservoir	214				Yes	No	Yes	Justified	Irrigation reservoirs are, and will continue to be a measure by which water users can adapt to our		No		

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Age- ncy (An- dre- w Bail- ey)	rs - Pol- icy M14									changing climate. Whilst the primary purpose of irrigation reservoirs is water storage and supply we would like to see the supporting paragraphs extended to recommend that proposers consider their proposals in the context of the local landscape / biodiversity and any landscape scale projects. This needs to be considered at the planning stage otherwise important opportunities could be missed. This would mirror restoration policies for mineral workings and seek net biodiversity gain from development. This can be achieved through signposting / linking policy M14 policy R1 and R2 and vice versa.				
Linc- olns hire Wild- life Trus- t (Eliz- abet- h Biott)	Bor- row Pits - Pol- icy M15	9		M15		Yes	No	Yes	Consist- ent with nation- al policy	The supporting text for Policy M15 in paragraph 5.107 recognises that borrow pits can develop into important habitats. They can therefore offer significant opportunities for the enhancement of biodiversity, linking in to landscape scale habitat restoration appropriate for the area. If significant nature conservation	To ensure Policy M15 complies with the requirements of the NPPF the Lincolnshire Wildlife Trust would recommend that an additional bullet point is added as follows: 'significant nature conservation benefits would result'.	No		

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										<p>benefits would result from the excavation of borrow pits then that should be a valid reason for granting planning permission. Without reference in this policy to nature conservation the Lincolnshire Wildlife Trust would argue that the policy does not comply with the requirements of the National Planning Policy Framework (NPPF) to enhance biodiversity: 109. The planning system should contribute to and enhance the natural and local environment by: ● minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; 117. To minimise impacts on biodiversity and geodiversity, planning policies should: ● promote the preservation, restoration and re-creation of priority habitats,</p>				

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										ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan;				
Mick Georger Ltd (John Gough)	Borrow Pits - Policy M15	59	6.1	M15			No		Positively prepared	In considering construction, Demolition and Excavation Waste, a definition of this waste category is provided. As a major operator in this sector the Company does not accept the view that such waste streams are largely managed on-site and therefore make no demands of capacity at privately operated waste management sites. Given the general paucity of recorded information on this waste this assumption underplays the value and need for further merchant facilities to manage this waste stream which accounts for 49% of waste arisings in the county (source: Waste Needs Assessment Figure 2). From the company's experience, the construction, demolition and excavation sectors make significant demands	The Company consider that in respect of CD&E arisings and management then Table 6 of the Plan should be amended to show <b>85% of excavation waste going to landfill and 5% being re-used off-site.</b>  Applying this to year 2014 of Table 6 the following change would result: <b>C&amp;D</b> - 453,150 <b>E arisings</b> - 503,500 <b>Transfer</b> - 330,042 <b>Re-use</b> - 2430,60 <b>Treatment</b> - 172,064 <b>Landfill</b> - <b>664,635</b>  Applying the above apportionment to the last year of the plan period the following figures result: <b>C&amp;D</b> - 510,203 <b>E arisings</b> - 566,893 <b>Transfer</b> - 231,904			

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										<p>on privately operated waste management sites. The definition goes on to state that as excavation waste is often bulky and of low value, substantial quantities of all these wastes are recycled or re-used where they are created. As an operator with expertise in this area, this is a gross misrepresentation of the reality. Excavation waste is transferred to other construction projects or restoration schemes. It is entirely wrong to assume that this waste will always be used somewhere within the site from which it was generated, and as a result the council have seriously underestimated the amount of excavation waste likely to be produced in the county, which affects Table 6 of the plan and therefore the need to manage that waste over the plan period. As an operator in this sector the Company has reviewed a number of "muck away" contracts in Lincolnshire it has undertaken to identify the scale of the call made on waste management facilities outside the</p>	<p><b>Re-use - 493,196</b>  <b>Treatment - 113,883</b>  <b>Landfill - 748,316</b></p> <p>It will be noted that adding excavation waste arisings makes a very significant difference to the annual landfill requirement and should be considered in the context of the stated annual landfill capacity figure used in the Waste Needs Assessment 2014 of 552,443 tonnes. The Company believe there will be a significant shortage of landfill capacity to manage CD&amp;E wastes over the plan period and the plan must acknowledge a potential shortfall and additional provision must be made in the Site Locations document.</p>			

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										development site. Much of the material moved was excavated subsoil which was taken to landfill. Any surplus top soils removed are screened off-site and re-used on other construction projects. By way of example the table below summarises recent projects the Company have undertaken in Lincolnshire. ( <b>see original representation for table</b> ) It is clear from the information above that the council's assumption that excavation waste is managed on-site and makes no demands on third party waste management capacity is not robust which will lead to increased demands on inert waste disposal facilities. For the purposes of land use planning the Company recommend that the plan assumes that <b>10%</b> of excavation waste remains on the development site and that <b>85%</b> makes demands on inert landfill facilities. The remaining <b>5%</b> is re-used off-site.				
Mick Geo	Borrow	60	6.1	M15			No		Positively	Paragraph 6.19 provides information on the arisings				

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rge Ltd (John Gough)	Pits - Policy M15		9						prepared	date for C&D waste, stating that 400,000 was produced in 2008, 130,000 was produced in 2011, rising to 220,000 in 2012. The Council produced a Waste Needs Assessment in 2012. The 2012 assessment provided an estimate of 1,247,113 tonnes of C&D arising in Lincolnshire 2008. This is significantly different from the 400,000 now being presented in the 2014 Waste Needs Assessment. The Council needs to explain this discrepancy and the reasons why the 2014 lower figure is considered robust as a basis for plan making.				
Mick George Ltd (John Gough)	Borrow Pits - Policy M15	61		M15			No		Positively prepared	It is not clear where this data comes from, although it is assumed to be from the Waste Needs Assessment 2014. There is little background information to support this table, and no definitions supplied. What is the difference between Recycling & Re-use and Treatment? Most transfer sites provide some form of treatment, even the use of a trommel screen to				

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										separate soils, before being transferred off-site for re-use. How has the council ensured that this waste has not been double counted?				
Mick Geor- ge Ltd (John Gough)	Bor- row Pits - Pol- icy M15	62	6. 2 1	M1 5			No		Positiv- ely prepar- ed	Paragraph 6.21 refers to the council's assessment of waste growth in order to calculate the infrastructure requirements over the plan period. The growth forecast has been based on growth in employment rates which is considered to reflect industrial activity. Paragraph 3.8 states that farming is still a major industry in Lincolnshire, as is manufacturing. Employment growth in these two sectors does not correlate to the growth in C&D waste. The growth in C&D waste is linked to construction projects and for some parts in Lincolnshire and surrounding areas, there are planned major infrastructure projects which will impose demands on the minerals and waste industry and known proposals should be included in the assessment of future				

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										<p>needs.</p> <p>In particular the Council needs to expressly confirm that its draft plan has taken account of major infrastructure projects such as the Lincoln Eastern Bypass (circa £100m) and the Grantham Southern Relief Road (circa £64 m) which are being pursued over the next few years. There are also plans to construct 4,000 homes in area known as the Southern Quadrant in South Kesteven.</p> <p>The uncertainty regarding the data on waste arisings, and the inaccurate approach for assessing waste growth, raises serious questions about the capacity assessment, the need for more facilities and therefore the long term deliverability of the strategy.</p>				
Bedford Borough Council	Waste Arisings in Lincs	105	6.19	W1						The Environment Agency has released figures for 2013. Bedford Borough Council therefore recommends updating paragraph 6.19 accordingly.				

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(Natalie Chillcott)	hire - Policy W1													
Ben Hunt Planning Ltd (Ben Hunt)	Waste Arisings in Lincolns hire - Policy W1	118	6.36 Tables 9 & 10	W1			Yes			GOLAG notes that for aggregates recycling, Table 9 estimates a capacity gap increasing from 232,590 tonnes in 2014 up to 466,099 tonnes in 2031. In broad terms, this is translated in Table 10 into a number of additional facilities which may be needed over the Plan period to 2031. For recycling of CD&E waste, this would equate to five sites with a capacity of 50,000 tonnes per annum in the short term; a further two by 2020, and a further three by 2031. Paragraph 6.36 notes that this is likely to be very much an upper, pessimistic estimate of the additional capacity needed, and GOLAG agrees with this latter statement - albeit that it may be appropriate to allow some additional sites to match the location of arisings to the location of facilities; and for some smaller sites to meet local need.		No		

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Ben Hunt Planning Ltd (Ben Hunt)	Waste Arisings in Lincolnsire - Policy W1	122		W1			No		Justified	<p>GOLAG considers that Policy W1 as currently worded is unclear and needs rewording.</p> <p>Firstly, it states that locations will be identified for facilities "... to meet the predicted arisings up to and including 2031". Perhaps this statement should really be altered to refer to dealing with the <u>Capacity Gaps</u> (as set out in Table 9), rather than the arisings (as a whole)? Unless it is meant that the Site Locations document will include the identification of existing facilities.</p> <p>Secondly – and connected to the first point - the policy goes on to state that the Site Locations document will identify locations for facilities to "... meet the recycling and treatment targets .....as presented in Table 9....". However, Table 9 does not present recycling and treatment targets as such. Rather, it identifies the Capacity Gap which would arise <u>if</u> certain recycling targets are met, and <u>if</u> forecast quantities of different types of waste arise for</p>	<p>GOLAG suggests that Policy W1 is reworded as follows:</p> <p><b><i>“The County Council will, through the Site Locations document, identify locations for a range of new or expanded waste management facilities within Lincolnshire to:</i></b></p> <p><b><i>a) meet the predicted capacity gaps for waste arisings in the County up to and including 2031, as set out in Table 9; and</i></b></p> <p><b><i>b) provide the numbers, sizes and types of facility identified in Table 10,</i></b></p> <p><b><i>subject to any new forecasts published in the Council's Annual Monitoring Reports.”</i></b></p>	No		

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										<p>management.</p> <p>There is also a difficulty with the policy in that it uses the term "... as a <i>minimum</i> ...". This may present something of a conflict with the statement in paragraph 6.36 regarding forecasts of the additional CD&amp;E waste capacity and sites which will be needed – which are regarded as "upper or pessimistic" estimates.</p>				
Environment Agency (Andrew Bailey)	Waste Arisings in Lincols - Policy W1	215	6.28 / 6.29							<p>It is unclear how / if waste imports from neighbouring areas have been factored into the waste needs assessment (National Planning Policy for Waste, paragraph 2i). This should be covered by the Duty to Co-operate. The Duty to Co-operate Statement identifies relevant organisations have had an ongoing role in the development of this plan and the issues they have been engaged on.</p> <ul style="list-style-type: none"> <li>Waste movements across administrative boundaries are one of the strategic matters</li> </ul>		No		

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										<p>that the duty to co-operate covers.</p> <ul style="list-style-type: none"> <li>Information collated in the Waste Needs Assessment Interim Report: Waste Arisings and Review of Cross-Boundary Movements (July 2014) identifies the patterns of import and export and provides the basis for meeting the Council's Duty to Cooperate obligations.</li> <li>The example letter (appendix 2) concerning waste movements focuses on waste exports from Lincolnshire and asks for information on sites ability to continue to receive waste from Lincolnshire through the plan period. The letter does not ask about neighbouring authorities requirements for Lincolnshire to receive waste.</li> <li>The Waste Needs Assessment Interim Report: Waste Arisings and Review of Cross-Boundary Movements (July 2014) states that</li> </ul>				

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										<p>'It is not possible to predict what material might be imported and what type of waste management capacity would be required.'</p> <p>However, it is possible to ask neighbouring authorities if their plan identifies a need for export, if that exported need is currently met by Lincolnshire, and if their plan has identified that as an ongoing need.</p> <p>Paragraph 6.29 identifies that 'the assessment assumes that there will be no substantive change in intensity, scale or farming techniques during the Plan period and therefore these requirements remain constant over the period 2014-2031'. This is contrary to the Greater Lincolnshire Local Enterprise Agri-Food Sector Plan which has the following vision:</p> <p>o</p> <p><i>The Greater Lincolnshire agri-food sector will double its</i></p>				

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										<p><i>contribution to the economy by 2030 through an ambitious programme of investment in productive capacity, skills and knowledge to drive an increase in high value added sales to UK and export markets.</i></p> <p>Paragraph 6.28 identifies that less than 1% of agricultural waste is controlled waste requiring off site management capacity. Therefore it may be that any potential increase will not significantly affect the assessment of future need. However, the potential increase should be taken into account.</p>				
Envi- ron- ment Agency (Andre- w Bailey)	Was- te Aris- ings in Linc- olns hire - Polic- y	218		W1						<p>Other – Duty to Co- operate</p> <p>It is unclear how / if waste imports from neighbouring areas have been factored into the waste needs assessment and consequently informed this pre-submission draft? Waste movements across</p>				

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant?	Sound?	Com- pliant with DtC?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Participate?	Reasons for participating in oral examination:	LCC response:
	W1									<p>administrative boundaries are one of the strategic matters and therefore this should be identified within the Duty to Co-operate Statement. The Duty to Co-operate Statement identifies relevant organisations have had an ongoing role in the development of this plan and the issues they have been engaged on.</p> <p>Information collated in the Waste Needs Assessment Interim Report: Waste Arisings and Review of Cross-Boundary Movements (July 2014) identifies the patterns of import and export and provides the basis for meeting the Council's Duty to Cooperate obligations.</p> <p>The example letter (appendix 2) concerning waste movements focuses on waste exports from Lincolnshire and asks for information on sites ability to continue to receive waste from Lincolnshire through the plan period. The letter does not ask about neighbouring authorities requirements for Lincolnshire to receive</p>				

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										waste. The Waste Needs Assessment Interim Report: Waste Arisings and Review of Cross-Boundary Movements (July 2014) states that 'It is not possible to predict what material might be imported and what type of waste management capacity would be required.' However, it is possible to ask neighbouring authorities if their plan identifies a need for export, if that exported need is currently met by Lincolnshire, and if their plan has identified that as an ongoing need.				
James Pocklington	Waste Arisings in Lincolnshire - Policy W1	84	6.9	W1		Yes	No	Yes	Consistent with national policy	Although I appreciate you have adjusted LACW projections to 2031 from the first draft, I still believe that they do not reflect the trends in household waste production. For the last decade the LACW/capita for Lincolnshire has been reducing, not increasing. Using verifiable sources I have compiled this chart for the last 10 years. The LACW projection for 2014 is from LCC estimates.  LACW Pop.(Est) kg/capita 2004/5 362,000 672,230	Review LACW projections downwards to indicate that LCC understands the limits to waste growth.	No		

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										<p>539</p> <p>2005/6 360,000 678,952 530</p> <p>2006/7 362,000 685,742 528</p> <p>2007/8 352,123 692,599 508</p> <p>2008/9 359,798 699,525 514</p> <p>2009/10 345,789 706,521 489</p> <p>2010/11 355,209 714,000 497</p> <p>2011/12 342,000 719,250 475</p> <p>2012/13 342,000 724,500 472</p> <p>2013/14 342,000 728,847 469</p> <p>HM government statistics confirm this decline in waste /capita</p> <p>"Household waste has been falling since 2007/8, on average by just over 2% per year. This decline continued in 2012/13 to 22.6 million tonnes</p> <p>In 2012/13, 43.2% of the waste generated was recycled, re-used or composted. This is an</p>				

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										<p>increase from 41.5% in 2010/11. It equates to 423kg of waste generation per person per year, of which 183kg was recycled, composted or re-used"</p> <p><a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/265810/pb14100-waste-management-plan-20131213.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/265810/pb14100-waste-management-plan-20131213.pdf</a></p> <p>In view of the increasing pressure that future resource limitation and essential carbon emission reductions will place on our society, I can think of no scenario that will allow us to be as profligate and wasteful as we once were.</p> <p>Although you state that the waste management plan is not a vehicle for reducing waste, surely you should reflect the broad ambition of waste reduction within your projections.</p> <p>I would also suggest that the residual waste from the EfW plant that is destined for landfill (20%?) is not treated as locally collected waste but instead added to C &amp; I waste. The waste has</p>				

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										already been collected and counted as delivery to EfW it is confusing and inaccurate to add the residue back as LACW. Following the same logic you should be adding the 5-10% of dry recyclables that cannot be recycled back into the LACW figure too.				
Mick George Ltd (John Gough)	Waste Arisings in Lincols hire - Policy W1	63	W1		Table 9		No		Positively prepared	Capacity Gaps The draft Plan has considered whether there are gaps in capacity arising over the Plan period taking into account existing and planned capacity. Table 9 shows a rising need for a significant increase in aggregates recycling capacity by 2031 amounting to some 466,099 tonnes per annum by 2031. The draft plan is not however planning to make any more inert waste landfill capacity available as the plan indicates an overprovision of capacity, but there is little express information on existing commitments to be found in the draft Core Strategy document. Some information on existing				

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant ?	Sound ?	Com- ply with DtC ?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part- icip- ate?	Reasons for participating in oral examination:	LCC response:
										<p>capacity appears in Table 8 of the Waste Needs Assessment 2014 provides information on available waste capacity in Lincolnshire amounting to some 552,443 tpa of inert waste disposal capacity. This information appears to have come from Council records and Environment agency source data but the input data for each site is not available.</p> <p>Whilst the council going forwards will review matters through the Annual Monitoring Report but looking back at the 2012 Annual Monitoring Report the permitted inert landfill capacity (Table 1) is stated as 1.8 million tonnes (2011). It is also noted that an earlier Waste Needs Assessment (2012) predicted a shortfall in inert landfill capacity of around 20,000 tonnes per annum by 2020. Over the plan period Table 6 of the draft Plan expects circa 250,000 tonnes pa of CS&amp;E waste to be managed by landfill. Assuming the level of permitted capacity has not</p>				

Res pon den t Na me	Doc ume nt Part Nam e	Co mm ent ID	P ar a gr a p h	Pol icy	P ol ic ie s M a p	Leg ally Co m pl iant ?	S o u n d ?	Co m pl y wit h DtC ?	Uns ou nd bec au se they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part icip ate?	Reasons for participating in oral examination:	LCC response:
										<p>changed markedly since 2011 the inert waste capacity would be fully taken up in just over 7 years at predicted future landfill rates which would lead to a shortage of inert waste disposal facilities over the plan period which is not acceptable.</p> <p>At paragraph 1.5.13 in the Waste Needs Assessment 2014 it makes an assumption that the stated permitted capacity of 552,443 remains available every year up to the end of the plan period in 2031. Without access to the base data used the assumption that this annual capacity exists over the plan period cannot be verified. The Council should therefore bring forward the information to demonstrate that this assumption is potentially deliverable (i.e planning permissions are already in place and not time limited) consistently <i>over the whole of the plan period</i>. It is also noted that Paragraph 1.5.15 of the Waste Needs Assessment recommends that the County Council brings</p>				

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										<p>forward information on existing capacity as part of the core strategy and Development Management Policies. To date this recommendation appears to have been ignored by the Council but such informational is essential to a clear understanding of the provisions of the draft Plan and therefore its soundness.</p> <p>From the Waste Needs Assessment 2014 Table 4 it is clear that three inert landfill sites in the county have been excluded from capacity assessment due to paucity of information. Three non haz landfills have also not been included due to being in a current state of closure but note that their remaining capacity (unspecified) is potentially available to address identified gaps. The Company would have serious concerns if the council is hoping to rely on the availability of void in non haz landfill sites to manage CD&amp;E wastes due to the impact that would have on the costs of delivery of construction</p>				

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										<p>projects and growth.</p> <p>In providing for future capacity the location of sites for disposal of CD&amp;E waste are also of relevance if the council wishes to minimise lorry miles and also provide waste management facilities which are proximate to the major generators of waste and in particular the growth areas and major infrastructure projects. In bringing forward more detailed information on permitted capacity the plan should identify the location of these sites.</p> <p>Without detailed information on permitted capacity it is not possible to form a view on any capacity gap that may exist and whether sufficient sites will come forward to meet the needs of the future. This in the Company's view is a major omission in the Plan which must be addressed before submission of the plan.</p> <p>In considering the issue of capacity to meet future needs Section 3 of the National Planning Policy</p>				

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									<p>for aste requires plan making authorities to "consider the extent to which the capacity of existing operational facilities would satisfy any identified need". There is no clear evidence in the draft Plan that the Council has considered this important element of national guidance.</p> <p>Without clear transparency on the matter of capacity of existing operational permitted capacity it is not possible to judge whether the provisions of the plan is sound. If capacities and any gaps are not clarified now this will have significant implications for the Site Location plan and plan process.</p> <p>It needs to be confirmed that available capacity is the same as "currently operational capacity" to meet the national policy considerations.</p> <p>In considering the future availability of void capacity the Council appears to indicate that this to be delivered by continuing extraction at sand and gravel pits and</p>					

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant?	Sou- nd?	Com- pliy with DtC?	Unsou- nd because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part- icipate?	Reasons for participating in oral examination:	LCC response:
										quarries (para 6.34). Whilst disposal of suitable fill can make major contribution on the timely restoration of quarries the Company considers that the apparent emphasis on biodiversity led restoration schemes (particularly wetlands) in Policy R1 and R3 of the draft Plan is likely to result in fewer opportunities for inert waste disposal at sites in the future resulting in a reduction of overall capacity to meet future needs.				
Nor- ham- pton- shire- County- Council (Laura Davison)	Low level non-nuclear radioactive waste - Policy W2	76	6.41	W2						In relation to waste, the first part of the statement in para. 6.41 contradicts with the identity of Policy W2: "Given the above it is not possible to plan positively for this waste stream and any proposals for such will be dealt with on their own merits against relevant policies in the plan." It could be amended to read: "Proposals for such facilities will be assessed against Policy W2 and other relevant policies in the plan."	Para 6.41 could be amended to read: "Proposals for such facilities will be assessed against Policy W2 and other relevant policies in the plan."	No		

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant?	So- und?	Com- pliy with DtC?	Unso- und becau- se they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part- icipate?	Reasons for participating in oral examination:	LCC response:
Nort- hampton shire County Council (Laura Davidson)	Low level non-nuclear radioactive waste - Policy W2	77	6.41	W2		Yes	No	Yes	Positiv- ely prepar- ed	Rutland County Council The first part of the statement in para 6.41 contradicts with the identity of Policy W2: "Given the above it is not possible to plan positively for this waste stream and any proposals for such will be dealt with their own merits against relevant policies in the plan." It could be amended to read: "Proposals for such facilities will be assessed against Policy W2 and other relevant policies in the plan."	Para 6.41 could be amended to read: "Proposals for such facilities will be assessed against Policy W2 and other relevant policies in the plan."	No		
Rutl- and County Council	Low level non-nuclear radioactive waste - Policy W2	78	6.41	W2		Yes	No	Yes	Positiv- ely prepar- ed	The first party of the statement in para. 6.41 contradicts with the identity of Policy W2: "Given the above it is not possible to plan positively for this waste stream and any proposals for such will be dealt with on their own merits against relevant policies in the plan." It could be amended to read: "Proposals for such facilities will be assessed against Policy W2 and other relevant policies in the plan."	Para 6.41 could be amended to read: 'Proposals for such facilities will be assessed against Policy W2 and other relevant policies in the plan.'	No		
Bedf	Was	106		W3						The current wording				

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Bedford Borough Council (Natalie Chilcott)	Spatial Strategy - Policy W3									suggests proposals for new recycling or transfer facilities will not be permitted outside the towns listed in the paragraph. Bedford Borough Council suggests this has not been justified.				
Ben Hunt Planning Ltd (Ben Hunt)	Waste Spatial Strategy - Policy W3	117	W3	6.4 6.5 1			No		Justified Effective	<p>GOLAG agrees with the strategy to focus waste management facilities in and immediately around the main urban areas as far as possible.</p> <p>It is accepted that sometimes facilities for the recycling of CD&amp;E waste might be appropriately located in <u>existing</u> quarries; and these might be a little further from the urban edge. Similarly, it is accepted that there is a need to restore <u>existing</u> mineral workings using landfill of inert wastes, and that these might already be located a little further from the edge of urban areas.</p> <p>But at the same time GOLAG is concerned the Plan seems to abandon the possibility of locating significant C&amp;D and</p>	<p>GOLAG recommends that Policy W3 is reworded as follows:</p> <p><b><i>“Proposals for new and extended waste facilities will be permitted in and adjacent to the edge of the following main urban areas as indicated on the key diagram, subject to the criteria of Policy W4:</i></b></p> <p><b><i>Lincoln;</i></b>  <b><i>Boston;</i></b>  <b><i>Grantham;</i></b>  <b><i>Spalding;</i></b>  <b><i>Bourne;</i></b>  <b><i>Gainsborough;</i></b>  <b><i>Louth;</i></b>  <b><i>Skegness;</i></b>  <b><i>Sleaford; and</i></b>  <b><i>Stamford.</i></b></p> <p><b><i>Proposals for new and extended waste facilities outside the above areas will only be permitted where they are facilities for:</i></b>  <b><i>the biological treatment of waste including anaerobic digestion and open-air windrow composting, subject</i></b></p>	Yes	<b>GOLAG wishes to retain the possibility of appearing at the Examination in order to more fully explain its position, which may be different to that of both the County Council and mineral operators.</b>	

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										<p>aggregates recycling facilities – whether short term temporary or longer term permanent – within or on the edge of urban areas. GOLAG is also concerned at the suggestion in paragraph 6.47 that the term “around” might be interpreted differently for C&amp;D waste recycling without any clarification about what this might mean in practice.</p> <p>GOLAG considers that the policies of the Plan should promote genuinely urban-locations (ie within or on the edge of urban areas) for all types of waste facilities as a priority; and be very clear on how the locational strategy would operate for those facilities promoted for sites further away from the urban edge. At present it is considered that:</p> <p>a) the Plan does not state such priority emphasis sufficiently strongly enough, and paragraph 6.51 is not sufficient in this respect;</p> <p>and</p> <p>b) clarity is missing from Policy W3 and the</p>	<p><b><i>to the criteria of Policy W5; the treatment of waste water and sewage, subject to the criteria of Policy W9;• the landfilling of waste to restore existing mineral workings, subject to the criteria of Policy W6; small scale waste management, subject to the criteria of Policy W7 recycling of construction and demolition waste up to 2km (3km by road) from the edge of the existing or planned urban area.”</i></b></p>			

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									<p>supporting text in relation to what distances from urban areas would still be considered “around” urban areas, leading to uncertainty.</p> <p>Similarly, the Plan states in paragraph 6.48 that landfills usually occur in mineral voids, frequently in the countryside, and should not be directed to urban areas. Two points arise here. Firstly, GOLAG would be concerned if this was turned around and used to justify the opening up of a new rural quarry. Although reference is made to <u>existing</u> mineral operations in Policy W4, it is felt that this should also be clear from Policy W3.</p> <p>Secondly, infilling using inert waste has a better chance of being accommodated at existing sites close to the urban edge than landfilling of non-inert wastes – therefore this possibility should be recognised more clearly by the Locational Strategy - and again paragraph 6.51 is not sufficient.</p> <p>GOLAG also notes the</p>					

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										<p>County Council's view in paragraph 6.47 that C&amp;D recycling facilities should not be permanently located in relatively remote quarry locations. However, linking the life of the facility to the life of the host quarry may not properly address this issue – as many quarries have a long life-span, over several decades, and to all intents and purposes would be seen as near-permanent.</p> <p>In that context, Policy W3 is considered to be too loosely worded, and not sufficiently strong in driving the Spatial Strategy for most waste management facilities to be directed to the main urban areas. It is also noted that whilst there is a policy for locational criteria for waste facilities in and around urban areas, there is no such policy for facilities away from these areas. This appears to create an assumption that the location of some types of facilities away from urban areas will be accepted as appropriate. In GOLAG's view this situation</p>				

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										reduces, for instance, the ability of the Plan to direct as many recycling operations as possible to the urban areas.				
Envi- ron- ment Agency (An- drew Bailey)	Was- te Spat- ial Strat- egy - Policy W3	216	6. 4 3			Yes	No	Yes	Effective	A shortfall in the capacity to recover energy Commercial and Industrial waste is identified in table 9 and table 10 identifies that one new energy recovery facility is needed. However, this is not reflected within paragraph 6.43 where the main types of waste facility that could be developed are identified. We recommend that a separate section and policy on energy recovery / energy from waste is included within the final submission.		No		
High- way s Agency (Raji- nder Kaur)	Was- te Spat- ial Strat- egy - Policy W3	185								The Agency notes that no specific waste sites have been allocated in the Waste Core Strategy as it is considered none are critical to the delivery of the strategy. Instead, these locations are included in the Site Locations document which will form the second part of the new Plan, to be produced once the current				

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										<p>consultation document has been found to be sound. However, it notes that the Council is keen to ensure that waste is managed as close to source as possible in order to reduce the distance that untreated waste has to travel and associated impacts on the highway network.</p> <p>With this said it has identified "areas of search" which are considered to be suitable for new or enhanced waste management facilities to meet the needs of Lincolnshire. These areas include the four largest settlements of Lincoln, Grantham, Spalding and Boston and also include the key urban areas of Bourne, Gainsborough, Louth, Skegness, Sleaford and Stamford. The Agency welcomes the identification of these areas and considers that it demonstrates evidence of sustainable development planning and would serve to reduce the need to travel and minimise impacts of waste related trips on the SRN.</p>				

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Mick George Ltd (John Gough)	Waste Spatial Strategy - Policy W3	66		W3						In terms of spatial strategy for waste in the draft Plan is supported as it reflects the proximity principle to major sources of waste arisings whilst acknowledging that some form of waste management can be carried out at other locations.				
Phil Larter	Waste Spatial Strategy - Policy W3	93		W3		Yes	Yes	Yes		<p><b>Leicestershire County Council has no objection to the proposed provision for new minerals and waste developments. The Council supports the spatial strategy for the location of new waste facilities in Lincolnshire, and is of the opinion that Policy W3 supports Lincolnshire's desire to reduce the distance untreated waste travels, communities taking responsibility for their waste, and allowing a greater potential for energy generating facilities to be close to potential users (customers).</b></p> <p><b>Leicestershire County Council has been actively engaged with Lincolnshire County</b></p>		No		

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										<p><b>Council on minerals and waste movements, and believes that Lincolnshire's approach to significant waste movements has ensured that this issue has been successfully addressed in the Local Plan. Furthermore, cooperation has taken place between the two authorities on mineral safeguarding areas making sure that identified areas correspond across administrative boundaries.</b></p>				
Ben Hunt Planning Ltd (Ben Hunt)	Location Criteria for New Waste Facilities - Policy W4	115	6.6.6.4	W4			No		Justified Effective	<p>GOLAG supports the thrust of Policy W6 and the supporting text relating to landfill, which reflects the aims to move waste up the hierarchy, and away from landfill; with the concurrent desire to see existing minerals sites restored in a timely fashion. However, we have some concerns.</p> <p>A. Firstly, it is considered that, given an identified surplus of landfill space across the County, the onus should be on applicants to demonstrate a need to provide further</p>	<p><b>The following changes are recommended in order to improve the clarity and justification of the Plan, which will in turn assist in making it more effective:</b></p> <p>A. It is suggested that the first bullet point of Policy W6 is amended to read:</p> <p><b><u>“• it has been demonstrated that the current</u> capacity is insufficient to manage .....</b>”</p> <p>B. The Plan should be amended to explain what “..... <i>that local waste requiring disposal to landfill in Lincolnshire</i>” means in the first bullet of Policy W6.</p>	Yes	GOLAG wishes to retain the possibility of appearing at the Examination in order to more fully explain its position, which may be different to that of both the County Council and minerals/waste operators.	

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										<p>capacity.</p> <p>B. Secondly, it is not clear what “..... <i>that local waste requiring disposal to landfill in Lincolnshire</i>” means in the first bullet of Policy W6. Does it mean waste management capacity (including landfill void) across the whole of the county? Or a more local view of need? Clarification should be provided, as this is a fundamental issue in relation to landfill.</p> <p>C. Where inert waste material is not arising within a sustainable distance of a mineral working or other waste management site in need of restoration, then the emphasis should be on seeking its retention at source wherever possible. Close co-operation and integration with the District Local Plans is needed to maximise such an approach - linking encouragement for on-site or near-site recycling proposals with designs incorporating retention of inert wastes on site wherever possible – for instance in landscaping – via measures similar to</p>	<p>C. The Plan should be amended to make it clear that:</p> <p>i. where inert waste material is not arising within a sustainable distance of a mineral working or other waste management site in need of restoration, then the emphasis should be on seeking its retention at source wherever possible.</p> <p>ii. Close co-operation and integration with the District Local Plans will link encouragement for on-site or near-site recycling proposals with development designs incorporating retention of inert wastes on site wherever possible – for instance in landscaping – via measures similar to the previous site waste management plans.</p> <p>iii. this will be the priority before permitting new waste landfill sites.</p>			

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										<p>the previous site waste management plans.</p> <p>The Plan should make it clear that this will be the priority before permitting new waste landfill sites.</p>				
Ben Hunt Planning Ltd (Ben Hunt)	Locational Criteria for New Waste Facilities - Policy W4	116	6.52-6.54	W4			No		Justified	<p>GOLAG's main concern with respect to these parts of the Plan is that that waste development proposals may seek to justify their location by hijacking the implementation of Policy W3 through the wording of Policy W4 and the supporting text.</p> <p>In our view, the main thing missing from Policy W4 is a positive, flexible approach which would do as much as possible to encourage construction and demolition waste recycling as close to the source of generation. GOLAG is keen to see a policy which will facilitate on-site or "nearby-site" recycling, even where it might involve land not referred to in the bullets in Policy W4.</p> <p>It is suggested that the Plan should seek to ensure that large schemes – individual</p>	<p>GOLAG suggests that Policy W4 is amended to read as follows:</p> <p><b><i>“Proposals for new and extended waste facilities in and around the main urban areas set out in Policy W3 will be permitted provided that proposals accord with all relevant Development Management Policies set out in the Plan, and where they would be located on either:</i></b></p> <p><b><i>previously developed and/or contaminated land; or</i></b></p> <p><b><i>existing or planned industrial/employment land and buildings; or land already in waste management use; or</i></b></p> <p><b><i>in the case of proposals for the recycling of construction and demolition waste and/or the production of recycled aggregates:</i></b></p> <p><b><i>i. land within or adjacent to major development schemes or groups of schemes, for the duration of those schemes / groups of schemes;</i></b></p> <p><b><i>or</i></b></p>	No	<b>GOLAG wishes to retain the possibility of appearing at the Examination in order to more fully explain its position, which may be different to that of both the County Council and minerals/waste operators.</b>	

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									<p>applications and wider allocations, Growth Point plans etc - provide for C&amp;D recycling on-site or in their vicinity. This requires active integration and co-ordination of the Minerals and Waste Local Plan with the District Local Plans, perhaps in ways which go beyond simply identifying where the major growth areas are likely to be. It is suggested that new C&amp;D recycling capacity:</p> <p>a) might be integrated within the housing, employment or other development proposals themselves, and therefore be outside the direct control and scope of the M&amp;WLP provision – but this does not mean that cross-referencing and policy in the M&amp;WLP cannot influence it. Policy W4 and the supporting text do little to drive development in this direction.</p> <p>b) might be best located next to a large scheme or series of schemes, even if that involved land which does not fall clearly into the categories set out in Policy WM4. For instance,</p>	<p><b>ii. existing non-dormant active mineral operations ; or</b></p> <p><b>in the case of biological treatment the land identified in Policy W5.”</b></p> <p>On a point of detail, GOLAG has suggested that the word “active” is removed from the fourth bullet point and replaced with “non-dormant”, to include currently inactive but not dormant sites. This distinction should be explained in the supporting text.</p>				

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										<p>it might be appropriate to locate a C&amp;D recycling development on Greenfield land, perhaps for a limited time period (related to the schemes concerned), rather than to send it further afield. Policy W4 as worded would rule this out.</p> <p>On a point of detail, GOLAG would agree that dormant minerals sites should not be considered as preferential locations for C&amp;D waste recycling and production of secondary aggregates. But these dormant sites are not the same as currently inactive minerals sites, which have valid, implementable permissions but are not working at present. This distinction is recognised in the minerals section of the Plan - for instance in relation to calculating reserves and landbanks - and should be maintained in the waste section of the Plan.</p>				
Hughes Craven Ltd	Locational Criteria	4	Paragraph	Policies W3 and R1		Yes	No	Yes	Consistent with national policy	6.16 to 6.21 and Policies W3 and R1 Most Construction & Demolition CD&E waste arisings are chemically inert and,	Policies relating to the location of new waste facilities and/or the restoration of mineral extraction sites should be modified to allow for the use of residual CD&E	Yes	Hughes-Craven represents a number of mineral operators within the County and	

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(Gary Hughes)	for New Waste Facilities - Policy W4		6.16 to 6.21							whilst they are often recycled and/or re-used where they arise, a significant proportion of such material is handled and processed at facilities located in operating quarries. Such co-location reduces overall HGV movements and makes the most efficient use of the vehicles involved. A proportion of the waste processed is however non-recyclable and gives rise to non-hazardous residual waste, most of which operators are currently compelled to put to landfill. In that most landfill sites are located in former or active quarries, it seems both unsustainable and untenable to require operators of facilities located in operating quarries to be forbidden to utilise this material for the restoration of their own sites. This is particularly the case where, in some cases, operators are obliged to haul this residual waste, much of which is made up of soils and subsoils, over a considerable distance to a licenced landfill site only to have to have import	waste arisings in the restoration of those sites where mineral extraction and CD&E waste recycling are co-located		would wish to ensure that their views are made clear to the Inspector.	

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										similar material from elsewhere to make good a shortfall of suitable restoration material. This patently represents unsustainable development, contradicts the proximity principle, adds to pressure on permitted landfill capacity and may indeed hinder the prompt restoration of the quarry in which the recycling facility is located. This also clearly conflicts with elements of the following draft policies: Policy DM1: Presumption in favour of sustainable development Policy DM2: Climate Change Policy DM3: Quality of life and amenity Policy DM13: Sustainable Transport Movements and possibly with elements of Policy R1				
Mick George Ltd (John Gough)	Locational Criteria for New Waste Facilities - Polic	52		W4			Yes			The company offers support for policy W4 which seeks to encourage the production of recycled aggregates at active mineral operations. Co-location of such recycling activities at quarry/restoration sites enables more efficient use of plant and machinery in separation and processing of recycled materials to				

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	y W4									form recycled aggregate and also in road haulage transport (e.g. backloading) without significantly adding to the environmental impact of overall site operations. When operated in conjunction with restoration of quarries using imported infill there are clear sustainability benefits.				
Mick Georger Ltd (John Gough)	Landfill - Policy W6	64		W6			No	No	Positively prepared	In respect of the future provision of landfill, the Company does not agree that approval of new facilities should be limited to a shortage of capacity to accommodate only local wastes arising within Lincolnshire. Given the location of a number of quarries located close to or on the county boundary (e.g. South Witham) inert waste disposal facilities can be expected to service a wider area that just waste arising in Lincolnshire.  The council is currently considering a planning application for restoration of the Company's South Witham Quarry using imported inert waste from the Peterborough area. A	<i>Consequently the Company recommends the word "that local" is omitted from the policy (first bullet point).</i>			

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										<p>decision on the application is expected shortly.</p> <p>The National Planning Policy for Waste states that in preparing Local Plans they should "consider the need for additional waste management capacity of more than local significance." The current wording does not meet the National Plan.</p>				
Cemex UK Operations Ltd (Kirsten Hanford-hill)	Small Scale Waste Facilities - Policy W7	16		W7		Yes	Yes	Yes		Reference to Mineral sites as an appropriate location to recycling aggregate		No		
Anglian Water (Stewart Patience)	Safeguarding Waste Management Site	153	6.68	W8			No		Effective	<p><b>Safeguarding Waste Management Sites (page 76)</b></p> <p>Para 6.68 states that applicants will be required to provide an odour assessment where development which is to be occupied is in proximity</p>	<p>It is therefore suggested that the wording of paragraph 6.68 should be amended as follows:</p> <p>'Where new <b>non-waste</b> development involving buildings which would normally be occupied is proposed in proximity <b>within 400m of a sewerage treatment works</b></p>	Yes	Anglian Water would like to reserve the right to attend the examination to represent our interest as a wastewater infrastructure	

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	s - Polic- y W8									<p>to a sewage treatment works (which are known as water recycling centres).</p> <p>Anglian Water previously recommended that the Core Strategy should include reference to an odour assessment being required within 400m of a water recycling centre consistent with Anglian Water's policy on encroachment. Anglian Water's policy on encroachment is available to view at the following address:</p> <p><a href="http://www.anglianwater.co.uk/developers/encroachment.aspx">http://www.anglianwater.co.uk/developers/encroachment.aspx</a></p> <p>However the text is unchanged from the Draft version of the Core Strategy published in November 2013. Anglian Water remains concerned that the wording as proposed is not sufficiently clear to applicants and the determining authority when an odour assessment will be required.</p> <p><b>Policy W8: Safeguarding Waste Management</b></p>	<p><b>recycling centre</b>, the application should be accompanied by an odour assessment report, which considers existing odour emissions of the works at different times of the year and in a range of different weather conditions.'</p>		provider.	

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										<p><b>Sites</b></p> <p>Anglian Water is supportive of Policy W8 in that it seeks to prevent new development prejudicing the operation of existing waste management sites including Water Recycling Centres within Lincolnshire subject to the suggested changes to para 6.68.</p>				
Natural England (Rosalyn Deeming)	Safe guarding Waste Management Sites - Policy W8	159				Yes	No		Consistent with national policy	<p><b>Policy DM8: Nationally Designated sites of biodiversity and geological conservation value</b></p> <p>Whilst Natural England agrees with the overall objectives of this policy we are concerned that the wording appears to be misleading in two aspects of the policy wording:</p> <p>The statement “planning permission will be granted for minerals and waste development on or affecting such sites ...” may give the impression that these protected areas may be promoted for development, which is misleading. We consider that this wording does not comply with that set out in</p>	<p><b>Suggested Changes:</b></p> <p>Natural England suggests that the wording in policy DM8 should take a more precautionary approach to minerals and waste development that is in close proximity to nationally important nature conservation sites. We also suggest that the achievement of a “net gain” in biodiversity should be applied to the whole of the policy and not just in the context of mitigation and compensation measure. We therefore suggest that the following wording should be incorporated into the policy statement:</p> <p><i>Sites of-Special Scientific Interest, National Nature Reserves and irreplaceable habitats (including Ancient Woodland and veteran trees) will</i></p>	No		

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									<p>the National Planning Policy Framework (NPPF) which states at paragraph 118:  <i>“proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest ... should not normally be permitted”</i></p> <p>In addition further within this paragraph it states,  <i>“planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland ...”</i></p> <p>We welcome the inclusion in the fourth bullet point of the requirement for “net gain” of “biodiversity/geodiversity” however this is only made in the context of mitigation and compensation measures. We consider that a net gain in biodiversity should be made where possible and therefore established at the beginning of the policy wording. This would better reflect the guidance set out in paragraph 109 of</p>	<p><i>be safeguarded from inappropriate minerals and waste development and any development should seek to achieve a net gain in biodiversity through the enhancement of such sites. Planning permission will only be granted for minerals and waste development on or affecting such sites, provided that it can be demonstrated that the development, either individually or in combination with other developments, would not conflict with the conservation, management and enhancement of the site, or have any other adverse impact on the site. Where this is not the case, planning permission will be granted provided that:...</i>  <i>(continue as policy in plan)</i></p>				

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										<p>the NPPF, <i>"The planning system should contribute to and enhance the natural and local environment by ... minimising impacts on biodiversity and providing net gains in biodiversity where possible"</i></p> <p>We therefore consider that this policy is <b>unsound</b> in its current form, as it is not wholly consistent with national policy, and have suggested the rewording of the policy as set out below.</p>				
Anglian Water (Stewart Patience)	Sewage Treatment Works - Policy W9	152		W9			No		Justified	<p>Policy W9 as drafted states that improvements or extension to existing works will only be permitted where they are required to meet new growth. Anglian Water considers that there is likely to be situations where improvements will be required to existing water recycling centres for operational reasons which are not directly related to additional growth which will come forward in the County. Therefore Policy W9 is considered to be unduly restrictive as it could prevent</p>	<p>It is therefore suggested that the wording of Policy W9 should be amended as follows:</p> <p>Proposals for new sewage treatment works, including the improvement or extension of existing works, will be permitted <del>where they are required to meet new growth</del>. Proposals must demonstrate that:</p> <p>there is a suitable watercourse to accept discharged treated water and there would be no unacceptable increase in the risk of flooding to other areas; and there would be no deterioration in the ecological status of the effected watercourse (to comply with the Water Framework</p>	Yes	Anglian Water would like to reserve the right to attend the examination to represent our interest as a wastewater infrastructure provider.	

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										improvements which are required for operational reasons.	Directive), unless there is an overriding public need for the development; and the proposals accord with all relevant Development Management Policies set out in the Plan.			
Envi- ron- ment Agency (An- dre- w Bailey)	Sew- age Treat- ment Works - Policy W9	217		W9						<p><b>Sewage Treatment Works and Related Infrastructure</b></p> <p>We would like an additional paragraph adding:</p> <p>6.75 The Environment Agency and planning authorities have a duty to ensure that WFD requirements are met by new development. They will therefore screen the development, during the planning process, based on three issues in this order of importance:</p> <p>Causing harm - Does the development have the potential to cause deterioration in the WFD status of a water body?</p> <p>Preventing restoration - Does the development prevent future improvement to the water body and therefore prevent it from reaching good ecological status/potential?</p> <p>Taking positive action –</p>				

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										<p>Are there opportunities for development to assist with improving the ecological status of water bodies and meeting WFD objectives.</p> <ul style="list-style-type: none"> <li>• Policy W9 should be amended:</li> </ul> <p>The text 'unless there is an overriding public need for the development' should either be removed or amended to more accurately reflect the text contained within the Water Framework Directive.</p> <p>The WFD legislation allows for situations where it is not realistically possible to meet its targets. Article 4.7 provides the process whereby an exemption may be granted, including for the purpose of Sustainable Development, where new modifications to a water body would prevent achievement of the WFD's environmental objectives.</p> <p>Detailed guidance on the application of WFD exemptions was published by the European Commission in 2009 via Technical Report 2009-027 "<a href="#">Common Implementation Strategy for the Water Framework</a></p>				

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										<p>Directive (2000/60/EC), Guidance Document No. 20, Guidance on Exemptions to the Environmental Objectives". These detail the requirements that must be met to exempt development. Demonstrating an overriding public need for the development is only one of the requirements. Either all requirements or none should be included within Policy W9.</p> <p>Water Framework Directive Article 4.7</p> <p><i>Member States will not be in breach of this Directive when:</i></p> <ul style="list-style-type: none"> <li>• - failure to achieve good groundwater status, good ecological status or, where relevant, good ecological potential or to prevent deterioration in the status of a body of surface water or groundwater is the result of new modifications to the physical characteristics of a surface water body or alterations to the level of bodies of groundwater, or</li> <li>• - failure to prevent</li> </ul>				

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										<p><i>deterioration from high status to good status of a body of surface water is the result of new sustainable human development activities</i></p> <ul style="list-style-type: none"> <li>• <i>and all the following conditions are met:</i></li> <li>• <i>(a) all practicable steps are taken to mitigate the adverse impact on the status of the body of water;</i></li> <li>• <i>(b) the reasons for those modifications or alterations are specifically set out and explained in the river basin management plan required under Article 13 and the objectives are reviewed every six years;</i></li> <li>• <i>(c) the reasons for those modifications or alterations are of overriding public interest and/or the benefits to the environment and to society of achieving the objectives set out in paragraph 1 are outweighed by the benefits of the new modifications or alterations to human health, to the maintenance of human safety or to sustainable</i></li> </ul>				

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										<p>development, and</p> <ul style="list-style-type: none"> <li>• (d) the beneficial objectives served by those modifications or alterations of the water body cannot for reasons of technical feasibility or disproportionate cost be achieved by other means, which are a significantly better environmental option.</li> </ul>				
Environment Agency (Andrew Bailey)	Sewage Treatment Works - Policy W9	225		W9			No	Consistent with national policy		<p>Policy W9: Waste Water and Sewage Treatment Works currently states:</p> <p>Proposals for new sewage treatment works, including the improvement or extension of existing works, will be permitted where they are required to meet new growth. Proposals must demonstrate that:</p> <ul style="list-style-type: none"> <li>• there is a suitable watercourse to accept discharged treated water and there would be no unacceptable increase in the risk of flooding to other areas; and</li> <li>• there would be no deterioration in the</li> </ul>		No		

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										<p>ecological status of the effected watercourse (to comply with the Water Framework Directive),</p> <p><b>unless there is an overriding public need for the development;</b> and</p> <ul style="list-style-type: none"> <li>the proposals accord with all relevant Development Management Policies set out in the Plan.</li> </ul> <p>This does not accurately reflect the Water Framework Directive (WFD) and should be amended accordingly.</p> <p>The WFD legislation allows for situations where it is not realistically possible to meet its targets. Article 4.7 provides the process whereby an exemption may be granted, including for the purpose of Sustainable Development, where new modifications to a water body would prevent achievement of the WFD's environmental</p>				

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										<p>objectives.</p> <p>Detailed guidance on the application of WFD exemptions was published by the European Commission in 2009 via Technical Report 2009-027 "Common Implementation Strategy for the Water Framework Directive (2000/60/EC), Guidance Document No. 20, Guidance on Exemptions to the Environmental Objectives".</p> <p>These detail the requirements that must be met to exempt development. Demonstrating an overriding public need for the development is only one of the requirements. Either all requirements or none should be included within Policy W9.</p>				
Linc- olns hire Wild- life Trus	Sew- age Tre- atment Wor	11		W9		Yes	No	Yes	Consist- ent with nation- al policy	The Lincolnshire Wildlife Trust has concerns regarding the addition of 'unless there is an overriding public need for the development' to bullet	We would recommend that 'unless there is an overriding public need for the development' is removed from bullet point two of Policy W9.	No		

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t (Elizabeth Biott)	ks - Policy W9									point two of Policy W9. We would argue that developments for waste water and sewage treatment works should never lead to deterioration in the ecological status of watercourses in line with the Water Framework Directive. The addition of this caveat within the policy gives developers the opportunity to argue for developments that will adversely impact on the ecological status of watercourses. It also means that the policy does not comply with the requirements of the National Planning Policy Framework: 109. The planning system should contribute to and enhance the natural and local environment by: <ul style="list-style-type: none"> <li>preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability;</li> </ul>				
NATIONAL TRU	Sewage Treatment	232		W9			No	Consistent with national	This policy appears to suggest that it is acceptable for the ecological status of a	... unless there is an overriding public need for the development and <u>appropriate mitigation</u>	No			

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ST (Kim Miller)	nt Works - Policy W9								l policy Positiv- ely prepar- ed	watercourse to deteriorate and for non-compliance with the Water Framework Directive if 'there is an overriding public need for the development'. We suggest that even in a situation of overriding public need the developer should put in place appropriate mitigation measures.	<u>measures can be put in place</u>			
Ben Hunt Planning Ltd (Ben Hunt)	Sust- aina- ble Dev- elop- ment - Policy DM1	114		DM 1			No		Justif- ied	GOLAG is unsure as to the utility of Policy DM1, which repeats matters which are already within the National Planning Policy Framework (NPPF), and are therefore material considerations in the determination of planning applications any case.  In addition, the paragraphs reflect what they are :  a) over-arching Central Government policy statements largely intended to set the strategic direction of all development plans and the approach to deciding planning applications;  together with  b) a general fall back	GOLAG recommends that the Plan deletes Policy DM1 in its current form and replaces it with a more appropriate and useful policy which identifies what the County Council sees as sustainable minerals and waste management development, so that proposals can be assessed against it.	No		

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										<p>approach to deal with situations which the development plan has not properly addressed – which seems somewhat strange in a development plan document.</p> <p>As these things are not specific to Lincolnshire, and as they merely repeat material which is already in the NPPF, it appears to GOLAG that they are unnecessary.</p>				
Mick George Ltd (John Gough)	Sustainable Development - Policy DM1	65					No		Consistent with national policy	In respect of the presumption in favour of sustainable development Policy DM1 of the draft Plan specific reference should also be made to the National Planning Policy for Waste (2014) to fully reflect national policy.	"... when assessed against the policies in the National Planning Policy Framework and National Planning Policy for Waste; or ....."	Yes	In particular the Company has specific concerns about how CD & E waste has been categorised, assessed and to be managed in the future. As an experienced operator in this field the Company feels that its participation in the discussion will be of assistance to the Examination of the plan.	
Peel & Gas Oil	Sustainable Dev	135		DM1						We support the approach set out in these policies.				



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Eyre )			and 7.26							<p>P.25 makes reference to "capture measures", but without any detail or clarity as to what this means, the policy is therefore ineffective and inadequate.</p> <p>P7.26 fails to consider methane collection.</p> <p>P7.27 The code of practice for Waste and Minerals Development should be available for consideration alongside the Draft Policy Document prior to adoption.</p>				
Linc ols hire Wild life Trus t (Eliz abet h Biott )	Clim ate Cha nge - Polic y DM2	12		DM 2		Yes	Yes	Yes		<p>The Lincolnshire Wildlife Trust supports this policy and welcomes the requirement for minerals developments to include new or enhanced biodiversity habitats as part of restoration proposals to provide carbon sinks. Peat soils and permanent pastures also act as effective carbon sinks. The ploughing of peat soils and permanent pastures releases stored carbon back into the atmosphere. Gravel pits provide the potential for carbon sequestration if the restoration is managed</p>		No		

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										carefully e.g. restoration to fenland habitat in the Baston area will lock up carbon as the peaty fenland soils develop.				
NATIONAL TRUST (Kim Miller)	Climate Change - Policy DM2	233		DM 2			Yes			The inclusion of a policy requiring developers to take account of climate change issues is generally supported.				
Natural England (Roslyn Deeming)	Climate Change - Policy DM2	156		DM 2		Yes	Yes			<b>Policy DM2: Climate Change</b> Natural England <b>supports</b> this policy particularly the third bullet point under the heading "Minerals". We are also supportive of paragraph 7.21 of the accompanying explanatory text which encourages the creation of carbon sinks through habitat creation and as part of a larger landscape scale initiative		No		
Peel & Gas Oil (Matthew She)	Climate Change - Policy DM2	136		DM 2						We support the approach set out in these policies.				



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											<p>higher. 11 UEM sites have been shut down in California alone due to ground water contamination. The peer reviewed study "Birth Outcomes and Maternal Residential Proximity to Natural Gas Development in Rural Colorado " shows a 30% higher risk of congenital heart defects to babies born, near UEM wells.</p> <p>The State of New York has banned UEM, and so has Denton TX which is the place where UEM was first started.</p> <p>The whole basis upon which UEM has been permitted and the stated level of risk has been shown to be false. These existing facts, and the knowledge that new information is still emerging, are material considerations that cannot simply be ignored.</p>			
South Lincolnshire Fenlands Partnership (Am and	Climate Change - Policy DM2	200		DM 2			Yes			South Lincolnshire Fenlands Partnership supports Policy DM2 as it promotes new/enhanced biodiversity levels/habitats as part of restoration proposals to provide carbon sinks.		No		

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a Jenkins)														
Bedford Borough Council (Natalie Chilcott)	Protection of residential amenity - Policy DM3	107	7.29	DM3						PPS10: Planning for Sustainable waste management has been replaced with the DCLG document "National Planning Policy for Waste" (2014).				
Ben Hunt Planning Ltd (Ben Hunt)	Protection of residential amenity - Policy DM3	111	7.29	DM3			No		Justified	Paragraph 7.29 should refer to National Planning Policy for Waste (2014) rather than PPS10.	Paragraph 7.29 should be amended to refer to National Planning Policy for Waste (2014) rather than PPS10.	No		
Collingham Parish Council (Caron Ballant)	Protection of residential amenity - Policy DM3	180									The route for lorries should avoid all of the villages along the A1133 where possible			

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ne)														
Heighington Parish Council (Nick Eyre)	Protection of residential amenity - Policy DM3	171		DM3						Policy DM3 should be clarified and strengthened by adding the wording "...and that if such unacceptable adverse impacts would arise from the development then planning permission should be refused. "				
NATIONAL FARMERS UNION (P. TAME)	Protection of residential amenity - Policy DM3	31	7.38			Yes	Yes			We fully support paragraph 7.38 which indicate that farms may be affected by minerals and waste development and the separation distances and operations need to take adjacent farming into account.		No		
NATIONAL TRUST (Kim Miller)	Protection of residential amenity - Policy DM3	234		DM3			Yes			This policy provides protection for residential occupiers and other sensitive receptors (including leisure use) from unacceptable environmental impacts and is generally supported.				
Peel &	Protectio	137		DM3						We support the approach				

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Gas Oil (Matthew Sheppard)	n of residential amenity - Policy DM3									set out in these policies.				
Robin Shipston	Protection of residential amenity - Policy DM3	175		DM3		No	No		Justified Effective Consistent with national policy Positively prepared		A separate policy needs to be created for UEM, which is not presumptive in favour of development. A more neutral approach is required, which demands the highest levels of proof of overwhelming benefit in proportion to risk, and a full assessment of both possible impacts and reversibility of them. Bonds should also be required to cover the full cost of remediation or consequential costs in dealing with adverse effects. The ability to quickly and cost effectively suspend or revoke permissions must be incorporated to cater for periods of drought and any instances of suspected harm.  It is an unsound decision not to, given that these methods are unconventional, still quite new, and have caused proven harm elsewhere. Harm that was claimed by the operators to not be significant risks. Too little is known at this stage to positively legislate in favour of such	Yes		

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										<p>operations.</p> <p>Research recently published by Stanford and MIT, concluded that the levels of methane pollution from UEM were up to 75% higher than predicted, and most likely on average 50% higher. 11 UEM sites have been shut down in California alone due to ground water contamination. The peer reviewed study "Birth Outcomes and Maternal Residential Proximity to Natural Gas Development in Rural Colorado " shows a 30% higher risk of congenital heart defects to babies born, near UEM wells.</p> <p>The State of New York has banned UEM, and so has Denton TX which is the place where UEM was first started.</p> <p>The whole basis upon which UEM has been permitted and the stated level of risk has been shown to be false. These existing facts, and the knowledge that new information is still emerging, are material considerations that cannot simply be ignored.</p> <p>Policy DM3 should be clarified and strengthened by adding the wording "...and that if such unacceptable adverse impacts would arise from the development then planning</p>				

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											permission should be refused.”			
Ben Hunt Planning Ltd (Ben Hunt)	Historic Environment - Policy DM4	110					No		Justified	<p>GOLAG supports the thrust of Policy DM4 towards the Historic Environment.</p> <p>However, in respect of the detailed wording, recent case law has established that, even where the harm to a designated heritage asset or its setting may be considered to be less than “substantial” (with reference to paragraphs 133 and 134 of the NPPF), there is still a legal requirement to give considerable weight (relative to other material considerations) to that harm when determining planning applications.</p> <p>Attention is drawn to the following cases:</p> <p>Barnwell Manor Wind Energy Ltd v East Northamptonshire DC [2014] EWCA Civ 137</p> <p>R (Forge Field Society) v Sevenoaks DC [2014] EWHC 1985 (Admin)</p> <p>R (Hughes) v South Lakeland DC [2014]</p>	GOLAG recommends that the County Council reviews the wording of Policy DM4 and the supporting text at paragraph 7.48 in particular.	No		

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										<p>EWHC 3979 (Admin)</p> <p>This test is a legal one, which governs how para 134 of the NPPF should be read, and therefore also goes beyond the policy test described in paragraph 7.48.</p> <p>Therefore the County Council should revisit this part of the Plan with a view to increasing the weight given to the need to protect designated assets and their settings.</p>				
English Heritage (Clare Season)	Historic Environment - Policy DM4	85		DM4		Yes	No	Yes	Effective Consistent with national policy	<p>English Heritage welcome the amended policy wording, following our representations made in 2013 on the preferred options draft plan.</p> <p>We welcome the first paragraph which sets out information requirements where proposals have the potential to affect heritage assets. We also welcome the second paragraph relating to identification of impacts and mitigation.</p> <p>We do, however, consider that further (relatively minor) amendments are necessary in order to ensure that the policy is effective in the conservation of the</p>	<p>We consider that the following amendments are required:</p> <p>Placing a greater emphasis on approving applications which conserve or enhance heritage assets.</p> <p>Setting out a stepped approach where impacts are identified, to better reflect NPPF 152.</p> <p>Amending the language where it references 'value' to 'significance' to align with NPPF terminology.</p> <p>We consider that the changes as set out below are fairly minor and would ensure soundness as they align with the NPPF, as well as following the format of the other environmental policies within the plan (for example, Policy DM8). They will also ensure that the policy is clear,</p>	No	While we do not wish to participate in the oral examination on this matter, we hope that the Council are accepting of our proposed amendments. We are more than happy to discuss this further in the spirit of our ongoing and constructive dialogue, and we would be willing to enter into a statement of common ground should this be acceptable to the	

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									<p>historic environment, and that it complies with the NPPF.</p> <p>Specifically we consider that the emphasis of the third paragraph with its bullet points should be amended to separate where consent is likely to be granted (in the case of no harm and/or enhancements) from the tests where proposals are likely to have an impact. As worded, the hierarchy in relation to harm (in accordance with NPPF paragraph 152) is unclear.</p>	<p>logical, concise and thus effective in the conservation of the historic environment.</p> <p><b>Policy DM4: Historic Environment</b></p> <p>Proposals that have the potential to affect heritage assets including features of historic or archaeological importance (whether known or unknown) should be accompanied by an assessment of the significance of the assets and the potential impact of the development proposal on those assets and their settings.</p> <p><i>Planning Permission will be granted for minerals and waste development where heritage assets, and their settings, are conserved and, where possible enhanced.</i></p> <p>Where any impact on heritage assets is identified, the assessment should provide details of the proposed mitigation measures that would be implemented. These should include details of any conservation of assets and also of any further investigation and recording of heritage assets to be lost and provision for the results to be made publicly available.</p> <p><i>Where adverse impacts are identified</i> Planning Permission</p>		Council.		

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											<p>will <i>only</i> be granted for minerals and waste development provided that:</p> <p><del>Heritage assets, and their settings, are conserved and, where possible enhanced; or</del>  <i>The proposal cannot be reasonably be located on an alternative site to avoid harm; and</i>  <i>the harmful aspects can be satisfactorily mitigated; or</i>  There are no alternative solutions to mitigate the impact; and</p> <p>There are exceptional overriding reasons which outweigh the need to safeguard the <i>significance of heritage assets</i> value of sites or features which would be harmed.</p>			
NATIONAL TRUST (Kim Miller)	Historic Environment - Policy DM4	235		DM4			No		Consistent with national policy	During 2014 the National Trust worked positively with Lincolnshire County Council to improve Policy DM4 and other policies with implications for the historic and natural environment. This involved a meeting with English Heritage and Lincolnshire County Council in May 2014 where we discussed the requirements of a sound policy for the historic environment.	<p>Following publication of the pre-submission Core Strategy, English Heritage has shared its proposed changes to Policy DM4 with the attendees of the May 2014 meeting. The National Trust endorses English Heritage's proposed changes as a way of ensuring that Policy DM4 is sound. The proposed changes are as follows (nb. we have highlighted in bold a subsequent deletion of a repeated word):</p> <p>Proposals that have the potential to affect heritage assets</p>	No		

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									<p>The policy wording now published places emphasis on how developers might achieve consent in cases where there are adverse impacts on the historic environment. However, it does not clearly prioritise conservation of heritage assets in accordance with statute and national planning policy. We are also concerned that the bullet point criteria could be misinterpreted as currently worded.</p>	<p>including features of historic or archaeological importance (whether known or unknown) should be accompanied by an assessment of the significance of the assets and the potential impact of the development proposal on those assets and their settings.</p> <p><i>Planning Permission will be granted for minerals and waste development where heritage assets, and their settings, are conserved and, where possible enhanced.</i></p> <p>Where any impact on heritage assets is identified, the assessment should provide details of the proposed mitigation measures that would be implemented. These should include details of any conservation of assets and also of any further investigation and recording of heritage assets to be lost and provision for the results to be made publicly available.</p> <p><i>Where adverse impacts are identified</i> Planning Permission will <i>only</i> be granted for minerals and waste development provided that:</p> <ul style="list-style-type: none"> <li>• <del>Heritage assets, and their settings, are conserved and, where possible enhanced; or</del></li> <li>• <i>The proposal cannot be</i></li> </ul>				

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											<p><i>reasonably <del>be</del> located on an <u>alternative site to avoid harm; and</u></i></p> <ul style="list-style-type: none"> <li><i>•<u>the harmful aspects can be satisfactorily mitigated; or</u></i></li> <li><i>• <u>There are no alternative solutions to mitigate the impact; and</u></i></li> <li><i>• There are exceptional overriding reasons which outweigh the need to safeguard the <u>significance of heritage assets value of sites or features</u> which would be harmed.</i></li> </ul>			
NATIONAL TRUST (Kim Miller)	Historic Environment - Policy DM4	250		DM4						Please see ID 85.				
Peel & Gas Oil (Matthew Sheppard)	Historic Environment - Policy DM4	138		DM4						We support the approach set out in these policies.				
South	Historic	201		DM4			No		Consistent	This is not consistent with	In the final bullet point use the following wording to reflect	No		

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Linc ols hire Fen and s Part ners hip (Am and a Jen kins )	Envi ron men t - Polic y DM4								with nationa l policy	national policy.  <b>Relates to paragraph 126 in the NPPF</b>	wording in the NPPF  There are exceptional overriding reasons which outweigh the need to safeguard the significance of heritage assets which would be harmed.			
NAT ION AL TRU ST (Kim Mille r)	Linc ols hire Wol ds AON B - Polic y DM5	236		DM 5			Y e s			Policy DM5 which requires exceptional circumstances to justify any minerals and waste development in the Lincolnshire Wolds AONB is supported.				
Nat ural Engl and (Ro slyn Dee min g)	Linc ols hire Wol ds AON B - Polic y DM5	157		DM 5		Yes	Y e s			<b>Policy DM5: Lincolnshire Wolds AONB</b>  Natural England supports this policy as it offers protection to this nationally designated area. In addition we welcome the requirement for Landscape & Visual Impact statements within the AONB as set out at		No		

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										paragraph 7.50.				
Peel & Gas Oil (Matthew Sheppard)	Lincs hire Worlds AON B - Policy DM5	139		DM 5						We support the approach set out in these policies.				
Ben Hunt Planning Ltd (Ben Hunt)	Landscape - Policy DM6	109	7.51-7.53	DM 6			No		Justified Effective	GOLAG supports the thrust of Policy DM6 towards landscape and townscape, as it seeks to control minerals and waste developments to take character and appearance into account.  However, it is suggested that the policy should be reviewed because:  a) the policy wording refers to landscape character, but not to visual impact  - these two aspects are related but are not one and the same thing  b) requiring that "due regard" is paid to landscape character is somewhat vague, and does not set clear objectives and standards	GOLAG recommends that Policy DM6 and the supporting text is amended to:  However, it is suggested that the policy should be reviewed in order that the Plan:  a) distinguishes between impacts on landscape character and visual impacts  b) sets out clear objectives and standards for development proposals to achieve, with clear policy criteria  c) seeks amelioration for landscape and visual impacts in the form of avoidance, mitigation and compensation (in that order) measures to minimise any residual harm to character and appearance.	No		

Respondent Name	Document Part Name	Comment ID	Paragraph	Policy	Policies Map	Legally Compliant?	Sound?	Comply with DtC?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Participate?	Reasons for participating in oral examination:	LCC response:
										of development for proposals to achieve c) amelioration should be required in the form of avoidance, mitigation and compensation (in that order) measures to minimise any residual harm to character and appearance.				
NATIONAL TRUST (Kim Miller)	Landscape - Policy DM6	237		DM6			Yes		Consistent with national policy	Paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes (amongst other things).  The Guidelines for Landscape and Visual Impact Assessment (Edition 3) is clear that non-designated landscapes as well as designated landscapes have value. Bearing in mind the lack of any policy provisions within the NPPF which specifically protect non-designated landscapes it is important that protection is provided in local policy. We do not consider that the provision within Policy DM6 for developers to 'have regard' to impacts	To ensure that the County Council can protect its valued landscapes from inappropriate development we propose the following additional wording to be added to Policy DM6:  <u>Development that would result in any residual harm to landscape character, valued landscapes/townscapes, valued views or visual amenity will only be approved if that harm is clearly outweighed by the benefits of the scheme.</u>	Yes		

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										provides adequate protection.				
Peel & Gas Oil (Matthew Sheppard)	Landscape - Policy DM6	140		DM6						We support the approach set out in these policies.				
Woodhall Spa Parish Council (Amanda Bushell)	Landscape - Policy DM6	89		DM6		Yes	Yes	Yes			<p><b>There doesn't seem to be a policy to deal with the impact of a minerals site so close to a settlement.</b></p> <p><b>Policy DM6 makes no reference to the undesirability of sites so close to homes and schools, which will have an adverse impact on the quality of life to nearby residents. Minerals and Waste sites bring with them health and safety risks so having them located too near to residential properties and establishments increases the danger to the public.</b></p> <p><b>The two mineral extraction sites identified for Woodhall Spa are situated close to residential properties and one of the site is adjacent to a school playing field, so it is felt that there must be policies</b></p>	No		

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant?	Sound?	Com- pliant with DtC?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Partic- ipate?	Reasons for participating in oral examination:	LCC response:
											in place to protect residents.			
Heigh- ington Parish Council (Nick Eyre)	Biodiversity and Geo- diversity - Policy DM7	172		DM7						Policy DM7 should be clarified and strengthened by amending to the following wording "The conclusions of the assessment, in accordance with Council Directive 92/42 EEC and the Conservation of Habitats and Species Regulations 2010, must show that a proposal can be delivered without adverse effect on the integrity of any SAC, SPA or Ramsar site. If the proposals cannot be delivered without an adverse effect on the integrity of the SCA, SPA or Ramsar site, planning permission should be refused"				
Linc- olnshire Wildlife Trust (Elizabeth Biott)	Biodiversity and Geo- diversity - Policy DM7	14		DM7		Yes	Yes	Yes		The Lincolnshire Wildlife Trust strongly supports this policy.		No		

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant?	Sound?	Com- pliy with DtC?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Partic- ipate?	Reasons for participating in oral examination:	LCC response:
Natural England (Roslyn Deeming)	Biodiversity and Geo diversity - Policy DM7	158		DM7		Yes	Yes			<p><b>Policy DM7: Internationally Designated sites of biodiversity conservation value</b></p> <p>Natural England supports this policy and the supporting text which sets out and explains the hierarchy of the international sites. It also establishes the requirement for appropriate assessment under the Habitats Regulations within the plan for any development which may impact on an international site. However in the first sentence of para 7.55 the plan refers to regulations now superseded, and should refer to the Conservation of Habitats and Species Regulations 2010 (as amended). The appropriate regulations for the assessment of projects are regulation 61-62 now, not regulation 48.</p>		No		
Peel & Gas Oil (Matthew)	Biodiversity and Geo diversity -	141		DM7						We support the approach set out in these policies.				

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant?	Sound?	Com- pliy with DtC?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Partic- ipate?	Reasons for participating in oral examination:	LCC response:
Sheppard)	Policy DM7													
Robin Shipston	Biodiversity and Geo diversity - Policy DM7	176		DM7		No	No		Justified Effective Consistent with national policy Positively prepared		<p>A separate policy needs to be created for UEM, which is not presumptive in favour of development. A more neutral approach is required, which demands the highest levels of proof of overwhelming benefit in proportion to risk, and a full assessment of both possible impacts and reversibility of them. Bonds should also be required to cover the full cost of remediation or consequential costs in dealing with adverse effects. The ability to quickly and cost effectively suspend or revoke permissions must be incorporated to cater for periods of drought and any instances of suspected harm.</p> <p>It is an unsound decision not to, given that these methods are unconventional, still quite new, and have caused proven harm elsewhere. Harm that was claimed by the operators to not be significant risks. Too little is known at this stage to positively legislate in favour of such operations.</p> <p>Research recently published by Stanford and MIT, concluded that the levels of methane pollution from UEM were up to 75% higher than predicted, and</p>	Yes		

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant?	Soun- d?	Com- pliy with DtC?	Unsou- nd because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part- icipate?	Reasons for participating in oral examination:	LCC response:
										<p>most likely on average 50% higher. 11 UEM sites have been shut down in California alone due to ground water contamination. The peer reviewed study "Birth Outcomes and Maternal Residential Proximity to Natural Gas Development in Rural Colorado " shows a 30% higher risk of congenital heart defects to babies born, near UEM wells.</p> <p>The State of New York has banned UEM, and so has Denton TX which is the place where UEM was first started.</p> <p>The whole basis upon which UEM has been permitted and the stated level of risk has been shown to be false. These existing facts, and the knowledge that new information is still emerging, are material considerations that cannot simply be ignored.</p> <p>Policy DM7 should be clarified and strengthened by amending to the following wording "The conclusions of the assessment, in accordance with Council Directive 92/42 EEC and the Conservation of Habitats and Species Regulations 2010, must show that a proposal can be delivered without adverse effect on the integrity of any SAC, SPA or Ramsar site. If the proposals cannot be delivered without an</p>				

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											adverse effect on the integrity of the SCA, SPA or Ramsar site, planning permission should be refused”			
RSPB (Mike Jones)	Biodiversity and Geo diversity - Policy DM7	167	Habitats Regulations Assessment	DM7					Effective	<p>We are concerned at the approach taken in the Habitats Regulations Assessment (HRA). Section 7.1 of the HRA report states that <i>'it has been possible to screen out the Policies within the [plan], largely due to the wording of Policy DM7 regarding the protection of internationally important biodiversity sites'</i>.</p> <p>Policy DM7, which we support, states that <i>'proposals for minerals and waste development that are likely to have significant effects on internationally important wildlife sites should be supported by sufficient current information for the purposes of an appropriate assessment of the implications of the proposal, alone or in-combination with other plans and projects'</i> and <i>'the conclusions of the assessment ... must show that a proposal can be delivered without adverse effect on the integrity of</i></p>	<p>We note that an element of spatial safeguarding has been presented in section 7 of the HRA report, but due to the apparent reliance on policy DM7 it is unclear if the HRA authors consider the spatial elements alone to be sufficient safeguard to screen out the policies within the plan from any further assessment. We seek clarification on this point and revision of the HRA to demonstrate the plan will not result in any adverse effects on internationally designated sites, in order to demonstrate deliverability and soundness.</p>	Yes	We wish to attend the oral part of the examination to help explain our position further and participate in discussions if required.	

Respondent Name	Document Part Name	Comment ID	Paragraph	Policy	Policies Map	Legally Compliant?	Sound?	Comply with DtC?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Participate?	Reasons for participating in oral examination:	LCC response:
										<p>any SAC, SPA or Ramsar site'.</p> <p>There is an inherent risk in relying upon project-level HRA as the key mechanism to allow the plan to pass its own HRA as there is no guarantee that proposals will pass the HRA and therefore be deliverable. Sound planning suggests that the Council should not rely upon a strategic allocation of sites where delivery is uncertain.</p>				
Ben Hunt Planning Ltd (Ben Hunt)	Policy DM8	112		DM8			No		Consistent with national policy	<p>In general terms GOLAG welcomes these policies.</p> <p>However, it is suggested that in the sentence prior to the bullet point requirements it would be appropriate to insert the word "only" – as reported in the supporting text, the thrust of national policy is to seek a net gain in biodiversity, and harmful development should only be granted where these criteria can be met.</p>	GOLAG recommends that in the sentence prior to the bullet point requirements the word "only" is inserted.	No		
Greater Lincolns hire	Policy DM8	124		DM8			No		Consistent with national policy	<p>Policy DM8 currently states that:</p> <p><i>"Sites of Special Scientific Interest, National Nature</i></p>	<p>There are a number of ways Policy DM8 could be re-written to make it more restrictive in tone and thus sound. The simplest of which the GLNP</p>	No		

Respondent Name	Document Part Name	Comment ID	Paragraph	Policy	Policies Map	Legally Compliant?	Sound?	Comply with DtC?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Participate?	Reasons for participating in oral examination:	LCC response:
Nature Partnership (Frampton)										<p><i>Reserves and irreplaceable habitats (including Ancient Woodland and veteran trees) will be safeguarded from inappropriate minerals and waste development. Planning permission will be granted for minerals and waste development on or affecting such sites, provided that it can be demonstrated that the development, either individually or in combination with other developments, would not conflict with the conservation, management and enhancement of the site, or have any other adverse impact on the site. Where this is not the case, planning permission will be granted provided that ..."</i></p> <p>This is inconsistent with the National Planning Policy Framework paragraph 118 and will not enable sustainable development. Paragraph 118 indicates a much more restrictive approach to development in SSSIs and on irreplaceable habitats than Policy DM8.</p>	<p>have suggested below in red text:</p> <p><i>"Sites of Special Scientific Interest, National Nature Reserves and irreplaceable habitats (including Ancient Woodland and veteran trees) will be safeguarded from inappropriate minerals and waste development. Planning permission will only be granted for minerals and waste development on or affecting such sites, provided that it can be demonstrated that the development, either individually or in combination with other developments, would not conflict with the conservation, management and enhancement of the site, or have any other adverse impact on the site. Where this is not the case, planning permission will be granted provided that ..."</i></p>			

Respondent Name	Document Part Name	Comment ID	Paragraph	Policy	Policies Map	Legally Compliant?	Sound?	Comply with DtC?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Participate?	Reasons for participating in oral examination:	LCC response:
										Aside from this the GLNP are pleased to note adherence to the mitigation hierarchy and the requirement for a net gain in biodiversity/geodiversity should any development be permitted on such sites.				
Lincolnshire Wildlife Trust (Elizabeth Biott)	Policy DM8	18		DM8		Yes	No	Yes	Consistent with national policy	The Lincolnshire Wildlife Trust strongly supports the first sentence of this policy which states that 'Sites of Special Scientific Interest, National Nature Reserves and irreplaceable habitats (including Ancient Woodland and veteran trees) will be safeguarded from inappropriate minerals and waste development.' However, the Trust is seriously concerned by the second sentence which gives the impression that development on SSSIs, NNRs and irreplaceable habitats will be likely to take place. This wording is unacceptable and we do not think that the policy wording sufficiently reflects the guidance given in the National Planning Policy	We would recommend that the policy is reworded to ensure that it complies with the restrictive tone of the NPPF in relation to SSSIs and irreplaceable habitats, and the promotion of biodiversity and geodiversity gains. One way to reword the policy to make it more acceptable could be as follows (suggested new text in capitals): 'Sites of Special Scientific Interest, National Nature Reserves and irreplaceable habitats (including Ancient Woodland and veteran trees) will be safeguarded from inappropriate minerals and waste development. Planning permission will ONLY be granted for minerals and waste development on or affecting such sites, provided that it can be demonstrated that the development, either individually or in combination with other developments, would not conflict with the conservation,	Yes	The Lincolnshire Wildlife Trust would wish to have the opportunity to participate at the oral part of the examination to provide further clarity on the suggested changes if required.	

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										<p>Framework (NPPF)(paragraph 118) to protect Sites of Special Scientific Interest and irreplaceable habitats: 118. When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles: • proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site's notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest; • planning permission should be refused for development</p>	<p>management and enhancement of the site, or have any other adverse impact on the site, AND IT WOULD PROVIDE A NET GAIN IN BIODIVERSITY/GEODIVERSITY. Where this is not the case, planning permission will be granted provided that: • the proposal cannot reasonably be located on an alternative site to avoid harm; and • the benefit of the development would clearly outweigh the impacts that the proposal would have on the key features of the site; and • the harmful aspects can be satisfactorily mitigated or, as a last resort, compensated by measures that provide a net gain in biodiversity/geodiversity; and • in the case of a SSSI, there would be no broader impact on the national network of SSSIs.'</p>			

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										<p>resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss; Whilst we welcome the new wording relating to the need for measures to provide a net gain in biodiversity/geodiversity, we would wish to see a requirement for all development to deliver net gains in biodiversity and geodiversity, not just those negatively impacting on designated sites. The NPPF promotes the enhancement of biodiversity and geodiversity: 109. The planning system should contribute to and enhance the natural and local environment by:</p> <ul style="list-style-type: none"> <li>• protecting and enhancing valued landscapes, geological conservation interests and soils;</li> <li>• minimising impacts on biodiversity and providing net gains in biodiversity where possible,</li> </ul>				

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Pa- ra- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant ?	Soun- d ?	Com- ply with DtC ?	Un- sound be- cause they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part- icip- ate?	Reasons for participating in oral examination:	LCC response:
										<p>contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; 114. Local planning authorities should: • set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure; 117. To minimise impacts on biodiversity and geodiversity, planning policies should: • promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan; 118. When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity</p>				

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										by applying the following principles: • opportunities to incorporate biodiversity in and around developments should be encouraged.				
NATIONAL TRUST (Kim Miller)	Policy DM8	238		DM8			No		Consistent with national policy	The current wording of this policy suggests a permissive approach to development within Nationally designated sites which is not consistent with national policy. NPPF paragraph 118 states that 'proposed development on land within or outside a SSSI likely to have an adverse effect on a SSSI (either individually or in combination with other developments) should not normally be permitted'.	... or have any other adverse impact on the site. Where this is not the case, <u>development will normally be refused and planning permission will only be granted provided that exceptionally where:</u> • The proposal cannot reasonably be...	No		
Peel & Gas Oil (Matthew Sheppard)	Policy DM8	142		DM8						We support the approach set out in these policies.				
RSPB (Mik)	Policy DM8	163		DM8			No		Consistent with	The RSPB supports the requirement that ' <i>Sites of Special Scientific Interest</i> ,	The wording of Policy DM8, in relation to the circumstances in which planning permission will	Yes	We wish to attend the oral part of the examination to	

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e Jones)									national policy	<p><i>National Nature Reserves and irreplaceable habitats (including Ancient Woodland and veteran trees) will be safeguarded from inappropriate minerals and waste development</i>. However, the statement that <i>'planning permission will be granted for minerals and waste development on or affecting such sites...'</i> implies that permitting minerals and waste development on SSSIs, NNRs and other irreplaceable habitats will be the norm rather than the exception.</p> <p>The wording of Policy DM8 sets a far more pro-development stance than relevant wording of the National Planning Policy Framework (NPPF), which states that:</p> <p><i>'proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest ... <b>should not normally be permitted</b>'</i> (para. 118); and</p> <p><i>'<b>planning permission should be refused for development resulting in</b></i></p>	<p>be granted, should be changed to better reflect the tone of the wording used in the NPPF (paras. 14 and 118). This should make it more explicit that development likely to have an adverse effect will not normally be permitted.</p> <p>The requirement to deliver a net-gain in biodiversity should be retained, but should be separated from any mitigation and compensation measures. By doing this, Policy DM8 will make the delivery of net-gains in biodiversity a standard requirement. This will be more in line with the NPPF, paras. 9 and 109.</p>		help explain our position further and participate in discussions if required.	

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Pa- ra- gra- ph	Pol- icy	Pol- icie s Ma- p	Leg- ally Com- pli- ant ?	Sou- nd ?	Com- pli- ant with DtC ?	Unsou- nd becau- se they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part- icip- ate?	Reasons for participating in oral examination:	LCC response:
										<p><i>the loss or deterioration of irreplaceable habitats'</i> (para. 118). Whilst the RSPB acknowledges that the Plan should meet objectively assessed needs, the NPPF specifically exempts locations where development should be restricted (e.g. SSSIs), from this requirement (para. 14 and footnote 9).</p> <p>Although we are pleased to see the new requirement to deliver net-gains in biodiversity, we are disappointed that this requirement only relates to measures to mitigate or compensate for '<i>harmful effects</i>'. Delivering a net-gain in biodiversity should be required for all developments, especially minerals development. For example, minerals development should result in a larger area – and higher quality - of appropriate priority habitat than was present before minerals development began. This principle should apply even where no priority habitat has been lost and where biodiversity is not the</p>				

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										main after-use.				
South Lincolnshire Fenlands Partnership (Am and a Jenkins)	Policy DM8	202		DM8			No		Consistent with national policy	<p>The wording in Policy DM8 is unacceptable and SLFP do not believe that wording within the Policy reflects the guidance given in the NPPF to protect Sites of Special Scientific Interest and irreplaceable habitats:</p> <p><b>This relates to NPPF paragraphs. 14, 109, 117 &amp; 118</b></p> <p>The South Lincolnshire Fenlands has 3 Sites of Special Scientific Interest in areas that could be affected by mineral workings. The SLFP strongly supports the statement that '<i>Sites of Special Scientific Interest, National Nature Reserves and irreplaceable habitats (including Ancient Woodland and veteran trees) will be safeguarded from inappropriate minerals and waste development</i>'.</p> <p>However, we are very concerned that the following statement takes a pro development stance. 'planning permission will be granted for minerals and waste</p>	<p>The wording of Policy DM8, in relation to the circumstances in which planning permission will be granted, should be changed to reflect the tone of the wording used in the NPPF (paras. 14 and 118). This should make it more explicit that development likely to have an adverse effect will not normally be permitted.</p> <p><b>The SLFP considers that in order to comply with the NPPF the following rewording of the Policy would be more acceptable</b></p> <p>'Sites of Special Scientific Interest, National Nature Reserves and irreplaceable habitats (including Ancient Woodland and veteran trees) will be safeguarded from inappropriate minerals and waste development. Planning permission will <b>only</b> be granted for minerals and waste development on or affecting such sites, provided that it can be demonstrated that the development, either individually or in combination with other developments, would not conflict with the conservation, management and enhancement of the site, or have any other adverse impact on the site <b>and would provide a net gain in</b></p>	No		

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										development on or affecting such sites' implies that permitting minerals development on SSSIs, NNRs and irreplaceable habitats is likely to take place, i.e. is the norm rather than the exception  Bullet point 3 - Delivering a net-gain in biodiversity should be required for all developments, not just for mitigation or compensation.	<b>biodiversity/geodiversity.</b> Where this is not the case, planning permission will be granted provided that...'  <b>The requirement to deliver a net-gain in biodiversity should be a standard requirement reflected in this Plan. A new policy should be included to reflect this.</b>			
Ben Hunt Planning Ltd (Ben Hunt)	Policy DM9	113		DM9			No		Consistent with national policy	In general terms GOLAG welcomes these policies.  However, it is suggested that in the sentence prior to the bullet point requirements it would be appropriate to insert the word "only" – as reported in the supporting text, the thrust of national policy is to seek a net gain in biodiversity, and harmful development should only be granted where these criteria can be met.	GOLAG recommends that in the sentence prior to the bullet point requirements the word "only" is inserted.	No		
Greater Lincols hire Nat	Policy DM9	125	7.60	DM9			No		Consistent with national policy	Paragraph 7.60 currently states that:  <i>"Local Wildlife Sites are non-statutory areas of local importance for</i>	There are a number of ways Paragraph 7.60 could be rewritten to make it accurate, therefore consistent with Defra guidance and sound. The GLNP have highlighted the simplest	No		

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ure Partnership (Fran Hitc hinson)										<p><i>nature conservation that complement nationally and internationally designated sites. Proposals for minerals and waste development may lead to loss, degradation or fragmentation of important local areas that are rich in biodiversity. Minerals and waste development will therefore only be permitted if due regard has been given to the likely effects of the proposed development on Local Wildlife Sites or sites meeting Local Wildlife Site criteria.</i></p> <p>Defra guidance* on Local Sites states that these sites are actually of substantive nature conservation interest and that it is a comprehensive suite of sites to be determined locally according to national, regional and local biodiversity needs.</p> <p>To this end Local Sites may actually contain species or habitat of national, regional or local importance therefore <b>it is incorrect to say they are of local importance for nature conservation.</b></p>	<p>solution below in red:</p> <p><i>“Local Wildlife Sites are non-statutory areas of local importance for nature conservation that complement nationally and internationally designated sites. Proposals for minerals and waste development may lead to loss, degradation or fragmentation of important local-areas that are rich in biodiversity. Minerals and waste development will therefore only be permitted if due regard has been given to the likely effects of the proposed development on Local Wildlife Sites or sites meeting Local Wildlife Site criteria.”</i></p> <p>There are a number of ways Policy DM9 could be re-written to make it more restrictive in tone and thus sound. The simplest of which the GLNP have suggested below in red text:</p> <p><i>“Planning permission will only be granted for minerals and waste development on or affecting locally designated sites (including Local Wildlife Sites and their predecessors: Sites of Nature Conservation Importance; County Wildlife Sites; Local Nature Reserves; Critical Natural Assets), sites meeting Local Wildlife Site criteria and un-designated</i></p>			

Res pon dent Name	Doc ume nt Part Name	Co mm ent ID	P ar a gr a p h	Pol icy	P ol ic ie s M a p	Leg ally Co m pl iant ?	S o u n d ?	Co m pl y w it h DtC ?	Uns ou nd becau se they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part icip ate?	Reasons for participating in oral examination:	LCC response:
										<p>They are termed Local Sites as they are determined locally but their significance for nature conservation may be far greater because of their representativeness.</p> <p>For comparison SSSIs are designated on a representative basis e.g. it is only necessary to designate a site representing one of each type of habitat. For Local Sites every site that meets the criteria is supposed to be designated and in this way Local Sites 'fill the gap' in other designation systems.</p> <p>Aside from this the GLNP is supportive of Paragraph 7.60.</p> <p>*Defra (2006) Local Sites: Guidance on their Identification, Selection and Management.</p> <p>Policy DM9 currently states that:</p> <p><i>"Planning permission will be granted for minerals and waste development on or affecting locally designated sites (including Local Wildlife Sites and their predecessors: Sites of</i></p>	<p><i>priority habitats identified in the Lincolnshire Biodiversity Action Plan, provided that it can be demonstrated that the development would not have any significant adverse impacts on the site. Where this is not the case, planning permission will be granted provided that...</i></p>			

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant?	Soun- d?	Com- pliy with DtC?	Unsou- nd becau- se they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part- icipate?	Reasons for participating in oral examination:	LCC response:
										<p><i>Nature Conservation Importance; County Wildlife Sites; Local Nature Reserves; Critical Natural Assets), sites meeting Local Wildlife Site criteria and un-designated priority habitats identified in the Lincolnshire Biodiversity Action Plan, provided that it can be demonstrated that the development would not have any significant adverse impacts on the site. Where this is not the case, planning permission will be granted provided that..."</i></p> <p>This is inconsistent with the National Planning Policy Framework paragraph 118 and will not enable sustainable development. Paragraph 118 indicates a much more restrictive approach to development than Policy DM9.</p> <p>Aside from this the GLNP are pleased to note adherence to the mitigation hierarchy and the requirement for a net gain in biodiversity should any development be permitted on such sites.</p>				

Respondent Name	Document Part Name	Comment ID	Paragraph	Policy	Policies Map	Legally Compliant?	Sound?	Comply with DtC?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Participate?	Reasons for participating in oral examination:	LCC response:
Lincolnshire Wildlife Trust (Elizabeth Biott)	Policy DM9	21	7.60			Yes	No	Yes	Consistent with national policy	The Lincolnshire Wildlife Trust is supportive of this paragraph which refers to Local Wildlife Sites. However, we have concerns that they are referred to as areas of local importance for nature conservation. Defra guidance* on Local Sites states that these sites are of substantive nature conservation interest and that it is a comprehensive suite of sites to be determined locally according to national, regional and local biodiversity needs. Local Sites may actually therefore contain species or habitat of national, regional or local importance therefore it is not correct to say that the sites are of local importance for nature conservation. They are termed Local Sites as they are determined locally but their significance for nature conservation may be far greater because all sites that meet the Local Site criteria are supposed to be designated so some may even be of national importance. *Defra (2006) Local Sites: Guidance on	The Lincolnshire Wildlife Trust would recommend that 'local' is removed from the first and second sentences as follows (suggested deleted text in square brackets): 'Local Wildlife Sites are non-statutory areas of [local] importance for nature conservation that complement nationally and internationally designated sites. Proposals for minerals and waste development may lead to loss, degradation or fragmentation of important [local] areas that are rich in biodiversity. Minerals and waste development will therefore only be permitted if due regard has been given to the likely effects of the proposed development on Local Wildlife Sites or sites meeting Local Wildlife Site criteria.'	No		

Respondent Name	Document Part Name	Comment ID	Paragraph	Policy	Policies Map	Legally Compliant?	Sound?	Comply with DtC?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Participate?	Reasons for participating in oral examination:	LCC response:
										their Identification, Selection and Management.				
Lincolnshire Wildlife Trust (Elizabeth Biott)	Policy DM9	22		DM9		Yes	No	Yes	Consistent with national policy	The Lincolnshire Wildlife Trust is seriously concerned by the first sentence of this policy which gives the impression that development on locally designated sites will be likely to take place. This wording is unacceptable and we do not think that the policy wording sufficiently reflects the guidance given in the National Planning Policy Framework (NPPF)(paragraph 118) to conserve and enhance biodiversity: 118. When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles: • if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Whilst	We would recommend that the policy is reworded to ensure that it complies with the restrictive tone of the NPPF in relation to the conservation and enhancement of biodiversity. Our suggestion would be that it is reworded as follows (suggested new text in capitals and suggested deleted text in square brackets): 'LOCALLY DESIGNATED SITES (INCLUDING LOCAL WILDLIFE SITES AND THEIR PREDECESSORS: SITES OF NATURE CONSERVATION IMPORTANCE; COUNTY WILDLIFE SITES; LOCAL NATURE RESERVES; CRITICAL NATURAL ASSETS), SITES MEETING LOCAL WILDLIFE SITE CRITERIA AND UN-DESIGNATED PRIORITY HABITATS IDENTIFIED IN THE LINCOLNSHIRE BIODIVERSITY ACTION PLAN WILL BE SAFEGUARDED FROM INAPPROPRIATE MINERALS AND WASTE DEVELOPMENT. Planning permission will ONLY be granted for minerals and waste development on or affecting SUCH SITES [locally designated sites (including Local Wildlife Sites and their predecessors:	Yes	The Lincolnshire Wildlife Trust would wish to have the opportunity to participate at the oral part of the examination to provide further clarity on the suggested changes if required.	

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant?	Sou- nd?	Com- pliy with DtC?	Unsou- nd because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part- icipate?	Reasons for participating in oral examination:	LCC response:
										<p>we welcome the new wording relating to the need for proposals to result in a net gain in biodiversity, we would wish to see a requirement for all development to deliver net gains in biodiversity, not just those negatively impacting on designated sites. The NPPF promotes the enhancement of biodiversity: 109. The planning system should contribute to and enhance the natural and local environment by:</p> <ul style="list-style-type: none"> <li>• minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; 114. Local planning authorities should:</li> <li>• set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity</li> </ul>	<p>Sites of Nature Conservation Importance; County Wildlife Sites; Local Nature Reserves; Critical Natural Assets), sites meeting Local Wildlife Site criteria and un-designated priority habitats identified in the Lincolnshire Biodiversity Action Plan], provided that it can be demonstrated that the development would not have any significant adverse impacts on the site, AND IT WOULD RESULT IN A NET-GAIN IN BIODIVERSITY. Where this is not the case, planning permission will be granted provided that:</p> <ul style="list-style-type: none"> <li>• The merits of development outweigh the likely impact; and</li> <li>• Any adverse effects are adequately mitigated or, as a last resort compensated for, with proposals resulting in a net-gain in biodiversity through the creation of new priority habitat in excess of that lost.'</li> </ul>			

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										and green infrastructure; 117. To minimise impacts on biodiversity and geodiversity, planning policies should: <ul style="list-style-type: none"> <li>• promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan; 118. When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles: <ul style="list-style-type: none"> <li>• opportunities to incorporate biodiversity in and around developments should be encouraged.</li> </ul> </li> </ul>				
Lincolnshire Wildlife Trust (Elizabeth Biott)	Policy DM9	29		DMXX: Biodiversity and Geodiversity		Yes	No	Yes	Consistent with national policy	The Lincolnshire Wildlife Trust welcomes a number of the changes that have been made to the plan since the previous consultation draft. The Trust was pleased to note that many of our suggested changes were incorporated into the plan. However, we have serious	In order to comply with the NPPF we would strongly recommend that a new policy is added relating to biodiversity and geodiversity as follows: New Policy DMXX: Biodiversity and Geodiversity All development should protect and enhance biodiversity and geodiversity and seek to deliver net biodiversity and geodiversity gains.	Yes	The Lincolnshire Wildlife Trust would wish to have the opportunity to participate at the oral part of the examination to provide further clarity on the suggested changes if	

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)				(new policy)						concerns that there is a policy gap within the Development Management Policies relating to the general protection and enhancement of biodiversity and geodiversity. It should be clearly stated within one of the policies of the Local Plan that developers will be required to demonstrate that there will be a net gain for biodiversity. Policies DM8, DM9 and DM10 require proposals to provide a net gain or enhancements in biodiversity and geodiversity. However, this is only in relation to developments that are likely to impact on a designated site. All developments should be required to enhance biodiversity and geodiversity whether or not they will be impacting upon a designated site. Given this policy gap relating to biodiversity and geodiversity we would contend that the Local Plan does not comply with the requirements of the National Planning Policy Framework (NPPF) which requires the planning	Development proposals should create new habitats and links between habitats in line with the landscape scale objectives and priorities of the area to maintain a network of wildlife sites and corridors to minimise habitat fragmentation and provide opportunities for species to respond and adapt to climate change. Where development is within a Nature Improvement Area (NIA) this should contribute to the aims and aspirations of the NIA. Development should seek to contribute to the targets for priority habitats and species set out in the Lincolnshire Biodiversity Action Plan and Geodiversity Action Plan.		required.	

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Pa- ra- gra- ph	Pol- icy	Pol- icie s Ma- p	Leg- ally Com- pli- ant ?	Sou- nd ?	Com- pli- ant with DtC ?	Un- sou- nd be- cau- se they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part- icip- ate?	Reasons for participating in oral examination:	LCC response:
										<p>system to contribute to the enhancement of biodiversity and geodiversity, and also to support Nature Improvement Areas: 109. The planning system should contribute to and enhance the natural and local environment by:</p> <ul style="list-style-type: none"> <li>• protecting and enhancing valued landscapes, geological conservation interests and soils;</li> <li>• minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; 114. Local planning authorities should:</li> <li>• set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure; 117. To minimise impacts on biodiversity and geodiversity, planning</li> </ul>				

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Pa- ra- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant ?	Soun- d ?	Com- ply with DtC ?	Unsou- nd be- cause they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part- icip- ate?	Reasons for participating in oral examination:	LCC response:
										<p>policies should:</p> <ul style="list-style-type: none"> <li>• plan for biodiversity at a landscape-scale across local authority boundaries;</li> <li>• identify and map components of the local ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat restoration or creation;</li> <li>• promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan;</li> <li>• aim to prevent harm to geological conservation interests; and</li> <li>• where Nature Improvement Areas are identified in Local Plans, consider specifying the types of development that may be appropriate in these Areas. 118. When determining planning</li> </ul>				

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										<p>applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles: • opportunities to incorporate biodiversity in and around developments should be encouraged; 157. Crucially, Local Plans should: • contain a clear strategy for enhancing the natural, built and historic environment, and supporting Nature Improvement Areas where they have been identified. It is important that there is reference to Nature Improvement Areas (NIA) in the Local Plan. NIAs are landscape-scale initiatives that aim to ensure land is used sustainably to achieve multiple benefits for people, wildlife and the local economy. At the present time the only NIA in Greater Lincolnshire is the Humberhead Levels. However, additional NIAs will be selected locally within the period covered by this plan and a number of Living Landscape schemes are candidates for selection as NIAs.</p>				

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Natural England (Roslyn Deeming)	Policy DM9	160		DM9		Yes	No		Consistent with national policy	<p><b>Policy DM9: Local Sites of Biodiversity Conservation Value</b></p> <p>We consider the phrase <i>“planning permission will be granted for minerals and waste development on or affecting locally designated sites”</i> gives the impression that these locally important sites may be targeted for development which is misleading. We suggest the policy should be reworded to better reflect the guidance set out in the NPPF at paragraph 118:</p> <p><i>“if significant harm resulting from a development cannot be avoided ... then planning permission should be refused”</i></p> <p><i>“planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland ...”</i></p> <p>We therefore consider that this policy is <b>unsound</b> in its current form, as it is not wholly consistent with national planning policy, and have suggested the rewording</p>	<p><b>Suggested Changes:</b></p> <p>Natural England suggest that the wording in policy DM9 should take a more precautionary approach to minerals and waste development that is in close proximity to locally important nature conservation sites. We suggest that the following wording should be incorporated into the policy statement:</p> <p><b><i>Development that has potential to harm local sites of biodiversity value should not normally be permitted. Planning permission will only be granted for minerals and waste development on or affecting locally designated sites (including Local Wildlife Sites and their predecessors: Sites of Nature Conservation Importance; County Wildlife Sites; Local Nature Reserves; Critical Natural Assets), sites meeting Local Wildlife Site criteria and un-designated priority habitats identified in the Lincolnshire Biodiversity Action Plan, provided that it can be demonstrated that the development would not have any significant adverse impacts on the site. Where this is not the case, planning permission will be granted provided that:</i></b></p> <p><i>The merits of development outweigh the likely impact; and</i></p>	No		

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Pa- ra- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant ?	Soun- d ?	Com- ply with DtC ?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part- icip- ate?	Reasons for participating in oral examination:	LCC response:
										<p>of the policy as set out below.</p> <p><b>Policy DM9: Local Sites of Biodiversity Conservation Value</b></p> <p>We consider the phrase “planning permission will be granted for minerals and waste development on or affecting locally designated sites” gives the impression that these locally important sites may be targeted for development which is misleading. We suggest the policy should be reworded to better reflect the guidance set out in the NPPF at paragraph 118:</p> <p><i>“if significant harm resulting from a development cannot be avoided ... then planning permission should be refused”</i></p> <p><i>“planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland ...”</i></p> <p>We therefore consider that this policy is <b>unsound</b> in its current form, as it is not wholly</p>	<p><i>Any adverse effects are adequately mitigated or, as a last resort compensated for, with proposals resulting in a net-gain in biodiversity through the creation of new priority habitat in excess of that lost.</i></p>			

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										<p>consistent with national planning policy, and have suggested the rewording of the policy as set out below.</p> <p><b>Policy DM9: Local Sites of Biodiversity Conservation Value</b></p> <p>We consider the phrase <i>“planning permission will be granted for minerals and waste development on or affecting locally designated sites”</i> gives the impression that these locally important sites may be targeted for development which is misleading. We suggest the policy should be reworded to better reflect the guidance set out in the NPPF at paragraph 118:</p> <p><i>“if significant harm resulting from a development cannot be avoided ... then planning permission should be refused”</i></p> <p><i>“planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland ...”</i></p> <p>We therefore consider</p>				

Respondent Name	Document Part Name	Comment ID	Paragraph	Policy	Policies Map	Legally Compliant?	Sound?	Comply with DtC?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Participate?	Reasons for participating in oral examination:	LCC response:
										that this policy is <b>unsound</b> in its current form, as it is not wholly consistent with national planning policy, and have suggested the rewording of the policy as set out below.				
Peel & Gas Oil (Matthew Sheppard)	Policy DM9	143		DM9						We support the approach set out in these policies.				
RSPB (Mike Jones)	Policy DM9	164		DM9			No		Consistent with national policy	As with policy DM8, the statement that ' <b>planning permission will be granted for minerals and waste development on or affecting locally designated sites...</b> ' implies that permitting minerals and waste development on such sites will be the norm, rather than the exception.  The wording of Policy DM9 sets a far more pro-development stance than relevant wording of the National Planning Policy Framework (NPPF), which	The wording of Policy DM9, in relation to the circumstances in which planning permission will be granted, should be changed to better reflect the tone of the wording used in the NPPF (paras. 14 and 118). This should make it more explicit that development likely to have an adverse effect will not normally be permitted.  The requirement to deliver a net-gain in biodiversity should be retained, but should be separated from any mitigation and compensation measures. By doing this, Policy DM9 will make the delivery of net-gains in biodiversity a standard	Yes	We wish to attend the oral part of the examination to help explain our position further and participate in discussions if required.	

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant?	Sound?	Com- pliant with DtC?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Partic- ipate?	Reasons for participating in oral examination:	LCC response:
										<p>states that: <i>'if significant harm resulting from a development cannot be avoided ... then <b>planning permission should be refused</b>'</i> (para. 118); and <i>'<b>planning permission should be refused</b> for development resulting in the loss or deterioration of irreplaceable habitats'</i> (para. 118). Whilst the RSPB acknowledges that the Plan should meet objectively assessed needs, the NPPF specifically exempts locations where development should be restricted from this requirement (para. 14 and footnote 9).</p> <p>Although we are pleased to see the new requirement to deliver net-gains in biodiversity, we are disappointed that this requirement only relates to measures to mitigate or compensate for <i>'harmful effects'</i>. Delivering a net-gain in biodiversity should be required for all developments, especially minerals development. For example, minerals development should result</p>	<p>requirement. This will be more in line with the NPPF, paras. 9 and 109.</p>			

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										in a larger area – and higher quality - of appropriate priority habitat than was present before minerals development began. This principle should apply even where no priority habitat has been lost and where biodiversity is not the main after-use.				
South Lincolnshire Fenlands Partnership (Am and Jenkins)	Policy DM9	203		DM9			No		Consistent with national policy	<p>The South Lincolnshire Fenlands project area has several local wildlife sites that could be affected by mineral workings. This paragraph takes a pro development stance</p> <p>'Planning permission will be granted for minerals and waste on or affecting locally designated sites implies that permitting minerals development on these areas is likely to take place, i.e. is the norm rather than the exception</p> <p>The wording of Policy DM9 is unacceptable. It reflects a far more pro-development stance than relevant wording of the National Planning Policy Framework (NPPF) which should aim to conserve and enhance biodiversity.</p> <p><b>This relates to</b></p>	<p><b>Locally designated sites (including Local Wildlife Sites and their predecessors: Sites of Nature Conservation Importance; County Wildlife Sites; Local Nature Reserves; Critical Natural Assets), sites meeting Local Wildlife Site criteria and un-designated priority habitats identified in the Lincolnshire Biodiversity Action Plan will be safeguarded from inappropriate minerals and waste development.</b> Planning permission will <b>only</b> be granted for minerals and waste development on or affecting <b>such sites</b> locally designated sites (including Local Wildlife Sites and their predecessors: Sites of Nature Conservation Importance; County Wildlife Sites; Local Nature Reserves; Critical Natural Assets), sites meeting Local Wildlife Site criteria and un-designated</p>	No		

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Pa- ra- graph	Pol- icy	Pol- icie- s Map	Leg- ally Com- pliant?	So- und?	Com- pliy with DtC?	Unso- und becau- se they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part- icipate?	Reasons for participating in oral examination:	LCC response:
										<p><b>paragraph 118 of the NPPF</b></p>	<p>priority habitats identified in the Lincolnshire Biodiversity Action Plan, provided that it can be demonstrated that the development would not have any significant adverse impacts on the site <b>and would provide a net gain in biodiversity</b>. Where this is not the case, planning permission will be granted provided that:</p> <p>The merits of development outweigh the likely impact; and Any adverse effects are adequately mitigated or, as a last resort compensated for, with proposals resulting in a net-gain in biodiversity through the creation of new priority habitat in excess of that lost.'</p> <p><b>The requirement to deliver a net-gain in biodiversity should be a standard requirement reflected in this Plan. A new policy should be included to reflect this.</b></p>			
Greater Lincolnshire Nature Partnership (Fran	Policy DM10	126		DM10			No		Consistent with national policy	<p>Policy DM10 currently states that:</p> <p><i>“Planning permission will be granted for minerals and waste development on or affecting locally designated sites (including Local Geological Sites and their predecessors: Regionally Important Geological and</i></p>	<p>There are a number of ways Policy DM10 could be re-written to make it more restrictive in tone and thus sound. The simplest of which the GLNP have suggested below in red text:</p> <p><i>“Planning permission will only be granted for minerals and waste development on or affecting locally designated sites</i></p>	No		

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant?	Sound?	Com- pliy with DtC?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Partic- ipate?	Reasons for participating in oral examination:	LCC response:
Hitc- hinson)										<p><i>Geomorphological Sites) and sites meeting Local Geological Site criteria provided that it can be demonstrated that the development would not have any significant adverse impacts on the site. Where this is not the case, planning permission will be granted provided that..."</i></p> <p>This is inconsistent with the National Planning Policy Framework paragraphs 109 and 117 and will not enable sustainable development. Paragraphs 109 and 117 indicate a much more restrictive approach to development than Policy DM10.</p> <p>Aside from this the GLNP are pleased to note adherence to the mitigation hierarchy and the requirement for a net gain in geodiversity should any development be permitted on such sites.</p>	<p><i>(including Local Geological Sites and their predecessors: Regionally Important Geological and Geomorphological Sites) and sites meeting Local Geological Site criteria provided that it can be demonstrated that the development would not have any significant adverse impacts on the site. Where this is not the case, planning permission will be granted provided that..."</i></p>			
Gre- ater Linc- olns hire	Pol- icy DM10	204				Yes	No	Yes	Consist- ent with nation- al policy	This version of the Plan is a huge improvement on the previous consultation draft. It is much clearer and there are far fewer	There are many ways in which a policy such as that recommended above could be written. The GLNP suggest one such approach below:	No		

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant?	Sound?	Com- pliant with DtC?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Partic- ipate?	Reasons for participating in oral examination:	LCC response:
Nature Partnership (Framthorpe)										<p>areas of concern for the GLNP. However there is still a policy gap with regards to the natural environment. The NPPF is clear that plans and developments should protect biodiversity and geodiversity and seek net gain. Also that this should be part of ecological networks and at a landscape scale. There is wording in the plan that mentions this but no policy to ensure it. Requirements for developments that damage protected sites are not sufficient – this should be viewed across the whole landscape.</p> <p>Relevant paragraphs from the NPPF include: 7, <b>109, 114, 117, 165</b></p> <p>This policy could also reference Nature Improvement Areas, a concept brought forward by the Natural Environment White Paper and described in Paragraphs 117 and 157 of the NPPF.</p>	<p>All development should protect, manage and enhance as appropriate the network of habitats and species avoid inappropriate development and seek to deliver a net biodiversity and geodiversity gains where possible.</p> <p>Development proposals should create new habitats and links between habitats in line with landscape scale objectives in order to maintain a network of wildlife sites and corridors to minimise habitat fragmentation and provide opportunities for species to respond and adapt to climate change. Where development is within a Nature Improvement Area (NIA) this should contribute to the aims and aspirations of the NIA. Development should seek to contribute to the targets for priority habitats and species set out in the Lincolnshire Local Biodiversity Action Plan and Local Geodiversity Action Plan.</p>			
Lincolnshire	Policy DM1	23		DM 10		Yes	No	Yes	Consistent with	The Lincolnshire Wildlife Trust is concerned by the first sentence of this policy	We would recommend that the policy is reworded to ensure that it complies with the restrictive	Yes	The Lincolnshire Wildlife Trust would wish to have	

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Wildlife Trust (Elizabeth Biott)	0								national policy	which gives the impression that development on locally designated sites will be likely to take place. This wording is unacceptable and we do not think that the policy wording sufficiently reflects the guidance given in the National Planning Policy Framework (paragraph 117) to prevent harm to geological conservation interests: 117. To minimise impacts on biodiversity and geodiversity, planning policies should: • aim to prevent harm to geological conservation interests Whilst we welcome the new wording relating to the need for proposals to result in geodiversity enhancements, we would wish to see a requirement for all development to deliver geodiversity enhancements, not just those negatively impacting on designated sites. The NPPF promotes the enhancement of geodiversity: 109. The planning system should contribute to and enhance the natural and local environment by: •	tone of the NPPF in relation to the conservation and enhancement of geodiversity. Our suggestion would be that it is reworded as follows (suggested new text in capitals and suggested deleted text in square brackets): 'LOCALLY DESIGNATED SITES (INCLUDING LOCAL GEOLOGICAL SITES AND THEIR PREDECESSORS: REGIONALLY IMPORTANT GEOLOGICAL AND GEOMORPHOLOGICAL SITES) AND SITES MEETING LOCAL GEOLOGICAL SITE CRITERIA WILL BE SAFEGUARDED FROM INAPPROPRIATE MINERALS AND WASTE DEVELOPMENT. Planning permission will ONLY be granted for minerals and waste development on or affecting SUCH SITES, [locally designated sites (including Local Geological Sites and their predecessors: Regionally Important Geological and Geomorphological Sites) and sites meeting Local Geological Site criteria] provided that it can be demonstrated that the development would not have any significant adverse impacts on the site, AND IT WOULD RESULT IN GEODIVERSITY ENHANCEMENTS. Where this is not the case, planning permission will be granted		the opportunity to participate at the oral part of the examination to provide further clarity on the suggested changes if required.	

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										protecting and enhancing valued landscapes, geological conservation interests and soils.	provided that: • The merits of development outweigh the likely impact; and • Any adverse effects are adequately mitigated or, as a last resort compensated for, with proposals resulting in geodiversity enhancements'			
Mick George Ltd (John Gough)	Policy DM10	67		DM10						The company notes that the Council recognise (para 7.65) that the winning and working of minerals and site restoration can potentially make a major contribution to the creation of new habitat and positive gains for biodiversity which is welcomed although this should pay full regard to the value of best and most versatile agricultural land that can be readily restored as part of a quarry's rehabilitation.				
Natural England (Roslyn Deeming)	Policy DM10	161		DM10		Yes	No		Consistent with national policy	<b>DM10 Local Sites of Geological Conservation Value</b>  <i>We consider the phrase "planning permission will be granted for minerals and waste development on or affecting locally designated sites (including Local Geological Sites and their predecessors: Regionally Important Geological and</i>	<b>Suggested Wording</b>  Natural England suggest that the wording in policy DM10 should take a more precautionary approach to minerals and waste development that is in close proximity to Local Sites of Geological Conservation Value. We consider that the following suggested policy wording should incorporate the following suggested wording which we would more closely follow the	No		

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										<p><i>Geomorphological Sites) and sites meeting Local Geological Site criteria.” gives the impression that these locally important sites may be targeted for development. We suggest the policy should be reworded to better reflect the guidance set out in the NPPF at paragraph 117:</i></p> <p><i>“aim to prevent harm to geological conservation interests:”</i></p> <p>We therefore consider that this policy is <b>unsound</b> in its current form as it is not wholly consistent with national planning policy and have suggested the rewording of the policy as set out below.</p>	<p>guidance in the NPPF:</p> <p><b><i>Development that has potential to harm local sites of geological value should not normally be permitted.</i></b></p> <p><i>Planning permission will only be granted for minerals and waste development on or affecting locally designated sites (including Local Geological Sites and their predecessors: Regionally Important Geological and Geomorphological Sites) and sites meeting Local Geological Site criteria provided that it can be demonstrated that the development would not have any significant adverse impacts on the site. Where this is not the case, planning permission will be granted provided that:</i></p> <p><i>The merits of development outweigh the likely impact; and Any adverse effects are adequately mitigated or, as a last resort compensated for, with proposals resulting in geodiversity enhancements</i></p>			
Peel & Gas Oil (Matthew Sheppard)	Policy DM10	144		DM10						We support the approach set out in these policies.				

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South Lincolns hire Fenlands Partnership (Am and Jenkins)	Policy DM10	205		DM10			No		Consistent with national policy	This policy takes a pro development stance 'Planning permission will be granted for minerals and waste on or affecting locally designated sites ..... implies that permitting minerals development on these areas is likely to take place, i.e. is the norm rather than the exception  <b>Relates to NPPF Paragraphs 109, 117, 157</b>	<b>'Locally designated sites (including Local Geological Sites and their predecessors: Regionally Important Geological and Geomorphological Sites) and sites meeting Local Geological Site criteria will be safeguarded from inappropriate minerals and waste development. Planning permission will only be granted for minerals and waste development on or affecting such sites, locally-designated sites (including Local Geological Sites and their predecessors: Regionally Important Geological and Geomorphological Sites) and sites meeting Local Geological Site criteria provided that it can be demonstrated that the development would not have any significant adverse impacts on the site and would lead to enhancement in geodiversity. Where this is not the case, planning permission will be granted provided that:</b>  <i>The merits of development outweigh the likely impact; and Any adverse effects are adequately mitigated or, as a last resort compensated for, with proposals resulting in geodiversity enhancements'</i> The requirement to deliver an improvement in geodiversity should be a standard	No		

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											requirement reflected in this Plan. A new policy should be included to reflect this			
Mick George Ltd (John Gough)	Agricultural Land and Soils - Policy DM11	68		DM11						Policies DM11 and DM12 addresses soils conservation and high quality agricultural land. Over the last 10 years the minerals industry has demonstrated that winning, working and restoration on high quality agricultural land is feasible and deliverable. The Company have experience of achieving this on high quality land in Cambridgeshire where the physical characteristics of soils have been carefully recreated following the infilling of worked out parts of the quarry using inert waste.				
NATIONAL FARMS UNION (P. TAME)	Agricultural Land and Soils - Policy DM11	32	7.66			Yes	Yes			We agree with paragraph 7.66 about minerals and waste development taking soils, agricultural land quality and farming into account.		No		

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Peel & Gas Oil (Matthew Sheppard)	Agricultural Land and Soils - Policy DM11	145		DM11						We support the approach set out in these policies.				
Ben Hunt Planning Ltd (Ben Hunt)	Policy DM12	108		DM12			No		Justified	GOLAG supports the thrust of Policy DM12 towards the protection of the best and most versatile agricultural land.  However, the first bullet point criterion appears a little too brief, and would benefit from some limited expansion.	<b>GOLAG recommends that</b> the first bullet point criterion of Policy DM12 is reworded as follows:  <ul style="list-style-type: none"> <li> <b><i>"There are no alternative areas of land of lower agricultural or environmental value which could be used for the development."</i></b> </li> </ul>	No		
Greater Lincolnshire Nature Partnership (Fran)	Policy DM12	127		DM12			No		Consistent with national policy	Policy DM12 currently states that:  <i>"Proposals for minerals and waste development that include significant areas of best and most versatile agricultural land will only be permitted where it can be demonstrated that: no reasonable alternative</i>	There are a number of ways Policy DM12 could be re-written to make it broader in tone and thus sound. The simplest of which the GLNP have suggested below in red text:  <i>"Proposals for minerals and waste development that include significant areas of best and most versatile agricultural land will only be permitted where it</i>	No		

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Hitc hinson)										<p><i>exists; and for mineral sites, the site will be restored to an after-use that safeguards the long-term potential of the best and most versatile agricultural land.</i>"</p> <p>This is inconsistent with the National Planning Policy Framework paragraph 143 and will not enable sustainable development. Paragraph 143 indicates a much broader approach to development than Policy DM12 implies. It is the second bullet point of Policy DM12 the GLNP is concerned with, the first bullet point we support. Our concern is that the wording implies that safeguarding the potential of the best and most versatile agricultural land would mean restoration to only arable agricultural uses. This is not reflected in the wording of the supporting Paragraphs 7.70 and 7.71.</p>	<p><i>can be demonstrated that: no reasonable alternative exists; and for mineral sites, the site will be restored to an appropriate after-use that safeguards the long-term potential of the best and most versatile agricultural land.</i>"</p>			
Lincolnshire Wildlife Trust	Policy DM12	24		DM12		Yes	No	Yes	Consistent with national policy	The Lincolnshire Wildlife Trust has serious concerns regarding the wording of this policy which implies that any developments involving	The Lincolnshire Wildlife Trust would recommend that additional wording is added to the end of the second bullet point of Policy DM12 as follows (suggested new text in capitals):	Yes	The Lincolnshire Wildlife Trust would wish to have the opportunity to participate at the oral part of the	

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t (Elizabeth Biott)										the best and most versatile agricultural land must be restored to agricultural uses. Whilst paragraph 143 of the National Planning Policy Framework (NPPF) includes the restoration of sites to agriculture and the safeguarding of the long term potential of best and most versatile agricultural land, it does not state that restoration should be to agriculture to the exclusion of all other after-uses such as biodiversity. The approach indicated to restoration in paragraph 143 is of a much broader nature that that put forward in Policy DM12: 143. In preparing Local Plans, local planning authorities should: <ul style="list-style-type: none"> <li>• put in place policies to ensure worked land is reclaimed at the earliest opportunity, taking account of aviation safety, and that high quality restoration and aftercare of mineral sites takes place, including for agriculture (safeguarding the long term potential of best and most versatile agricultural land and conserving soil resources), geodiversity, biodiversity, native</li> </ul>	'Proposals for minerals and waste development that include significant areas of best and most versatile agricultural land will only be permitted where it can be demonstrated that: <ul style="list-style-type: none"> <li>• no reasonable alternative exists;</li> <li>and</li> <li>• for mineral sites, the site will be restored to an after-use that safeguards the long-term potential of the best and most versatile agricultural land OR CONTRIBUTES TO OTHER MULTI-FUNCTIONAL ENVIRONMENTAL GAINS CONSISTENT WITH THE LOCAL LANDSCAPE CHARACTER.</li> </ul>		examination to provide further clarity on the suggested changes if required.	

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										<p>woodland, the historic environment and recreation. The restoration of mineral and waste sites offers significant opportunities for the enhancement of biodiversity, linking in to landscape scale habitat restoration appropriate for the area. The NPPF promotes the enhancement of biodiversity: 109. The planning system should contribute to and enhance the natural and local environment by:</p> <ul style="list-style-type: none"> <li>• minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; 117. To minimise impacts on biodiversity and geodiversity, planning policies should:</li> <li>• promote the preservation, restoration and re-creation of priority habitats, ecological networks and</li> </ul>				

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										<p>the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan; 118. When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles: • opportunities to incorporate biodiversity in and around developments should be encouraged; Whilst the Trust appreciates the need to safeguard the long term potential of best and most versatile agricultural land as required by the NPPF this should not preclude the restoration of sites to nature conservation after-uses. The Council's Technical Background Paper on restoration (December 2014) states in paragraph 1.9 that 'National Policy clearly seeks a balanced approach whereby restoration objectives should take account of the wider environment, not just agricultural land.' In</p>				

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										<p>paragraph 2.2 it goes on to say 'There needs to be a balance when discussing restoration options to ensure the most suitable and sustainable use is found.' It also includes the following: 4.8 Whilst best and most versatile agricultural land should be restored with the objective of reaching a similar standard, other uses should be considered that contribute to the "step-change" in geodiversity and/or biodiversity. This could involve restoration of accessible key rock exposures, features or fossil sites, wildlife habitats that may have declined as a consequence of development at the site or within the local area, strengthen regional and functional ecological and green infrastructure networks, and contribute to UK and Lincolnshire Geodiversity and Biodiversity Action Plans and their targets. 4.9 Schemes that are designed with appropriate key rock exposures, features or fossil sites, or habitat for the prevailing</p>				

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										conditions, and demonstrated to be both technically and economically feasible, should be supported. In relation to the fens area, which is applicable to the South Lincolnshire Area of Search where most of the agricultural land is classified as best and most versatile, the Technical Background Paper on restoration includes the following: 3.62 Future restoration to reed bed or wet grassland could start to redress the significant loss of this habitat while providing an economical alternative to agricultural restoration, with the high water table requiring constant pumping to safeguard land in some mineral sites that have been restored to agriculture.				
Mick George Ltd (John Gough)	Policy DM12	69		DM12						Policies DM11 and DM12 addresses soils conservation and high quality agricultural land. Over the last 10 years the minerals industry has demonstrated that winning, working and restoration on high quality agricultural land is feasible and deliverable.				

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										The Company have experience of achieving this on high quality land in Cambridgeshire where the physical characteristics of soils have been carefully recreated following the infilling of worked out parts of the quarry using inert waste.				
NATIONAL FARMERS UNION (P. TA ME)	Policy DM12	33	7.71			Yes	No		Justified Effective	Paragraph 7.71 makes the argument that you can protect good Lincolnshire arable farm land by restoring former mineral and waste sites to wet grassland, because that is capable of being drained for arable use. We think that is a specious argument. We are not saying that all former mineral and waste sites should be restored to arable land, but equally they should not all be restored to wet grass land on the premise that it is possible then to drain that land. Paragraph 7.71 need to re-worded.		No		
Peel & Gas Oil (Mathe	Policy DM12	146		DM12						We support the approach set out in these policies.				

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w Sheppard)														
South Lincolnshire Fenlands Partnership (Am and a Jenkins)	Policy DM12	206		DM12			No		Consistent with national policy	The South Lincolnshire Fenlands project area is totally within an area of Best & Most Versatile Agricultural Land (BMVAL). The policy suggests that this area will only be restored to protect the long term benefits of agriculture & not to benefit other aspects of the environment.  <b>This relates to NPPF paragraphs 109, 114, 117, 157</b>  NPPF paragraph 109 implies that: <i>The planning system should contribute to and enhance the wider natural and local environment</i> .  Para 17 Core planning principles should - promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk	Suggest adding the following bullet point.  add or contributes to other multi-functional environmental gains consistent with the local landscape character	No		

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										<p>mitigation, carbon storage, or food production)</p> <p>Para 114 - set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure;</p> <p>Para 117 - plan for biodiversity at a landscape-scale across local authority boundaries</p> <p>Para 157. Crucially, Local Plans should:</p> <p>contain a clear strategy for enhancing the natural, built and historic environment, and supporting Nature Improvement Areas where they have been identified.</p>				
Canal & River Trust (Ian Dickinson)	Transport - Policy DM13	1	7.75-7.77	DM13		Yes	Yes	Yes		<p>Policy DM13 reflects the guidance contained in the National Planning Policy Framework (NPPF) in seeking to maximise sustainable alternatives to road-based transport. Paragraph 7.75 identifies the River Trent as the only commercial inland waterway in Lincolnshire. The river runs along the western boundary of the</p>		No		

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										County, and the Canal & River Trust is Navigation Authority for the river south of Gainsborough. We are therefore pleased to note that Paragraph 7.77 states that the Council will encourage the use of facilities/potential of waterborne transport on the River Trent. We would agree with Paragraph 7.76 that proposals should consider whether waterborne transport might represent a feasible and viable option, and we would recommend that we are contacted at an early stage to discuss any potential use of the river for waterborne transport, or the establishment of new facilities, wharfage etc. on or adjacent to the river.				
Ce- mex UK Ope- ratio- ns Ltd (Kirs- ten Han- nafo- rd- hill)	Tran- spor- t - Pol- icy DM1 3	17		DM 14		Yes	No	Yes	Effectiv- e	Further clarification is sought of the requirements of 'or will be made up' this should only be related to the proposed development and not a means of obtaining highway improvements to an existing problem that could be managed under the Highway Act.		No		

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Highway Agency (Rajinder Kaur)	Transport- Policy DM13	186								<p>The Development Management Policies set out in the document intend to establish detailed criteria against which minerals and waste development proposals will be judged. The Agency's primary focus is on the policies concerned with transport issues as covered by Development Management Policies DM13: Sustainable Transport Movements; DM14: Transport by Road and DM16: Water Resources and comments on these policies are set out below.</p> <p>DM13: Sustainable Transport Movements and DM14: Transport by Road</p> <p>The Agency acknowledges that minerals are a finite natural resource and can only be worked where they are found. This therefore restricts opportunities for transportation by more sustainable transport options and as a result the transportation of minerals can generate large volumes of HGV traffic. However, the Council's aim to encourage the use</p>				

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										<p>of the river and rail network as a means of transporting minerals throughout the County is welcomed by the Agency. This would help to reduce the volume of additional HGV traffic loading onto the SRN.</p> <p>The Agency understands that the use of alternative modes of transport often does not, from an economic perspective, represent a viable alternative to road haulage. Transportation of aggregates by rail and water is generally only economic over longer distances and the Agency notes that the majority of minerals and waste produced in Lincolnshire is transported over relatively short distances.</p> <p>The Agency therefore acknowledges that road haulage will remain as the primary mode of transporting minerals and waste throughout Lincolnshire. As a result, the Agency welcomes the Council's intention for all waste and minerals related planning applications to be accompanied by a</p>				

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										<p>transport impact assessment and a site transport plan. This will serve to ensure that transport issues, including SRN impacts, are considered at an appropriate time and help ensure that there are no severe impacts on the SRN.</p> <p>The Agency also considers that Policy DM14 sets out an appropriate approach to managing down the potential traffic impacts of transporting materials by road on the communities and the highway network, including the SRN, through the implementation of measures such as site travel plans.</p>				
Mick George Ltd (John Gough)	Transport - Policy DM13	72		DM13						Due to infrastructure constraints within the County, lorry haulage associated with minerals and waste development is commonplace. This is unlikely to change significantly over the Plan period but impacts can be mitigated through appropriate traffic routing and practise of backloading of minerals				

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										and imported fill for restoration. This can also be achieved by managing waste in the closest location, regardless of which authority it was produced in and also promoting "backloading".				
Peel & Gas Oil (Matthew Sheppard)	Transport - Policy DM13	147		DM13							We support the approach set out in these policies			
Highways Agency (Rajinder Kaur)	Policy DM14	187								The Development Management Policies set out in the document intend to establish detailed criteria against which minerals and waste development proposals will be judged. The Agency's primary focus is on the policies concerned with transport issues as covered by Development Management Policies DM13: Sustainable Transport Movements; DM14: Transport by Road and DM16: Water Resources and comments on these policies are set				

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										<p>out below.</p> <p>DM13: Sustainable Transport Movements and DM14: Transport by Road</p> <p>The Agency acknowledges that minerals are a finite natural resource and can only be worked where they are found. This therefore restricts opportunities for transportation by more sustainable transport options and as a result the transportation of minerals can generate large volumes of HGV traffic. However, the Council's aim to encourage the use of the river and rail network as a means of transporting minerals throughout the County is welcomed by the Agency. This would help to reduce the volume of additional HGV traffic loading onto the SRN.</p> <p>The Agency understands that the use of alternative modes of transport often does not, from an economic perspective, represent a viable alternative to road haulage. Transportation of aggregates by rail and</p>				

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										<p>water is generally only economic over longer distances and the Agency notes that the majority of minerals and waste produced in Lincolnshire is transported over relatively short distances.</p> <p>The Agency therefore acknowledges that road haulage will remain as the primary mode of transporting minerals and waste throughout Lincolnshire. As a result, the Agency welcomes the Council's intention for all waste and minerals related planning applications to be accompanied by a transport impact assessment and a site transport plan. This will serve to ensure that transport issues, including SRN impacts, are considered at an appropriate time and help ensure that there are no severe impacts on the SRN.</p> <p>The Agency also considers that Policy DM14 sets out an appropriate approach to managing down the potential traffic impacts of transporting materials by</p>				

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										road on the communities and the highway network, including the SRN, through the implementation of measures such as site travel plans.				
Peel & Gas Oil (Matthew Sheppard)	Policy DM14	148		DM14						We support the approach set out in these policies.				
Cemex UK Operations Ltd (Kirsten Hanford-hill)	Flood Risk - Policy DM15	19		DM15		Yes	Yes	Yes	Positively prepared	Mineral operations can positively contribute to flood risk and flood mitigation and therefore subject to appropriate mitigation measures could operate within higher probability flood risk zones	Rewording of Policy	No		
Environment Agency	Flood Risk - Policy	220		DM15						<b>Flood Risk</b> Paragraph 7.87 refers to Sustainable Urban Drainage Systems. This should be replaced with Sustainable Drainage				

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(Andrew Bailey)	DM15									Systems. <b>The government</b> recently consulted on 'Further changes to statutory consultee arrangements for the planning application process'. From April 6th 2015 the Lead Local Flood Authority will take on responsibility for assessing risk of flooding associated with surface water (pluvial) for all Major Planning Applications (this includes all waste developments and the winning and working of minerals or the use of land for mineral-working deposits <sup>1</sup> ). From this date the Environment Agency will continue to assess risk of flooding associated with rivers (fluvial) and the sea (tidal) within flood risk zones 2, 3a and 3b. Flood Risk Assessments will need to be produced in line with the NPPF and the relevant organisation will need to consider them accordingly. Paragraph 7.88 should be amended to reflect these changes.				
Lindsey Marsh-Draie	Flood Risk - Polic	34		DM15						The Board welcomes policy DM15: Flooding and Flood risk along with the requirement to consider restoration early		No		

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nage Board (Andrew Dale)	y DM15									in the planning process. We anticipate these policies will ensure that surface water run-off rates during and following extraction will be dealt with in a sustainable manner without increasing the risk of flooding to third parties.				
Mick George Ltd (John Gough)	Flood Risk - Policy DM15	70		DM15						The Company has no comment on Policies DM15 and DM16 of the draft Plan relating to flood risk and water resources although it is recommended that the plan should also recognise that mineral extraction and restoration can also offer the opportunity of improving flood and surface water drainage capacity as part of wetland restoration and new landforms within floodplains.				
Peel & Gas Oil (Matthew Sheppard)	Flood Risk - Policy DM15	149		DM15						We support the approach set out in these policies.				

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With- am First Dist- rict & With- am Thir- d Dist- rict IDB s (Gu- y Hird )	Floo- d Risk - Pol- icy DM1 5	87	7. 9 4	DM 15						Policy DM15: Item 7.94 – Government policy has now changed (contact Mark Welsh for an update and also what the planning procedure will be in Lincolnshire). In light of the current ongoing of the Water Abstraction Reform it may be useful to include in the document provision for some of the restorations to take this into account and provide a source of water for abstraction.				
Envi- ron- men- t Age- ncy (An- dre- w Bail- ey)	Pol- icy DM1 6	221		DM 16						We would like to see the following included within paragraph 7.91:  Any mineral or waste development should not impact upon the current Water Framework Directive status of adjacent or downstream waterbodies. The government is no longer proposing that SuDS Approval Bodies (SAB) should be established. Paragraph 7.94 should be updated in line with the amended NPPF (when issued). It is expected that this will promote SuDS as the principle means for				

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										development proposals to address surface water. We would like to see this included within paragraph 7.94.				
Highways Agency (Rajinder Kaur)	Policy DM16	188								DM16: Water Resources A key consideration for the Agency, as prescribed in the DfT Circular 02 2013 is the need to consider the cumulative impact of development upon the SRN. In its previous response to the Council, the Agency welcomed the fact that cumulative impacts from neighbouring minerals and waste sites on the local highway network were to be considered but had a concern that there was no reference to impacts on the SRN being considered. However, the Agency notes, and indeed welcomes, the fact that this has been amended in the current consultation documentation to reference the highway network as a whole, which should include the SRN.				
Mick Georger Ltd	Policy DM16	71		DM16						The Company has no comment on Policies DM15 and DM16 of the draft Plan relating to flood				

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(John Gough)										risk and water resources although it is recommended that the plan should also recognise that mineral extraction and restoration can also offer the opportunity of improving flood and surface water drainage capacity as part of wetland restoration and new landforms within floodplains.				
Peel & Gas Oil (Matthew Sheppard)	Policy DM16	150		DM 16						We support the approach set out in these policies.				
Peel & Gas Oil (Matthew Sheppard)	Cumulative Impacts - Policy DM17	151		DM 17							We support the approach set out in the policies.			
Cemex UK	Restoration	20		8.6		Yes	Yes	Yes	Effective	Flexibility in restoration schemes is advocated		No		

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Operations Ltd (Kirsten Hanford-hill)	and After care - Policy R1													
Environment Agency (Andrew Bailey)	Restoration and After care - Policy R1	224		R1						Any excavation presents a potential opportunity to be developed as an asset to secure water for a variety of water users. This should be reflected within the restoration chapter.				
Lincolnshire Wildlife Trust (Elizabeth Biott)	Restoration and After care - Policy R1	25		R1		Yes	Yes	Yes		The Lincolnshire Wildlife Trust supports this policy.		No		
NATIONAL TRU	Restoration and	239		R1			Yes			The third bullet point of this policy which requires that restoration of sites is appropriate to its natural				

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ST (Kim Miller)	Aftercare - Policy R1									and historic landscape is supported.				
Peel & Gas Oil (Matthew Sheppard)	Restoration and Aftercare - Policy R1	131		R1						<p>Policy R1: Restoration and Aftercare</p> <p>This policy seeks "detailed proposals" for restoration. Many minerals sites will be operational for extended periods of time and, in the case of onshore oil and gas extraction, this could be up to 25 years in the production phase.</p> <p>Restoration and aftercare need to be an integral part of the initial decision making process, particularly for exploration sites where the use may end up being short term only. However, we don't consider it to be realistic to expect detailed proposals alongside an application. The NPPG is also clear that the level of detail required on restoration depends on the circumstances of each specific site, and only stipulates that it must be sufficient to clearly demonstrate that the scheme is practically</p>				

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										<p>achievable</p> <p>We consider that an outline of the restoration scheme, including indicative working methods and a strategy which is likely to create an appropriate afteruse, would be a reasonable minimum requirement, which can then be linked to a condition which requires detailed proposals to be agreed once the production phase is drawing to a close.</p>				
Lincolnshire Wildlife Trust (Elizabeth Biott)	After use - Policy R2	26		R2		Yes	No	Yes	Consistent with national policy	The Lincolnshire Wildlife Trust welcomes the requirement within this policy for after-uses to 'enhance and secure a net gain in biodiversity and geological conservation interests', and that after-uses could include nature conservation. However, we are concerned that the policy does not go far enough to promote the need for developments to contribute to a coherent ecological network by planning for biodiversity at a landscape scale. Reference is made to this approach in the	The Lincolnshire Wildlife Trust would recommend that the following text is added to Policy R2 to ensure that it complies with the NPPF: 'Where appropriate, development proposals will be required to take a strategic, co-ordinated and landscape-scale approach to the creation of priority habitats through site restoration, such that they make a significant contribution to establishing a coherent and resilient ecological network.'	Yes	The Lincolnshire Wildlife Trust would wish to have the opportunity to participate at the oral part of the examination to provide further clarity on the suggested changes if required.	

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										<p>supporting text to the policy, for example within paragraphs 8.10 and 8.15 but we would wish to see specific reference within the policy itself. The Lincolnshire County Council Natural Environment Strategy, in line with the Government Natural Environment White Paper 'The Natural Choice', highlights the importance of taking a landscape-scale approach to environmental improvements and identifies that mineral extraction presents significant opportunities. Similarly, the National Planning Policy Framework (NPPF) refers to the establishment of coherent ecological networks, and planning positively for those networks and biodiversity at a landscape scale: 109. The planning system should contribute to and enhance the natural and local environment by:</p> <ul style="list-style-type: none"> <li>• minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the</li> </ul>				

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										<p>overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; 114. Local planning authorities should: • set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure; 117. To minimise impacts on biodiversity and geodiversity, planning policies should: • plan for biodiversity at a landscape-scale across local authority boundaries; • promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan. Enlarging and linking habitats to reduce fragmentation is important to provide habitats and species the opportunity to</p>				

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										<p>migrate across the landscape in the face of climate change as well as providing residents and visitors with opportunities to enjoy the natural environment. This is the basis of the Living Landscapes approach advocated by the Wildlife Trusts which is wholly in line with 'The Natural Choice'. There are a number of Living Landscape projects in Lincolnshire. Those projects of particular relevance to the mineral extraction Areas of Search are the Witham Valley Country Park, the South Lincolnshire Fenlands Project, the Life on the Verge Project, Kirkby Moor and the Bain Valley and the Trent Vale. Where mineral extraction occurs within the above project areas we would wish to see restoration plans that create habitats appropriate to the particular project area and therefore help to achieve project and BAP targets. We would strongly recommend that Area Action Plans/Masterplans are produced for each of the Areas of Search</p>				

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										(Lincoln Trent Valley, Central Lincolnshire and South Lincolnshire). There are a number of important nature conservation sites in these areas that could be adversely affected by mineral extraction and there is tremendous scope for enhancement. Area Action Plans/Masterplans would help to ensure that development occurs at an appropriate scale and in appropriate locations so as not to adversely impact on existing nature conservation sites but to complement, buffer and extend the nature conservation interest by creating priority habitats as well as providing accessible natural greenspace and contributing to green infrastructure.				
NATIONAL TRUST (Kim Miller)	After use - Policy R2	240		R2			Yes			Policy R2 for the context-sensitive restoration of sites is supported.				
Natural	After use	162		R2		Yes	No		Consistent	<b>Policy R2: After Use</b>	<b>Suggested Wording</b>	No		

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England (Roslyn Deeming)	- Policy R2								with national policy	<p>Natural England generally welcomes the aim of this policy however we consider that it would follow the guidance set out in the NPPF by strengthening the emphasis of the landscape scale approach to minerals restoration and also to incorporate the concept of ecosystem services:</p> <p><b>Paragraph 8.9</b> We suggest that paragraph 8.9 should also make reference to the National Character Areas (NCAs) as mentioned in the Spatial Portrait and Environmental Assets Paragraphs 3.13 and 3.14.</p> <p><b>Ecosystem Services</b> We suggest that this paragraph should mention ecosystem services as discussed in the Natural Environment White Paper and within the NPPF at paragraph 109 which states:</p> <p><i>“The planning system should contribute to and enhance the natural and local environment by recognising the wider benefits of ecosystem</i></p>	<p>Natural England suggests that the wording of paragraph 8.9 should incorporate the following phrase: <i>“In this context, restoration proposals should have regard to the <b>National Character Areas (NCAs)</b> ...”</i></p> <p>The wording of paragraph 8.8 should include the following sentence: <i>“The NPPF also states that the wider benefits of ecosystem services should be recognised to facilitate both environmental and economic benefits to the local environment”</i></p> <p>Natural England considers that policy R2 should incorporate the following suggested wording into the policy statement: <i>“The after use of minerals developments will follow the “ecosystem services” approach which can have many wide ranging advantages for both the natural environment and the economy including landscape and biodiversity enhancements, water quality improvements, flood regulation and recreational benefits”</i></p> <p><i>Minerals development will take a strategic, landscape-scale approach to mineral site restoration in order to create priority habitats and establish coherent and resilient ecological</i></p>			

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										<p><i>services”</i></p> <p>We welcome the inclusion within the explanatory text of a “landscape scale” approach and there are strong links between this concept and an ‘ecosystems services approach’. We consider that the incorporation of the ecosystem services approach will encourage an integrated approach to land management which considers the costs and benefits of land use decisions, pursuing those that minimise risks and maximise opportunities for people, for nature and for the economy. We would suggest that the “ecosystem approach” is integrated into both the explanatory text at paragraph 8.8 and into the policy wording to show that the restoration and after use of minerals developments can have many wide ranging advantages for both the natural environment and the economy including landscape and biodiversity enhancements, water quality improvements, flood regulation and</p>	<p><i>networks.”</i></p>			

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										<p>recreational benefits.</p> <p><b>Policy R2 After Use – Policy Wording</b>  Natural England considers that the policy wording should give greater emphasis to both landscape scale and ecosystem services approaches to the after use of minerals sites. The explanatory text mentions the landscape scale approach and we have suggested above that ecosystem services should also be incorporated. These strategic approaches to restoration and afteruse should be included at the outset of the policy wording to better reflect the guidance set out in the National Planning Policy Framework at paragraph 109:</p> <p><i>“The planning system should contribute to and enhance the natural and local environment by recognising the wider benefits of ecosystem services”</i></p> <p>And 117</p> <p><i>“To minimise impacts on biodiversity and geodiversity, planning</i></p>				

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										<p><i>policies should:</i></p> <p><i>Plan for biodiversity on a landscape scale”</i></p> <p>We therefore consider that this policy is <b>unsound</b> as it is not wholly consistent with national planning policy in its current form and have suggested the rewording of both the explanatory text and the policy wording as set out below.</p>				
RSPB (Mike Jones)	After use - Policy R2	165		R2			No		Consistent with national policy	<p>The RSPB supports the requirement that the <i>‘proposed after-use should be designed in a way ... conserves and ... enhances the ... the natural ... environment of the area in which the site is located’</i> and that <i>‘after-uses should enhance and secure a net gain in biodiversity’</i>. However, we are concerned that the policy does not comply with the requirements of the NPPF to:</p> <p>establish coherent ecological networks that are more resilient to current and future pressures (para. 109); set out a strategic approach, planning positively for the creation,</p>	<p>In order to comply with NPPF and Biodiversity 2020, Policy R2 should include the following additional text:</p> <p><i>any minerals development proposals will be required to take a strategic, co-ordinated and landscape-scale approach to the creation of priority habitats through mineral site restoration, such that: (i) they make a significant contribution to establishing a coherent and resilient ecological network and (ii) the whole is greater than the sum of its parts.</i></p> <p>This requirement, together with the requirement to deliver a net-gain in biodiversity, should also be reflected in the Vision and Objectives.</p> <p>The supporting text should provide an explanation of the</p>	Yes	We wish to attend the oral part of the examination to help explain our position further and participate in discussions if required.	

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										<p>protection, enhancement and management of networks of biodiversity and green infrastructure (para. 114); and plan for biodiversity at a landscape-scale across local authority boundaries (para. 117). Also, as stated in the England Biodiversity Strategy - Biodiversity 2020 - we need a step-change in our approach to biodiversity, '<i>shifting the emphasis from piecemeal [i.e. site-by-site] conservation action towards a more integrated landscape-scale approach</i>'.</p> <p>Whilst we acknowledge that some reference has now been made to these issues in the supporting text (i.e. the new text in para. 8.10), they require explicit reference within the policy itself in order to carry any weight. Also, whilst Policy R3 refers to '<i>having regard to landscape scale objectives</i>' we believe that this issue should also be addressed in Policy R2 as this policy sets the over-arching framework for the after-use of all mineral</p>	<p>strategic, co-ordinated and landscape-scale approach. Basically, this approach means that the development and restoration of any individual mineral site should be considered in the context of the surrounding ecological network and the priorities of any relevant landscape-scale conservation initiatives. Where mineral sites are in close proximity to other mineral sites (e.g. within an Area of Search), a co-ordinated masterplan should be developed to ensure that the sites collectively deliver more for biodiversity (and for people) than they would individually (i.e. the whole will be greater than the sum of its parts).</p>			

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										<p>sites.</p> <p>This is particularly important in the context of Lincolnshire, where all of the Areas of Search overlap with landscape-scale conservation initiatives such as the RSPB's Futurescapes programme and / or the Wildlife Trust's Living Landscapes initiative.</p>				
South Lincolnshire Fenlands Partnership (Amanda Jenkins)	After use - Policy R2	207		R2			No		Consistent with national policy	<p>The SLFP support phrases of the policy including:</p> <p>'Conserving &amp; enhancing landscape character, natural and historic environment and improving access &amp; green infrastructure &amp; enhancing and securing a net gain in biodiversity and geological conservation interests &amp; conserving soil resources decreasing the risk of climate change etc. These are consistent with the multipole benefits approach of paragraph 17 in the NPPF</p> <p><b>However the policy is inconsistent with other aspects of the NPPF as the framework requires a more coordinated landscape scale</b></p>	<p>Suggest that Policy R2 should include the following additional text:</p> <p>Where appropriate, development proposals will be required to take a strategic, co-ordinated and landscape-scale approach to the creation of priority habitats through site restoration, such that they make a significant contribution to establishing a coherent and resilient ecological network</p> <p><b>An overarching restoration plan for the minerals areas would deliver this approach.</b></p>	No		

Res pon den t Na me	Doc ume nt Part Nam e	Co mm ent ID	P ar a gr a ph	Pol icy	P ol ic ie s M a p	Leg ally Co m pl iant ?	S o u n d ?	Co m pl y wit h DtC ?	Unsou nd becau se they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part icip ate?	Reasons for participating in oral examination:	LCC response:
									<p><b>approach to the environment, which is not directly referred to in this policy.</b></p> <p>Para 109 - The planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing <b>coherent ecological networks that are more resilient to current and future pressures;</b></p> <p>Para 114 - Local planning authorities should set out a <b>strategic approach in their Local Plans</b>, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure</p> <p>Para 117- To minimise impacts on biodiversity and geodiversity, <b>planning policies should plan for biodiversity at a</b></p>					

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										<p><b>landscape-scale across local authority boundaries</b></p> <p>The above policies can only be achieved by having a strategic, coordinated landscape scale approach to restoration &amp; after use within the landscape in which development occurs. This will avoid unplanned piecemeal development that will miss positive opportunities for people, wildlife, agriculture water &amp; soil resource management &amp; creation of green infrastructure, all required &amp; set out in the NPPF.</p> <p>A policy that contained a strategic coordinated landscape scale approach would help to achieve BAP targets for Lincolnshire &amp; relevant project area targets. It will help to protect, buffer &amp; enhance designated nature conservation sites, allow for development of priority habitats &amp; public access to green spaces.</p> <p>Lincolnshire County Council's Natural Environment Strategy, the Natural Environment</p>				

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										White Paper and Biodiversity 2020 highlight the importance of taking a landscape-scale approach to environmental improvements.				
Environment Agency (Andrew Bailey)	Restoration of Sand and Gravel within AOS - Policy R3	222		R3						<p>Chapter 8: Restoration</p> <p>The opportunities for the restoration of worked out mineral and landfill sites to deliver multiple benefits are clearly identified within this chapter. However, this is not always translated into the policies. It is important that such opportunities are expressed as requirements within the policies in order for them to be delivered.</p> <p>o Whilst Policy R2 (After Use) requires that 'After-uses should enhance and secure a net gain in biodiversity' Policy R3 (Restoration of Sand and Gravel Operations within Areas of Search) effectively exempts proposals to restore sites back to 'best and most versatile agricultural land' from having regard to the landscape scale objectives of the area. There is no justification for this. Amendments would</p>				

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										<p>better align this policy with the objectives of the NPPF, the Natural Environment White Paper, and the England Biodiversity Strategy (paragraph 3.30).</p> <p>o Restoration of soils is challenging. We recommend that policies R3 and R4 are expanded to require that proposals to restore sites back to 'best and most versatile agricultural land' are supported with evidence to demonstrate their feasibility and that plans are agreed with relevant specialists to ensure soils are stored and managed in such a way that the proposed restoration can and will be delivered.</p>				
Gordon Smith	Restoration of Sand and Gravel within AOS - Polic	83	8.2 5- 8.2 7	R3			No	No	Effective Positiv- ely prepar- ed	<p><b>Market Deeping and Langtoft etc are at the southern extremity of the County. Resources appear to be directed to Lincoln and its surrounding areas that benefit from Strategic studies into Green Infrastructure (for Central only). Southern Lincolnshire has been neglected in relative terms yet population</b></p>	<p><b>Much of the work necessary should have been done but has not. Consequently a rather tangled policy correction might be expressed along the lines of:</b></p> <p><i>"The extraction areas in the areas of the Deepings, Langtoft, and Baston require have benefitted from some locally beneficial restoration with the introduction of some new wetland habitats.</i></p>	No		

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant?	Sound?	Com- pliant with DtC?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Partic- ipate?	Reasons for participating in oral examination:	LCC response:
	y R3									<p>growth is high.</p> <p>The neglect of the growing population of South Lincolnshire is shown in the document now presented.</p> <p><u>Policy R3 is not based on a robust review of the restoration needs of this area.</u> Whilst reference is made to wetland restoration, there is no reported understanding of the connected green infrastructure needs of the area (wider planting, footpath connections, cycle connections with the green wheel in Peterborough, relationship with recreational needs).</p> <p>Proactive consultation with Peterborough would reveal the possible ecological connections with habitat enhancement work carried out there, as well as recreational projects such as the Green Wheel.</p> <p>There is no strategic countryside management being carried by Lincolnshire. Restoration ideas are</p>	<p><i>However it is recognised that strategies covering the long term recreational and green infrastructure needs of the area have not been developed. Consequently, all restoration proposals must be set in the context of a strategic overview with positive measures to enhance recreational, public access, and other green infrastructure projects. This will require reference to footpath, and recreational links in part of the Greater Peterborough area to the south"</i></p>			

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Policy	Pol- icies Map	Leg- ally Com- pliant ?	Sound ?	Com- ply with DtC ?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part- icip- ate?	Reasons for participating in oral examination:	LCC response:
										<p>thereby not intelligently developed beyond the minor wetland habitat creation mentioned in the plan.</p> <p>25 years ago a Countryside Management Plan was produced for the Deepings area (attached), supported by an Action Area Plan. The present Plan is silent on any area based initiatives, and is thereby not fit for purpose as it affects the area around The Deepings.</p> <p>An example - albeit of fairly low detail - is presented in that part of the present Policy R3 relating to the Trent Valley:</p> <p><i>"Trent Valley (south west of Lincoln within the Witham Valley Country Park): creation of habitats (including wet woodland, reedbed, acid grassland and heathland) to enhance local nature conservation and biodiversity value; provision of</i></p>				

Respondent Name	Document Part Name	Comment ID	Paragraph	Policy	Policies Map	Legally Compliant?	Sound?	Comply with DtC?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Participate?	Reasons for participating in oral examination:	LCC response:
										<p><b>improved public access including links to surrounding green infrastructure; and the development of additional recreational/sport facilities"</b></p> <p><b>The policy that follows is a variant of this</b></p>				
Greater Lincolnshire Nature Partnerships (Fran Hitchinson)	Restoration of Sand and Gravel within AOS - Policy R3	128		R3			No		Consistent with national policy	<p>Policy R3 currently states that:</p> <p><i>"Restoration proposals for sand and gravel operations within the proposed Areas of Search (other than those involving best and most versatile agricultural land) should have regard to the landscape scale objectives of the area and should reflect the following priorities..."</i></p> <p>This is inconsistent with the National Planning Policy Framework paragraph 144 (bullet three), 114 (bullet one) and 109 (bullet three) and will not enable sustainable development. Each of these paragraphs states a commitment to wider ecological networks and</p>	<p>There are a number of ways Policy R3 could be re-written to make it consistent with the NPPF and thus sound. The simplest of which the GLNP have suggested below in red text:</p> <p><i>"Restoration proposals for sand and gravel operations within the proposed Areas of Search (other than those involving best and most versatile agricultural land) should have regard to the landscape scale objectives of the area and should reflect the following priorities..."</i></p>	No		

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant?	Sound?	Com- pliant with DtC?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Participate?	Reasons for participating in oral examination:	LCC response:
										the importance of the natural environment when granting planning permission. None of these paragraphs indicates an exception for best and most versatile agricultural land thus Policy R3 in inconsistent with national policy.				
Lincolnshire Wildlife Trust (Elizabeth Biott)	Restoration of Sand and Gravel within AOS - Policy R3	27		R3		Yes	No	Yes	Consistent with national policy	Whilst the Lincolnshire Wildlife Trust welcomes the requirement that 'restoration proposals for sand and gravel operations within the proposed Areas of Search should have regard to the landscape scale objectives of the area' and reflect the priorities of those areas, we strongly object to the inclusion of 'other than those involving best and most versatile agricultural land'. This wording would effectively negate the need for minerals operators in many areas to need to have regard to the landscape scale objectives of the area. For example, in the South Lincolnshire Area of Search most of the agricultural land is classified as best and	The Lincolnshire Wildlife Trust would strongly recommend that the following text is removed from the first sentence of Policy R3: 'other than those involving best and most versatile agricultural land'.	Yes	The Lincolnshire Wildlife Trust would wish to have the opportunity to participate at the oral part of the examination to provide further clarity on the suggested changes if required.	

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Pa- ra- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant?	S- ound?	Com- pliy with DtC?	Un- sound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part- icipate?	Reasons for participating in oral examination:	LCC response:
										<p>most versatile. This would therefore mean that minerals operators would not have to comply with the requirements of this policy to create wet fenland habitat or enhance existing wetland habitats. This is of serious concern as it would go against the aspirations of the landscape scale objectives of the Areas of Search and seriously reduce the opportunities to ensure biodiversity gains as part of restoration proposals. It is important to note that a high proportion of good wetland sites in Lincolnshire are ex mineral sites. Recently disused, and historic mineral workings, mostly gravel and clay pits, make up approximately 37% (17.44Km2) of Lincolnshire's remaining freshwater wetlands and habitats and equate to about 0.25% of the county area. Minerals extraction therefore offers significant opportunities for wetland and other priority habitat creation. We would argue that this policy wording is contrary to the National Planning Policy</p>				

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Policy	Policy Map	Legally Compliant ?	Sound ?	Compliant with DtC ?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Participate?	Reasons for participating in oral examination:	LCC response:
										<p>Framework (NPPF) which promotes the enhancement of biodiversity: 109. The planning system should contribute to and enhance the natural and local environment by:</p> <ul style="list-style-type: none"> <li>• minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; 114. Local planning authorities should:</li> <li>• set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure; 117. To minimise impacts on biodiversity and geodiversity, planning policies should:</li> <li>• promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and</li> </ul>				

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant?	Sound?	Com- pliant with DtC?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Participate?	Reasons for participating in oral examination:	LCC response:
										recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan. Paragraph 143 of the NPPF requires the safeguarding of the long term potential of best and most versatile agricultural land as part of restoration schemes but it does not state that this should be at the expense of the restoration of priority habitats. And the two should not be seen as mutually exclusive as recognised in paragraph 7.71 of this Local Plan which states that nature conservation after-uses such as wet grassland can also protect the potential of the best and most versatile agricultural land.				
Market Deeping Town Council - (Ford	Restoration of Sand and Gravel within	123	8.25-8.27	R3			No	No	Effective Positively prepared	<b>Policy R3 is not based on a robust review of the restoration needs of this area.</b>  Whilst welcome reference is made to wetland restoration, this has a place as part of a wide strategy. There is no reported understanding of	<b>Suggested remedy to our objection</b>  The suggested new policy that follows is a variant of what the County has already suggested for the Trent Valley (as quoted above) .  Much of the work necessary should have been done but has not but we stand to be advised	No		

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Market Deeping Town Council)	AOS - Policy R3									<p>the connected green infrastructure needs of the area. This means: wider planting, footpath connections, cycle connections with the green wheel in Peterborough, and inter-relationship with recreational needs ranging from walking through to sailing and fishing.</p> <p>Proactive consultation with Peterborough would reveal the possible connections with habitat enhancement work carried out there, as well as linkages into strategic transport and recreational projects such as the Green Wheel.</p> <p>There is little strategic countryside management being carried out by Lincolnshire. Yet this does occur immediately south of the County border in Peterborough. In our view restoration ideas are thereby not intelligently developed to secure a greater whole (that is beyond the minor wetland habitat creation already mentioned in the present plan).</p>	<p>of any work under way to create area based initiatives.</p> <p>A policy 'correction' to the document might be expressed along the lines of:</p> <p><i>"The extraction areas around the Deepings, West Deeping, Langtoft, and Baston have benefitted from some locally beneficial restoration with the introduction of some new wetland habitats. However it is recognised that strategies covering the long term recreational and green infrastructure needs of the area have not been developed. Consequently, all restoration proposals must be set in the context of a strategic overview with positive measures to enhance recreational, public access, and other green infrastructure projects. This will require reference to footpath, cycle and recreational links in part of the Greater Peterborough area to the south, and will be subject to prior consultation with local residents"</i></p>			

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										<p>25 years ago a Countryside Management Plan was produced for the Deepings area (attached), supported by an Action Area Plan. The present Plan is silent on any area based initiatives, and is thereby not fit for purpose.</p> <p>An example of a slightly better approach - albeit of fairly low detail - is presented in that part of the present Policy R3 relating to the Trent Valley</p> <p><i>“Trent Valley (south west of Lincoln within the Witham Valley Country Park): creation of habitats (including wet woodland, reedbed, acid grassland and heathland) to enhance local nature conservation and biodiversity value; provision of improved public access including links to surrounding green infrastructure; and the development of additional recreational/sport facilities”</i></p> <p>For the avoidance of doubt our point is about approach and strategic leadership; we accept that the landscape types in the</p>				

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant?	Sou- nd?	Com- pliy with DtC?	Unsou- nd because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part- icipate?	Reasons for participating in oral examination:	LCC response:
										Trent Valley are different.				
RSPB (Mike Jones)	Restoration of Sand and Gravel within AOS - Policy R3	166		R3			No		Justified Consistent with national policy	We consider this policy unsound as it is not justified or consistent with national policy.  The RSPB supports the requirement for restoration proposals to 'have regard to the landscape scale objectives of the area' and to reflect habitat priorities for each Area of Search. However, we strongly object to the exclusion of proposals involving best and versatile (BMV) agricultural land from these requirements. This is contrary to:  Objective (h) which encourages 'protection of soils through restoration schemes to biodiversity (where soils are cared for in a sustainable manner), enabling habitat creation in addition to soil preservation for future agricultural needs'; Policy DM2 (Climate Change), which requires policies to 'promote new/enhanced biodiversity levels/habitats as part of restoration proposals to provide	The phrase 'other than those involving Best and Most Versatile (BMV) agricultural land' should be removed from Policy RM3 and the relevant wording in Objective (h) and Policies DM2 and DM11 should be retained.	Yes	We wish to attend the oral part of the examination to help explain our position further and participate in discussions if required.	

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant ?	Sound ?	Com- ply with DtC ?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part- icip- ate?	Reasons for participating in oral examination:	LCC response:
										<p><i>carbon sinks</i>'; and Policy DM11 (Soils), which requires sites to be <i>'restored to an after-use that safeguards the long-term potential of the best and most versatile agricultural land'</i>. Farming, whilst an essential component of the fenland economy, has led to a gradual erosion of the peat-based soils on which it depends. This has also led to a significant release of carbon into the atmosphere and the creation of the greenhouse gas, carbon dioxide. Creating wetland habitat, such as reedbeds and wet grassland, can actually help to safeguard the long-term potential these soils and BMV land by protecting the soils from exposure to air and the effects of erosion. As indicated in Policy DM2, creation of wetland habitats can also provide a carbon sink, helping to mitigate the impacts of climate change.</p> <p>Some of the Areas of Search, such as the South Lincolnshire Fenlands, consist almost entirely of</p>				

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										<p>BMV agricultural land. If proposals in these areas did not have to comply with the requirements of Policy RM3, this would seriously undermine the aspirations of relevant landscape-scale conservation initiatives and the potential to halt and reverse declines in biodiversity.</p> <p>Excluding proposals involving BMV land from the requirements of this policy as goes well beyond the requirements of the NPPF, which simply requires local planning authorities to take into account the economic and other benefits of BMV land (para. 112).</p>				
South Linc- olns hire Fenl and s Part- nership (Am and a Jen	Rest- oration of Sand and Gravel with- in AOS - Pol- icy R3	208		RM 3						<p>This policy does not reflect the policies in the NPPF. It contradicts the positive aspects of policy R2 on after use &amp; DM2 on Climate change above.</p> <p><b>Policy R2</b> - The proposed after-use should be designed in a way that is not detrimental to the local economy and conserves and where possible enhances the landscape character and the natural</p>	Suggest that the phrase ' <i>other than those involving Best and Most Versatile (BMV) agricultural land</i> ' should be removed from Policy RM3	No		

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kins )										<p>and historic environment of the area in which the site is located..... etc</p> <p><b>Policy DM2</b> - Proposals for minerals and waste management developments should address the following matters where applicable:..... Promote new/enhanced biodiversity levels/habitats as part of restoration proposals to provide carbon sinks;</p> <p>Agriculture is very important to the landscape and economy of the South Lincolnshire Fenlands. The whole SLFP project area is made up of Best &amp; Most Versatile Agricultural Land. To have areas of BMVAL as an exception to other forms of restoration disregards the importance of other positive aspects of the fenland landscape and contradicts other NPPF policies as set out below. It would seriously undermine the aspirations of the landscape-scale conservation initiative in the Fenlands and beyond as part of the Fens for the Future initiative and has</p>				

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									<p>the potential to halt or cause decline in biodiversity in the area</p> <p><b>Para 17</b> Core planning principles should - promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production)</p> <p><b>Para 109</b> - The planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing <b>coherent ecological networks that are more resilient to current and future pressures;</b></p> <p><b>Para 114</b> - Local planning</p>					

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										<p>authorities should set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure</p> <p><b>Para 117-</b> To minimise impacts on biodiversity and geodiversity, planning policies should plan for biodiversity at a landscape-scale across local authority boundaries;</p>				
Environment Agency (Andrew Bailey)	Restoration of Limestone/Chalk workings - Policy R4	223		R4						<p>Policy R4 (Restoration of limestone and chalk workings) potentially conflicts with policy R2 (After Use). Policy R4 should be amended to be clear that net gains in biodiversity are required in line with policy R2. This would better align this policy with the objectives of the NPPF, the Natural Environment White Paper, and the England Biodiversity Strategy (paragraph 3.30).</p>				
Greater Lincols hire Nat	Restoration of Limestone	129		R4			No		Consistent with national policy	<p>Policy R4 currently states that:</p> <p><i>“Restoration proposals for limestone and chalk operations should be</i></p>	<p>There are a number of ways Policy R3 could be re-written to make it consistent with the NPPF and thus sound. The simplest of which the GLNP have suggested below in red</p>	No		

Respondent Name	Document Part Name	Comment ID	Paragraph	Policy	Policies Map	Legally Compliant?	Sound?	Comply with DtC?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Participate?	Reasons for participating in oral examination:	LCC response:
ure Partners hip (Fran Hitc hinson)	e/Ch alk work ings - Polic y R4									<p><i>sympathetic to the surrounding landscape and prioritise the creation of calcareous grassland habitat, except on best and most versatile agricultural land. Restoration should also seek to retain suitable exposures for geological educational use where appropriate ."</i></p> <p>This is inconsistent with the National Planning Policy Framework paragraph 144 (bullet three), 114 (bullet one) and 109 (bullet three) and will not enable sustainable development. Each of these paragraphs states a commitment to wider ecological networks and the importance of the natural environment when granting planning permission. None of these paragraphs indicates an exception for best and most versatile agricultural land thus Policy R4 is inconsistent with national policy.</p>	<p>text:</p> <p><i>"Restoration proposals for limestone and chalk operations should be sympathetic to the surrounding landscape and prioritise the creation of calcareous grassland habitat, <del>except on best and most versatile agricultural land.</del> Restoration should also seek to retain suitable exposures for geological educational use where appropriate ."</i></p>			
Linc olnsh ire Wild life	Rest orati on of Lime	28		R4		Yes	No	Yes	Consist ent with nationa l policy	Whilst the Lincolnshire Wildlife Trust welcomes the requirement that 'restoration proposals for limestone and chalk	The Lincolnshire Wildlife Trust would strongly recommend that the following text is removed from Policy R4: 'except on best and most versatile agricultural	Yes	The Lincolnshire Wildlife Trust would wish to have the opportunity to participate at the	

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant?	Sound?	Com- pliant with DtC?	Unsound because they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Participate?	Reasons for participating in oral examination:	LCC response:
Trust (Elizabeth Biott)	stone/Chalk workings - Policy R4									operations should ... prioritise the creation of calcareous grassland habitat', we strongly object to the inclusion of 'except on best and most versatile agricultural land'. This wording would effectively negate the need for minerals operators in many areas to need to have regard to the landscape scale objectives of the area for the creation of calcareous grassland habitat. This is of serious concern as it would reduce the opportunities to ensure biodiversity gains as part of restoration proposals. We would argue that this policy wording is contrary to the National Planning Policy Framework (NPPF) which promotes the enhancement of biodiversity: 109. The planning system should contribute to and enhance the natural and local environment by: <ul style="list-style-type: none"> <li>• minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in</li> </ul>	land'.		oral part of the examination to provide further clarity on the suggested changes if required.	

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Pa- ra- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant ?	Sou- nd ?	Com- ply with DtC ?	Unsou- nd be- cause they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part- icip- ate?	Reasons for participating in oral examination:	LCC response:
										<p>biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; 114. Local planning authorities should: • set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure; 117. To minimise impacts on biodiversity and geodiversity, planning policies should: • promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan. Paragraph 143 of the NPPF requires the safeguarding of the long term potential of best and most versatile agricultural land as part of restoration schemes but it does not state that this should be at the expense of the restoration of priority</p>				

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										habitats. And the two should not be seen as mutually exclusive as recognised in paragraph 7.71 of this Local Plan which states that nature conservation after-uses such as wet grassland can also protect the potential of the best and most versatile agricultural land.				
Peel & Gas Oil (Mat the w Sheppard)	Restoration of Limestone/Chalk workings - Policy R4	132		R4						Table 11: Policy Related Indicators and Targets  We support the targets and indicators associated with Policy M9: Energy Minerals. We consider that a target of 100% approval of energy minerals applications accords with the NPPF position that minerals are essential to support sustainable economic growth and our quality of life 6 and the NPPG position that there is a pressing need to establish the presence and viability of unconventional hydrocarbons7.				
Mick George Ltd (Joh)	Monitoring and Impl	73								It is considered essential that monitoring of the implementation of the Local Plan is undertaken on a regular basis. The				

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n Gough)	ementation - End									Company strongly support the publishing of an Annual Monitoring Report (AMR) relating to minerals and waste development and an annual Local Aggregate Assessment (LAA). It is only through such monitoring that the effectiveness of planning policies and allocations which will inform any review of the plan. It is essential that the County Council as Minerals and Waste Planning Authority makes adequate resources available to undertake such annual monitoring and review.				
South Kesteven District Council (Rachel Armstrong)	Key Diagram and Policies Map	75								It is also important to note that when the plan is adopted, the Policies Map which we prepare for the development plan will need to show the Minerals and Waste plan designations. It will be important therefore that the shape files for the final adopted designations are provided to us as soon as possible so that we can undertake the necessary work required to put them on this plan.				
Bost	App	6			Fi	Yes	Y	Yes			SE Lincolnshire Joint Planning	No		

Respon- dent Name	Docu- ment Part Name	Com- ment ID	Para- graph	Pol- icy	Pol- icies Map	Leg- ally Com- pliant ?	Sou- nd ?	Com- pl y with DtC ?	Unsou- nd becau- se they are not:	Reasons why not legally compliant, sound or complying with DtC:	Changes to make it legally compliant or sound.	Part- icipate?	Reasons for participating in oral examination:	LCC response:
on Borough Council (Peter Udy)	endi x 3				g ur e 1 2		e s				Committee are considering allocating land in Crowland for development. As far as we can establish from the map it is possible some land will be in the Minerals Safeguarding Area. A more accurate map and early discussion with the County Minerals team will be appreciated.			

Report run at 24 Apr 2015 08:50:32. Total records: 254.



**Lincolnshire Minerals and Waste Local Plan**

# **Core Strategy and Development Management Policies**

## **Submission Plan**

**Schedule of Minor Modifications**

**May 2015**

## Lincolnshire Minerals and Waste Local Plan

### Core Strategy and Development Management Policies: Submission Plan

#### Schedule of Minor Modifications

##### Key:

- New text shown in **bold, red italics**
- Deleted text shown as ~~struck through~~

Policy/ Paragraph	Minor Modification	Reason for Change
Changes made throughout document		
	Paragraph numbering altered where new paragraphs inserted or text removed.	To maintain sequential paragraph numbering.
	Submitted documents make it clear, using appropriately scaled maps, what amendments to the Policies Map will arise (if the plan is adopted).	Adequate maps or text needed to comply with the plan making regulations (2012).
Chapter 1: Introduction		
	No changes proposed.	
Chapter 2: Legislative and Policy Context		
2.1	<del>The Planning and Compulsory Purchase Act 2004, the Planning Act 2008, the Town and Country Planning (Local Planning) (England) Regulations 2012 and the National Planning Policy Framework sets out the legislative framework for the preparation of Local Plans whilst European and National policies and strategies provide guidance on their content. The Minerals and Waste Local Plan must be consistent with European and National policy.</del> <b>The Planning and Compulsory Purchase Act 2004, the Planning Act 2008, the Town and Country Planning (Local Planning) (England) Regulations 2012 and the National Planning Policy Framework</b>	Improved wording in response to representation for the National Trust.
2.15	There are seven districts in Lincolnshire: Boston, City of Lincoln, East Lindsey, North Kesteven, South Holland, South Kesteven and West Lindsey. A new planning area has been agreed between the Districts of West Lindsey, City of Lincoln and North Kesteven District Councils to produce a Central Lincolnshire Local Plan, currently proposed to be adopted in 2016. South Kesteven DC adopted its Core Strategy in July 2010 <b>and its Site Allocation and Policies DPD in April 2014.</b>	Update as requested by South Kesteven District Council.
Chapter 3: Spatial Portrait and Environmental Assets		
3.5	The A1 trunk road runs down the western boundary of the county and the A46, A57, <b>A52</b> , A15, A16, A17 routes link settlements throughout Lincolnshire.	Addition in response to representation from South Kesteven District Council.

Policy/ Paragraph	Minor Modification	Reason for Change
3.19	Although much of the traditional grazing marsh has disappeared, there are still pockets of land which show us how this pastoral landscape would have looked 100 years ago, and where some of its native flora and fauna can still be found. <del>The Lincolnshire Coastal Grazing Marshes Project, a partnership project hosted by East Lindsey District Council, supports local farmers and landowners to conserve the remaining traditional grazing marsh.</del> <b>The Lincolnshire Coastal Grazing Marshes Project is a partnership project which supports local farmers and landowners to conserve the remaining traditional grazing marsh landscape and heritage.</b>	Correction in response to representation from Lincolnshire Wildlife Trust.
3.22	The South Lincolnshire Fenlands <b>Project area</b> covers approximately 7000 hectares <b>of land</b> centred on the <b>nationally important</b> existing nature reserves at Baston and Thurlby Fens <b>Nature Reserves and Sites of Special Scientific Interest (SSSI)</b> . The <b>South Lincolnshire Fenlands</b> Partnership aims to restore and re-create up to 800 hectares of fenland landscape between Bourne, <b>Spalding</b> and Market Deeping as part of the Fens for the Future Partnership. Habitat restoration includes creation of wet grasslands utilized for grazing and hay production; reedbeds, wet woodland and open water. Restoration of mineral sites in this area will provide opportunities for <b>fenland habitat creation and wider multifunctional benefits through well thought out landscape scale restoration for, agriculture, the environment, water resources, flood defence and access to the countryside.</b> <del>habitat creation as part of a wider landscape scale initiative.</del>	Improved wording in response to representation from South Lincolnshire Fenlands Partnership.
Chapter 4: Spatial Vision & Strategic Objectives		
4.1	The spatial vision recognises the balance that must be struck in Lincolnshire between making provision for minerals and waste developments to meet future requirements, whilst at the same time ensuring that such developments <del>are</del> <b>seek</b> socially, environmentally and economically acceptable <b>gains</b> .	To ensure consistent with thrust of NPPF in terms of seeking economic, social and environmental gains (in response to comments from National Trust).
Objective h.	Protect Lincolnshire's high quality agricultural land and soil (Grades 1, 2 and 3a) <b>and soil</b> where practicable from development; and <b>in cases where it is affected, safeguard its long term potential by encouraging restoration back to agriculture, or</b> protection of soils through restoration schemes to biodiversity (where soils are cared for in a sustainable manner), enabling habitat creation in addition to soil preservation for future agricultural needs;	For clarification, to bring in line with the Policies in the Core Strategy, and in response to representations from Mick George and Waterwheel Ltd.
Chapter 5: Providing for Minerals		
5.36	The County Council will make provision in the Sites Locations Document for the release of additional reserves sufficient to meet the provision <b>shortfall</b> set out in Table 2 adjusted to take into account <del>the most up to date information on the landbank. This will include the latest Report of Annual Survey published by the East Midlands Aggregates Working Party, the County Council's latest Local Aggregate Assessment, and details of any additional reserves that have been granted following the publication of these documents.</del> <b>planning permission in the interim.</b>	To correct an error in the text relating to the way the shortfall will be calculated.

Policy/ Paragraph	Minor Modification	Reason for Change
5.39	The County Council will therefore calculate the landbank at any point in time using the average of the previous 10 years' sales data provided in the <b>method for calculating the landbank will therefore be reviewed annually through the</b> County Council's Local Aggregate Assessment <b>to reflect local circumstances.</b>	To address the concerns of the MPA over the method used for calculating the landbank and to bring this in line with para 145 of the NPPF.
Policy M3	In order to ensure a steady and adequate supply of sand and gravel for aggregate purposes, the County Council will seek to maintain a landbank of permitted reserves of sand and gravel of at least 7 years within each of the Production Areas based on their past 10 years average sales. <b>the County Council's latest Local Aggregate Assessment.</b>	To address the concerns of the MPA over the method used for calculating the landbank and to bring this in line with para 145 of the NPPF.
5.41	It is possible that a shortfall could develop in the landbank of a Production Area if an application for an allocated site is not forthcoming or is refused. In these circumstances the County Council will grant planning permission for unallocated sites provided that <b>where the site is an extension to an existing quarry or a replacement for a quarry that is nearing exhaustion, and in the case of a replacement site is located within the appropriate Area of Search. All such applications should demonstrate that they would</b> development does not have unacceptable impacts on local communities or the environment.	For clarification and to reflect the proposed minor modification to Policy M4.
New para. to follow 5.41	<b>Irrespective of the size of the landbank, there may be exceptional circumstances over the life of the Plan when an additional quarry is justified, such as when a deposit has special characteristics not found in other deposits worked locally. When such a need is demonstrated, planning permission will be granted provided that the development does not have unacceptable impacts on local communities or the environment.</b>	To reflect the proposed minor modifications to Policy M4
Policy M4	Sites allocated in the Site Locations Document will be granted planning permission for sand and gravel extraction for aggregate purposes provided that: <del>in each case the site:</del> is required to maintain the landbank of the relevant Production Area calculated in accordance with Policy M3 <ul style="list-style-type: none"> <li>• <b>in the case of an extension to an existing Active Mining Site, extraction would follow on after the cessation of sand and gravel extraction from the existing areas supplying the plant site;</b></li> <li>and</li> <li>• in the case of a new quarry, <b>it</b> is required to replace an existing Active Mining Site that is nearing exhaustion.; and</li> <li>• <del>accords with all relevant Development Management Policies set out in the Plan.</del></li> </ul> For sites not allocated in the Site Locations Document, planning permission will be granted for sand and gravel extraction for aggregate purposes <b>where the site is required to meet</b> provided that the site is	To address the concerns of the MPA over the linking of this policy to Policy M3; to ensure consistency with Policy M2 in terms of giving preference to unallocated new sites that are located in Areas of Search; and to ensure greater consistency with Policy M5 and Policy M6 with respect to special cases of "proven need".

Policy/ Paragraph	Minor Modification	Reason for Change
	<p>required to meet a specific shortfall in the landbank of the relevant Production Area calculated in accordance with Policy M3, and:</p> <ul style="list-style-type: none"> <li>• <b>a proven need that cannot be met from the existing permitted reserves; or</b></li> <li>• <b>a specific shortfall in the landbank of the relevant production zone and either:</b> <ul style="list-style-type: none"> <li>(i) <b>forms an extension to an existing Active Mining Site; or</b></li> <li>(ii) <b>is located in the relevant Area of Search as shown on the Key Diagram and will replace an existing Active Mining Site that is nearing exhaustion.</b></li> </ul> </li> </ul> <ul style="list-style-type: none"> <li>• <del>the site forms an extension to an existing Active Mining Site; or</del></li> <li>• <del>where the proposal is for a new quarry, the site is required to replace an existing Active Mining Site that is nearing exhaustion; and:</del></li> <li>• <del>the proposal accords with all relevant Development Management Policies set out in the Plan.</del></li> </ul> <p><b>In all cases the proposal must accord with all relevant Development Management Policies set out in the Plan.</b></p>	
5.42	<del>Crushed Lincolnshire Limestone aggregate is of relatively low strength with poor resistance to frost damage.</del> <b>Normally</b>	Clarification in response to representations from Mick George.
5.44	The table indicates that there would be more than sufficient limestone reserves to meet future requirements (a surplus of around 24 million tonnes). <b>These reserves are split between 13 quarries that are widely distributed over the limestone deposit between Lincoln and Stamford</b>	To address the concerns of the MPA that the existing landbank may not be appropriately located to the main market.
5.45	<del>There is only one currently operating within the Wolds A.O.N.B and the and two operating quarries immediately adjacent to it.</del> <b>only two operational quarries in the County, one operating located</b>	Updated information.
5.46	<del>At the end of 2010, there were 9.2Mt of permitted reserves of chalk in the County, 0.5Mt in both active sites and 8.7Mt in inactive sites, but excluding dormant sites. By 2010 sales of chalk had been in decline for four years falling from just under 250,000 tonnes in 2007 to 5,000 tonnes in 2010. No sales data is available after this period, but it is likely that production is well below the level reached in 2007 since 2005 have not exceeded 250,000 tonnes in any particular year and have fallen significantly since 2008. There is no specific regional apportionment for chalk in Lincolnshire. The County Council therefore considers that there are more than sufficient chalk reserves to meet the low demand for chalk over the plan period.</del> <b>There is no specific regional apportionment for chalk in Lincolnshire. At the end of 2010, there were 9.2Mt of permitted reserves of chalk in the County, 0.5Mt in both active sites and 8.7Mt in inactive sites, but excluding dormant sites. By 2010 sales of chalk had been in decline for four years falling from just under 250,000 tonnes in 2007 to 5,000 tonnes in 2010. No sales data is available after this period, but it is likely that production is well below the level reached in 2007 since 2005</b>	To provide further clarification with respect to the decline in chalk sales in response to the MPA's comments that appear to over emphasise the importance of this mineral.
5.47	<del>The County Council therefore considers that there are more than sufficient chalk reserves to meet the low demand for chalk over the plan period. The County Council is also seeking the progressive</del>	For greater clarification.

Policy/ Paragraph	Minor Modification	Reason for Change
	reduction of mineral production within the AONB <b>to help conserve the landscape and scenic beauty of this area in line with the NPPF</b> . As a result, the County Council does not propose to make any additional provision for chalk extraction.	
5.49	Building Stone therefore has an important role to play in the conservation, management and enhancement of the historic environment, and in tackling heritage at risk. <b>Lincolnshire building stone also has an important role beyond the County, where relatively small quantities are exported to neighbouring areas for use in repair of historic buildings.</b>	To ensure Plan acknowledges important role of Lincolnshire building stone in the wider area (in response to representation from Bedford Borough).
5.53	Proposals which are merely <b>primarily</b> a means to extract aggregate will be discouraged. <b>The County Council does, however, recognise that building stone quarries often contain beds of varying quality. As a result, a quarry that produces nationally important stone for use in some of the nation's most important historic buildings may also need to produce stone for other building stone markets, such as new build, to be economically viable.</b>	To address, at least in part, the concerns of the MPA over the level of restrictions imposed on building stone quarries.
5.67	The operator must also obtain a Permit from the Environment Agency (EA) but this is <b>usually</b> sought after planning permission is obtained. <del>A requirement of the permit is that an appropriate planning permission is already in place.</del>	Changes to the permitting regulations no longer require planning permission to be in place before permit can be issued.
5.70	Applications for energy mineral development should contain sufficient information to adequately assess the impact of the proposal on the local community and the environment, and include <b>detailed</b> field development plans <b>at the production stage</b> . Conditions and legal agreements, if necessary will be attached to planning permissions to ensure that operations do not have an unacceptable impact on local residents or the environment. Permission for wells will be conditioned for the life of the well.	To respond to a request from an operator that it will not be possible to provide detailed field development plans until the production stage as previously worded this could apply to the exploration stage when such details will not be known
Policy M7	Proposals for <del>small-scale</del> , new or extended building stone quarries <b>that are of a small scale</b> will be permitted where it can be demonstrated that: <ul style="list-style-type: none"> <li>• there is a specific need for the stone; and</li> <li>• the stone cannot be obtained from existing permitted sites; and</li> <li>• proposals accord with all relevant Development Management Policies set out in the Plan.</li> </ul>	Minor change to clarify that all proposals are expected to be small-scale. (In response to comments from National Trust).
5.84	It would therefore be difficult to identify potentially workable building stone resources for safeguarding except on a detailed site specific basis. <del>In any event, building stone resources mainly occur in</del>	Deletion in response to comments from City of Lincoln

Policy/ Paragraph	Minor Modification	Reason for Change
	<del>countryside locations where the risk of sterilisation by other development is low.</del>	Council challenging this presumption due to appetite for future growth in rural areas.
5.94	<del>Some minor developments are unlikely to sterilise mineral reserves. Developments of a minor nature will normally include <b>such as small</b> extension to <b>existing</b> buildings or sites, with a floorspace or site area below 10,000 sq. m (1ha). However, this will depend on the location of the development and the type and extent of the mineral concerned. For instance a building proposed in the middle of a small building stone resource could lead to sterilisation.</del>	To address the concerns of the MPA that in some cases even minor development can result in sterilisation.
Policy M11	<p>Planning permission will be granted for development within a Minerals Safeguarding Area provided that it would not sterilise mineral resources within the Mineral Safeguarding Areas or prevent future minerals extraction on neighbouring land. <b>Where this is not the case, planning permission will be granted when unless:</b></p> <ul style="list-style-type: none"> <li>• the applicant can demonstrate to the Mineral Planning Authority that prior extraction of the mineral would make the development unviable, and that the development could not reasonably be sited elsewhere; or</li> <li>• the incompatible development is of a temporary nature and can be completed and the site restored to a condition that does not inhibit extraction within the timescale that the mineral is likely to be needed; or</li> <li>• there is an overriding need for the development; to meet local economic needs, <b>and the development could not reasonably be sited elsewhere;</b> or</li> <li>• the development is of a minor nature which would <b>have a negligible impact with respect to sterilising the mineral resource</b> not inhibit extraction of the mineral resource; or</li> <li>• the development is, or forms part of, an allocation in the Development Plan.</li> </ul>	For clarification and to address one of the concerns of the MPA by extending the criterion relating to "siting development elsewhere" to one of the other bullet points.
Policy M11 (Exemptions)	<p>This policy does not apply to the following:</p> <ul style="list-style-type: none"> <li>• Applications for householder development</li> <li>• Applications for alterations to existing buildings and for change of use of existing development, unless intensifying activity on site;</li> <li>• Applications for Advertisement Consent</li> <li>• Applications for Listed Building Consent</li> <li>• <del>Applications for Conservation Area Consent</del></li> <li>• Applications for reserved matters including subsequent applications after outline consent has been granted</li> <li>• Prior Notifications (telecommunications; forestry, agriculture; demolition)</li> <li>• Certificates of Lawfulness of Existing or Proposed Use or Development (CLEUDs and CLOPUDs)</li> <li>• Applications for Tree Works</li> </ul>	Deletion of Conservation Area Consent to reflect the changes brought about by the Enterprise and Regulatory Reform Act (Abolition of Conservation Area Consent) (England) Order 2013. (In response to South Kesteven District Council).

Policy/ Paragraph	Minor Modification	Reason for Change
Policy M12 (Exemptions)	<p>This policy does not apply to the following:</p> <ul style="list-style-type: none"> <li>• Applications for householder development</li> <li>• Applications for alterations to existing buildings and for change of use of existing development, unless intensifying activity on site;</li> <li>• Applications for Advertisement Consent</li> <li>• Applications for Listed Building Consent</li> <li>• <del>Applications for Conservation Area Consent</del></li> <li>• Applications for reserved matters including subsequent applications after outline consent has been granted</li> <li>• Prior Notifications (telecommunications; forestry, agriculture; demolition)</li> <li>• Certificates of Lawfulness of Existing or Proposed Use or Development (CLEUDs and CLOPUDs)</li> <li>• Applications for Tree Works</li> </ul>	Deletion of Conservation Area Consent to reflect the changes brought about by the Enterprise and Regulatory Reform Act (Abolition of Conservation Area Consent) (England) Order 2013. (In response to South Kesteven District Council).
Chapter 6: Providing for Waste		
Box 1	<p><b>Local Authority Collected Waste (LACW)</b></p> <p>This waste stream was previously referred to as Municipal Solid Waste, and the new name reflects a slight expansion in the range of wastes it covers. Most is generated by householders, whether it is collected from the kerbside or taken to recycling points such as Household Waste Recycling Centres. It also includes small quantities of <del>“trade waste”</del> <b>commercial waste</b> which is collected from small businesses by the local authority, as well as non-household waste such as road and pavement sweepings and gully-emptying wastes. Waste collection is largely undertaken by the <del>local authorities</del> <b>Waste Collection Authorities'</b> own operatives, but recovery and disposal activities are controlled by the county <del>Waste &amp; Disposal Authority</del> <b>Waste Disposal Authority</b> in conjunction with a third party waste management company <b>iesy</b>.</p>	Minor clarifications.
Box 1	<p><b>Construction, Demolition and Excavation Waste (CD&amp; E Waste)</b></p> <p>These wastes come from a wide range of new build and regeneration projects as well as road schemes and railway maintenance. Construction &amp; Demolition wastes include structural and groundworks waste (bricks, asphalt, concrete, insulation material) and fittings (wood, plastic, glass, metal). Most of the waste is chemically inert but insulation materials are usually hazardous because they contain asbestos. Excavation waste is primarily soil and stones. As they are often bulky and of low value, substantial quantities of all these wastes are recycled or re-used <b>at or close to</b> where they are created. <b>Therefore, a greater proportion of this waste stream (compared to others) may be managed at source.</b> <del>and therefore make no demands of capacity at privately operated waste management sites.</del></p>	To improve clarity of text and, whilst acknowledging that a lot is dealt with at source, avoid misinterpretation that there are no demands on waste management sites. In response to representation from Mick George.
Box 1	<p><b>Agricultural Waste</b></p> <p>Agricultural waste is mostly uncontrolled animal slurry and vegetable matter but many farms also produce 'non-natural' wastes that are controlled, such as scrap metals, batteries, oils, tyres, rubber,</p>	Correction, and to avoid misinterpretation.

Policy/ Paragraph	Minor Modification	Reason for Change																																																
	glass, plastic and veterinary pharmaceuticals. Virtually all of these wastes are normally <del>buried, burned, stored or spread on land</del> <b>managed</b> on the agricultural holdings where they are created.																																																	
6.2	The recent completion of the new Energy from Waste (EfW) facility at Hykeham has resulted in the diversion of a significant quantity of LACW <b>away</b> from final disposal <del>at</del> the landfill.	Clarification to avoid misinterpretation.																																																
6.31	Tables 4-8 present the waste forecasts and establish the capacity requirements throughout the Plan. <b>Local capacity of different waste management facilities has been identified from records provided by the Environment Agency.</b> These figures <b>take account of some new facilities and of known closures but total capacity</b> will be subject to change <del>as if other</del> new facilities are permitted and become operational <b>in the future</b> , and <b>as</b> new forecasts are published on the waste arisings and their uses.	To clarify/include reference to how local capacity has been estimated. In response to representations from Mick George/GOLAG.																																																
6.33	Table 9 summarises the predicted capacity gaps at three intervals corresponding to key points in achieving the assumed recycling and landfill diversion performance rates. Negative figures identify capacity surpluses. <b>Further detailed information is provided in the Lincolnshire Waste Needs Assessment 2014.</b>	Cross-reference to WNA included to clarify where further information can be found in relation to waste forecasts and capacity gap calculations. In response to comments from several respondents.																																																
Table 9	<p><b>2031 – Growth with Median Recycling scenario</b></p> <table border="1"> <thead> <tr> <th>Function</th> <th>Wastes</th> <th>Gap 2014</th> <th>Gap 2020</th> <th>Gap 2025</th> <th>Gap 2031</th> </tr> </thead> <tbody> <tr> <td>Mixed waste recycling</td> <td>LACW / C&amp;I / Agric.</td> <td>74,743</td> <td>117,752</td> <td>151,919</td> <td>187,706</td> </tr> <tr> <td>Specialised recycling</td> <td>LACW / C&amp;I / Agric.</td> <td>-334,205</td> <td>-333,447</td> <td>-332,796</td> <td>-332,126</td> </tr> <tr> <td>Composting</td> <td>LACW / C&amp;I</td> <td>-209,254</td> <td>-236,865</td> <td>-232,529</td> <td>-227,927</td> </tr> <tr> <td>Treatment plant</td> <td>LACW / C&amp;I / Agric.</td> <td>-123,727</td> <td>-158,190</td> <td>-175,059</td> <td>-193,329</td> </tr> <tr> <td>Energy recovery</td> <td>LACW / C&amp;I</td> <td>37,988</td> <td>131,663</td> <td><del>143,241</del> <b>158,256</b></td> <td><del>155,286</del> <b>186,153</b></td> </tr> <tr> <td>Specialised incineration</td> <td>Mainly Haz. / Agric.</td> <td>22,682</td> <td>23,296</td> <td>23,823</td> <td>24,364</td> </tr> <tr> <td>Aggregates recycling</td> <td>CD&amp;E</td> <td><del>232,590</del> <b>-411,410</b></td> <td><del>314,758</del> <b>-114,242</b></td> <td><del>388,026</del> <b>-20,974</b></td> <td><del>466,099</del> <b>132,099</b></td> </tr> </tbody> </table>	Function	Wastes	Gap 2014	Gap 2020	Gap 2025	Gap 2031	Mixed waste recycling	LACW / C&I / Agric.	74,743	117,752	151,919	187,706	Specialised recycling	LACW / C&I / Agric.	-334,205	-333,447	-332,796	-332,126	Composting	LACW / C&I	-209,254	-236,865	-232,529	-227,927	Treatment plant	LACW / C&I / Agric.	-123,727	-158,190	-175,059	-193,329	Energy recovery	LACW / C&I	37,988	131,663	<del>143,241</del> <b>158,256</b>	<del>155,286</del> <b>186,153</b>	Specialised incineration	Mainly Haz. / Agric.	22,682	23,296	23,823	24,364	Aggregates recycling	CD&E	<del>232,590</del> <b>-411,410</b>	<del>314,758</del> <b>-114,242</b>	<del>388,026</del> <b>-20,974</b>	<del>466,099</del> <b>132,099</b>	Table 9 has been amended to reflect more accurate data regarding the existing capacity within the County to manage CD&E waste.
Function	Wastes	Gap 2014	Gap 2020	Gap 2025	Gap 2031																																													
Mixed waste recycling	LACW / C&I / Agric.	74,743	117,752	151,919	187,706																																													
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Policy/ Paragraph	Minor Modification						Reason for Change																																									
	Non-hazardous landfill	LACW / C&I / Agric.	-36,452	-66,990	-83,216	-100,427																																										
	Inert landfill	Mainly CD&E but other non-haz.	-351,783	-305,070	-296,310	-287,241																																										
	Hazardous landfill	Hazardous	21,685	22,477	23,127	23,796																																										
6.34	The County Council is maintaining its objective of not providing for new inert or non-hazardous landfill capacity above current levels, recognising that a supply of void space would be created by continuing extraction in sand/gravel pits and quarries. The needs assessment now forecasts surpluses in the main types of landfill capacity (other than hazardous) and the principal concern now is maintaining improvement in recycling and recovery but not on such a scale that landfill operations in the county are no longer economically viable.						Text removed in response to representation from GOLAG raising concerns that it could be misinterpreted to attempt to justify new mineral extraction on the basis of it also providing landfill capacity.																																									
Table 10	<table border="1" data-bbox="517 807 1641 1209"> <thead> <tr> <th data-bbox="517 839 920 906" rowspan="2">Facility type</th> <th data-bbox="920 839 1189 906" rowspan="2">Annual capacity</th> <th colspan="4" data-bbox="1189 807 1641 839">New facilities needed</th> </tr> <tr> <th data-bbox="1189 839 1312 906">Short term</th> <th data-bbox="1312 839 1424 906">By 2020</th> <th data-bbox="1424 839 1536 906">By 2025</th> <th data-bbox="1536 839 1641 906">By 2031</th> </tr> </thead> <tbody> <tr> <td data-bbox="517 906 920 975">Mixed LACW &amp; C&amp;I waste recycling</td> <td data-bbox="920 906 1189 975">75,000</td> <td data-bbox="1189 906 1312 975">1</td> <td data-bbox="1312 906 1424 975">1</td> <td data-bbox="1424 906 1536 975"></td> <td data-bbox="1536 906 1641 975">1</td> </tr> <tr> <td data-bbox="517 975 920 1043">Energy recovery from LACW &amp; C&amp;I</td> <td data-bbox="920 975 1189 1043"><del>150,000</del> 200,000</td> <td data-bbox="1189 975 1312 1043">1</td> <td data-bbox="1312 975 1424 1043"></td> <td data-bbox="1424 975 1536 1043"></td> <td data-bbox="1536 975 1641 1043"></td> </tr> <tr> <td data-bbox="517 1043 920 1112">Specialised thermal treatment</td> <td data-bbox="920 1043 1189 1112">25,000</td> <td data-bbox="1189 1043 1312 1112">1</td> <td data-bbox="1312 1043 1424 1112"></td> <td data-bbox="1424 1043 1536 1112"></td> <td data-bbox="1536 1043 1641 1112"></td> </tr> <tr> <td data-bbox="517 1112 920 1181">CD&amp;E and aggregates recycling</td> <td data-bbox="920 1112 1189 1181">50,000</td> <td data-bbox="1189 1112 1312 1181">5</td> <td data-bbox="1312 1112 1424 1181">2</td> <td data-bbox="1424 1112 1536 1181">1</td> <td data-bbox="1536 1112 1641 1181">2</td> </tr> <tr> <td data-bbox="517 1181 920 1209">Hazardous waste landfill</td> <td data-bbox="920 1181 1189 1209">25,000</td> <td data-bbox="1189 1181 1312 1209">1</td> <td data-bbox="1312 1181 1424 1209"></td> <td data-bbox="1424 1181 1536 1209"></td> <td data-bbox="1536 1181 1641 1209"></td> </tr> </tbody> </table>						Facility type	Annual capacity	New facilities needed				Short term	By 2020	By 2025	By 2031	Mixed LACW & C&I waste recycling	75,000	1	1		1	Energy recovery from LACW & C&I	<del>150,000</del> 200,000	1				Specialised thermal treatment	25,000	1				CD&E and aggregates recycling	50,000	5	2	1	2	Hazardous waste landfill	25,000	1				Table 10 has been amended to reflect the changes in Table 9 to reduce the required number of new facilities to deal with CD& E waste in the short-term.	
Facility type	Annual capacity	New facilities needed																																														
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Policy W1	The County Council will, through the Site Locations document, identify locations for a range of <b>new or extended</b> waste <b>management</b> facilities within Lincolnshire to meet the predicted <b>capacity gaps for waste</b> arisings <b>in the County</b> up to and including 2031, and to meet the recycling and treatment targets as a minimum as presented in Table 9, at 2014, 2020-2025 and 2031 subject to any new forecasts published in the Council's Annual Monitoring Reports.						To improve clarity in relation to meeting capacity gaps in response to representation from GOLAG.																																									
6.41	Given the very small quantity of waste produced within Lincolnshire it would not be economically viable						Amended to align with identity																																									

Policy/ Paragraph	Minor Modification	Reason for Change
	for such a facility to recover this waste in isolation, instead, as with disposal, such waste would be managed alongside other MSW/C&I wastes. <del>Given the above it is not possible to plan positively for this waste stream and any proposals for such will be dealt with on their own merits against relevant policies in the plan.</del> <b>Proposals for such facilities will be assessed against Policy W2 and other relevant policies in the plan.</b>	of Policy W2 in response to representations from Northamptonshire and Rutland County Councils.
6.43	The main types of waste facility that could be developed include waste transfer stations, materials recycling facilities, composting, anaerobic digestion, <b>energy from waste</b> , and landfill.	Recognition of energy from waste included in paragraph given future capacity gap (in response to representations from EA).
6.44	<b>as shown on the key diagram and 'around' means the areas directly adjacent to the edge of the defined urban areas. It also includes settlements on an A Class road connecting directly into one of the main urban areas set out within Policy W3 and that have an existing and/or planned employment or industrial areas within their defined boundary, suitable for consideration for a waste management use in line with the principles of the National Planning Policy for Waste.</b>	To provide greater clarification of the term 'around' in respect of Policy W3
6.50	Historically waste facilities in the East Midlands were located in countryside locations linked to landfills and, potentially, well located to the road network but poorly to arisings. Therefore, for existing sites which wish to extend their operations <b>significantly</b> through a physical extension outside of the area permitted for waste management or the throughput of the site (where planning permission is needed) <b>it must be demonstrated how the proposal will not undermine the</b> spatial strategy <b>for waste set out in Policy W3.</b> <del>would still apply</del> <b>Given that some existing sites are not located in or around the urban areas identified in Policy W3, the policy includes provision for proposals to come forward for larger extensions to such sites (over and above those allowed under Policy W7 Small Scale Waste Facilities) in certain circumstances. Such proposals will need to demonstrate how the additional capacity contributes to the network of waste management facilities in Lincolnshire; meets a need identified in the Waste Needs Assessment; and is in a sustainable location well connected to where the waste it will manage will arise. This is to recognise that not all existing sites are in remote and/or unsustainable locations and extensions to their existing operations may deliver greater resource efficiency for the business</b>	To allow sustainable extensions to existing waste management facilities that are not in and 'around' the main urban areas.

Policy/ Paragraph	Minor Modification	Reason for Change
	<p><b><i>than relocation, as well as contributing to the network of waste management facilities in Lincolnshire without undermining the Spatial Strategy for waste.</i></b></p>	
Policy W3	<p>Proposals for new waste facilities, including extensions to existing waste facilities, will be permitted in and around the following main urban areas as indicated on the key diagram subject to the criteria of Policy W4:</p> <ul style="list-style-type: none"> <li>• Lincoln;</li> <li>• Boston;</li> <li>• Grantham;</li> <li>• Spalding;</li> <li>• Bourne;</li> <li>• Gainsborough;</li> <li>• Louth;</li> <li>• Skegness;</li> <li>• Sleaford; and</li> <li>• Stamford.</li> </ul> <p>Proposals for new waste facilities, <del>including extensions to existing waste facilities</del> , outside the above areas will only be permitted where they are:</p> <ul style="list-style-type: none"> <li>• facilities for the biological treatment of waste including anaerobic digestion and open-air windrow composting;</li> <li>• the treatment of waste water and sewage;</li> <li>• landfilling of waste;</li> <li>• small scale waste facilities.</li> </ul> <p><b><i>Proposals for large extensions to existing facilities, outside of the above areas will only be permitted where it can be demonstrated that they meet an identified waste management need, are well located to the arisings of the waste it would manage and are on or close to an A class road and meet the criteria of Policy W4.</i></b></p>	To provide an opportunity for larger extensions to existing waste management facilities that are beyond the immediate boundaries of the main urban areas.
Policy W4	Proposals for new waste facilities, including extensions to existing waste facilities, in and around the main urban areas set out in Policy W3 will be permitted provided that proposals accord with all relevant Development Management Policies set out in the Plan, and where they would be located on either:	To enable extensions to existing waste sites allowed under Policy W3 to be assessed against the criteria of Policy W4.

Policy/ Paragraph	Minor Modification	Reason for Change
	<ul style="list-style-type: none"> <li>• previously developed and/or contaminated land; or</li> <li>• existing or planned industrial/employment land and buildings; or</li> <li>• land already in waste management use; or</li> <li>• in the case of proposals for the recycling of construction and demolition waste and/or the production of recycled aggregates, existing active mineral operations; or</li> <li>• in the case of biological treatment the land identified in Policy W5.</li> </ul> <p><b><i>In the case of large extensions to existing waste facilities, where the proposals do not accord with the main urban areas set out in Policy W3, proposals will be permitted where they can demonstrate they have met the above criteria and accord with all other relevant policies set out in the Plan.</i></b></p>	
6.60	However, there is a <del>desire</del> <b>requirement</b> to move away from using landfill as a means of disposing of our waste.	Clarification.
6.61	Application of the waste hierarchy requires disposal (of which landfill is one possible route) to be undertaken once the steps above disposal ( <b>prevention</b> , reuse, recycling etc.) have been undertaken and, in effect, there is no better use for the waste.	Clarification.
Policy W6	<p>Planning permission will only be granted for new landfills or extensions to existing landfills (inert, non-hazardous and hazardous) provided that:</p> <ul style="list-style-type: none"> <li>• <b><i>it has been demonstrated that</i></b> the current capacity is insufficient to manage that local waste <b><i>arising in Lincolnshire which</i></b> requiring disposal to landfill in <b><i>the County Lincolnshire</i></b>; and</li> <li>• there is a long term improvement to the local landscape and character of the area, with enhanced public access where appropriate; and</li> <li>• the development would not cause a significant delay to the restoration of existing waste disposal sites; and</li> <li>• the proposals accord with all relevant Development Management Policies set out in the Plan.</li> </ul>	To incorporate requirement to demonstrate need, and to clarify what is meant by 'local' waste i.e. that arising in Lincolnshire, in response to representation from GOLAG.
6.74	<b><i>The Local Planning Authority and the Environment Agency have a duty to ensure the WFD requirements are met in new developments. This will be achieved through the assessment of applications during the planning process. The WFD allows in certain circumstances the development to be exempt from</i></b>	To address the issues raised by the Environment Agency that require attention to be drawn to that the requirements

Policy/ Paragraph	Minor Modification	Reason for Change
	<p><b><i>the WFD requirements where it is not realistically possible to meet targets which are set out in the Technical Report 2009-027 produced by the European Commission "Common Implementation Strategy for the Water Framework Directive (2000/60/EC), Guidance Document No.20, Guidance on Exemptions to the Environmental Objectives".</i></b></p>	<p>of the WFD are considered in the assessment of planning applications</p>
Policy W9	<p>Proposals for new sewage treatment works, including the improvement or extension of existing works, will be permitted <del>where they are required to meet new growth. Proposals must demonstrate that</del> <b><i>provided that it can be demonstrated that:</i></b></p> <ul style="list-style-type: none"> <li>• there is a suitable watercourse to accept discharged treated water and there would be no unacceptable increase in the risk of flooding to other areas; and</li> <li>• there would be no deterioration in the ecological status of the effected watercourse (to comply with the Water Framework Directive), <del>unless there is an overriding public need for the development;</del> and</li> <li>• the proposals accord with all relevant Development Management Policies set out in the Plan.</li> </ul>	<p>Requirement to meet new growth removed in response to representation from Anglian Water which notes that this would be unduly restrictive (improvements may be required to existing works for operational reasons not directly related to growth). EA requested unless overriding public need is removed as this does not reflect fully the text of Article 4.7 of the WFD.</p>
<b>Chapter 7: Development Management Policies</b>		
7.16	<p>When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure <b><i>and habitat connectivity.</i></b></p>	<p>Minor clarification to increase emphasis on habitat connectivity/ecological networks</p>
Policy DM2	<p>Proposals for minerals and waste management developments should address the following matters where applicable:</p> <p>Minerals and Waste</p> <ul style="list-style-type: none"> <li>• Identify locations which reduce distances travelled by HGVs in the supply of minerals and the treatment of waste, unless other environmental/sustainability and, for minerals, geological considerations override this aim.</li> </ul> <p>Waste</p> <ul style="list-style-type: none"> <li>• Through implementation of the Waste Hierarchy, reduce waste disposal to landfill;</li> <li>• Identify locations suitable for renewable energy generation;</li> <li>• Encourage carbon reduction/capture measures to be implemented where appropriate.</li> </ul>	<p>Minor clarification to increase emphasis on habitat connectivity/ecological networks</p>

Policy/ Paragraph	Minor Modification	Reason for Change
	Minerals <ul style="list-style-type: none"> <li>• Encourage ways of working which reduce the overall carbon footprint of a mineral site;</li> <li>• Promote new/enhanced biodiversity levels/habitats as part of restoration proposals to provide carbon sinks <b>and / or better connected ecological networks</b>;</li> <li>• Encourage the most efficient use of primary minerals</li> </ul>	
7.29	<del>Planning Policy Statement 10: Planning for Sustainable Waste Management</del> <b>The National Planning Policy for Waste (2014)</b> states that, in considering planning applications for waste management facilities, waste planning authorities should consider the likely impact on the local environment and on amenity.	Updated to reflect replacement of PPS10 with NPPW (omission noted by a number of respondents).
Policy DM3	Planning permission will be granted for minerals and waste development provided that it does not generate unacceptable adverse impacts arising from: <ul style="list-style-type: none"> <li>• noise,</li> <li>• dust,</li> <li>• vibration,</li> <li>• odour,</li> <li>• emissions,</li> <li>• illumination,</li> <li>• visual intrusion,</li> <li>• run off from sites to protected waters, or</li> <li>• traffic</li> </ul> <p>to occupants of nearby dwellings and other sensitive receptors.</p> <p><i>Where unacceptable impacts are identified, which cannot be addressed through appropriate mitigation measures, planning permission will be refused.</i></p>	To address comments made by respondents to make it clear that if an unacceptable impact cannot be overcome planning permission will be refused.
Policy DM4	Proposals that have the potential to affect heritage assets including features of historic or archaeological importance (whether known or unknown) should be accompanied by an assessment of the significance of the assets and the potential impact of the development proposal on those assets and their settings. <p><b>Planning Permission will be granted for minerals and waste development where heritage assets, and their settings, are conserved and, where possible enhanced.</b></p> <p>Where any impact on heritage assets is identified, the assessment should provide details of the proposed mitigation measures that would be implemented. These should include details of any</p>	Minor amendments necessary to policy to comply with NPPF in terms of hierarchy relating to harm (in response to comments from English Heritage, National Trust, South Lincolnshire Fenlands Partnership).

Policy/ Paragraph	Minor Modification	Reason for Change
	<p>conservation of assets and also of any further investigation and recording of heritage assets to be lost and provision for the results to be made publicly available.</p> <p><b>Where adverse impacts are identified</b> Planning Permission will <b>only</b> be granted for minerals and waste development provided that:</p> <ul style="list-style-type: none"> <li>• <del>Heritage assets, and their settings, are conserved and, where possible enhanced; or</del></li> <li>• <b>the proposal cannot reasonably be located on an alternative site to avoid harm; and</b></li> <li>• <b>the harmful aspects can be satisfactorily mitigated; or</b></li> <li>• <del>There are no alternative solutions to mitigate the impact; and</del></li> <li>• <del>There are exceptional overriding reasons which outweigh the need to safeguard the</del> <b>significance of heritage assets</b> <del>value of sites or features which would be harmed.</del></li> </ul>	
7.55	<p>Appropriate assessment is required by law for all European Sites (Regulation <del>61-6248</del> of the <b>Conservation of Habitats and Species Regulations 2010 (as amended)</b> <del>Conservation (Natural Habitat &amp;c.) Regulations 1994</del>).</p>	Correction in response to representation from Natural England.
Policy DM8	<p>Sites of Special Scientific Interest, National Nature Reserves and irreplaceable habitats (including Ancient Woodland and veteran trees) will be safeguarded from inappropriate minerals and waste development. Planning permission will <b>only</b> be granted for minerals and waste development on or affecting such sites, provided that it can be demonstrated that the development, either individually or in combination with other developments, would not conflict with the conservation, management and enhancement of the site, or have any other adverse impact on the site. Where this is not the case, planning permission will <b>only</b> be granted provided that:</p> <ul style="list-style-type: none"> <li>• the proposal cannot reasonably be located on an alternative site to avoid harm; and</li> <li>• the benefit of the development would clearly outweigh the impacts that the proposal would have on the key features of the site; and</li> <li>• the harmful aspects can be satisfactorily mitigated or, as a last resort, compensated by measures that provide a net gain in biodiversity/geodiversity; and</li> <li>• in the case of a SSSI, there would be no broader impact on the national network of SSSIs.</li> </ul>	To reflect stricter tone of NPPF, in response to representations from Lincolnshire Wildlife Trust, GOLAG, South Lincs Fenlands, Greater Lincolnshire Nature Partnership, Natural England, RSPB and National Trust.
7.60	<p>Local Wildlife Sites are non-statutory areas of <del>local</del> importance for nature conservation that complement nationally and internationally designated sites. Proposals for minerals and waste development may lead to loss, degradation or fragmentation of important <del>local</del> areas that are rich in biodiversity.</p>	Clarification to reflect that Local Wildlife Sites can be of greater than local importance (in response to representation from Greater Lincolnshire Nature Partnership).
Policy DM9	<p>Planning permission will <b>only</b> be granted for minerals and waste development on or affecting locally designated sites (including Local Wildlife Sites and their predecessors: Sites of Nature Conservation</p>	To reflect stricter tone of NPPF, in response to

Policy/ Paragraph	Minor Modification	Reason for Change
	<p>Importance; County Wildlife Sites; Local Nature Reserves; Critical Natural Assets), sites meeting Local Wildlife Site criteria and un-designated priority habitats identified in the Lincolnshire Biodiversity Action Plan, provided that it can be demonstrated that the development would not have any significant adverse impacts on the site. Where this is not the case, planning permission will <b>only</b> be granted provided that:</p> <ul style="list-style-type: none"> <li>• The merits of development outweigh the likely impact; and</li> <li>• Any adverse effects are adequately mitigated or, as a last resort compensated for, with proposals resulting in a net-gain in biodiversity through the creation of new priority habitat in excess of that lost.</li> </ul>	<p>representations from Lincolnshire Wildlife Trust, GOLAG, South Lincs Fenlands, Greater Lincolnshire Nature Partnership, Natural England, RSPB and National Trust.</p>
Policy DM10	<p>Planning permission will <b>only</b> be granted for minerals and waste development on or affecting locally designated sites (including Local Geological Sites and their predecessors: Regionally Important Geological and Geomorphological Sites) and sites meeting Local Geological Site criteria provided that it can be demonstrated that the development would not have any significant adverse impacts on the site. Where this is not the case, planning permission will <b>only</b> be granted provided that:</p> <ul style="list-style-type: none"> <li>• The merits of development outweigh the likely impact; and</li> <li>• Any adverse effects are adequately mitigated or, as a last resort compensated for, with proposals resulting in geodiversity enhancements</li> </ul>	<p>To reflect stricter tone of NPPF, in response to representations from Lincolnshire Wildlife Trust, GOLAG, South Lincs Fenlands, Greater Lincolnshire Nature Partnership, Natural England, RSPB and National Trust.</p>
7.87	<ul style="list-style-type: none"> <li>• Sustainable Urban Drainage Systems (SuDS) features in open spaces such as basins, ponds, wetlands with linking swales and control structures, which also have the potential to link with Biodiversity targets and habitat linkages.</li> </ul>	<p>For consistency with updated national guidance, and in response to comments from Environment Agency.</p>
7.88	<p>Flood Risk Assessments shall be considered as part of determination of the application and <b>where relevant</b> the advice of the Environment Agency will be sought and its views will be given due weight. Failure to submit a Flood Risk Assessment, where one is required as detailed in the local list, will usually result in the application not being validated.</p>	<p>Minor corrections/clarification.</p>
New Paragraph to follow 7.88	<p><b><i>From 6 April 2015 the Lead Local Flood Authority will take on responsibility for assessing risk of flooding associated with surface water (pluvial) for all Major Planning Applications (including minerals and waste developments). From this date the Environment Agency will continue to assess risk of flooding associated with rivers (fluvial) and the sea (tidal) within flood risk zones 2, 3a and 3b. Flood Risk Assessments will need to be produced in line with the NPPF and the relevant organisation will need to consider them accordingly.</i></b></p>	<p>To reflect recent changes to national guidance and planning policy/regulations, and in response to representation from Environment Agency.</p>
7.91	<p>Applications for minerals and waste development should address the likely effects of proposed development on surface water and groundwater, in terms of changes to flow (including groundwater flow), water table, water temperature and quality (<b><i>development should not impact upon the current Water Framework Directive status of adjacent or downstream waterbodies</i></b>).</p>	<p>In response to comments from Environment Agency.</p>

Policy/ Paragraph	Minor Modification	Reason for Change
7.94	<p>After prospective legislation is enacted (anticipated in 2015), any proposed new development must have a SAB (SuDS Approving Body) application for Sustainable Drainage and obtain SAB approval before commencing any construction work. The proposed drainage system will have to meet the requirements of the Flood &amp; Water Management Act 2010, the proposed Statutory Instruments, National Standards for Sustainable Drainage and local SAB requirements. Where applicable such designs will be assessed, approved, inspected and adopted by the SAB/Highway Authority (Lincolnshire County Council) as an integrated process with early involvement in the course of the planning process/design essential. <b>The NPPF and National Planning Practice Guidance promotes Sustainable Drainage Systems (SuDS) as the principle means for development proposals to address surface water. SuDS are designed to control surface water run off close to where it falls and mimic natural drainage as closely as possible. The guidance notes that whether SuDS should be considered depends on the proposed development and its location. For major development SuDS should be provided unless demonstrated to be inappropriate, however it is acknowledged that they may not be practicable for some forms of development, for example, mineral extraction. Local Planning Authorities are responsible for approving SuDS designs, in consultation with the Lead Local Flood Authority and other relevant flood risk management bodies, with future maintenance monitored through planning enforcement procedures.</b></p>	To reflect recent changes to national guidance and planning policy/regulations, and in response to representation from Environment Agency.
Chapter 8: Restoration		
Policy R3	<p>Restoration proposals for sand and gravel operations within the proposed Areas of Search (other than those involving best and most versatile agricultural land) should have regard to the landscape scale objectives of the area and should reflect the following priorities:</p> <ul style="list-style-type: none"> <li>• Trent Valley (north of Lincoln): creation of reedbed, wet woodland and lowland wet grassland habitats</li> <li>• Trent Valley (south west of Lincoln within the Witham Valley Country Park): creation of habitats (including wet woodland, reedbed, acid grassland and heathland) to enhance local nature conservation and biodiversity value; provision of improved public access including links to surrounding green infrastructure; and the development of additional recreational/sport facilities</li> <li>• Central Lincolnshire (Tattershall Thorpe): creation of wet woodland and heathland and acid grassland habitats together with reedbed in areas of high water table</li> <li>• South Lincolnshire (West Deeping/Langtoft): creation of wet fenland habitat or enhancement of existing wetland habitats</li> </ul>	Correction.
Chapter 9: Monitoring and Implementation		
	No changes proposed.	
Chapter 10: Key Diagram		
Figures 4 and 5	PEDL areas to be included in Key Diagram and Policies Map	Clarity
	Key Diagram and Policies map will be updated where appropriate to reflect any changes to the Plan and	

Policy/ Paragraph	Minor Modification	Reason for Change
	to incorporate the most up to date information.	
Appendix 1: Relationship between Policies		
	No changes proposed.	
Appendix 2: Waste and Mineral Sites in Lincolnshire		
	Site References may be updated in accordance with updates to Mapping	
Appendix 3: Minerals and Waste Site Mapping by District		
	Sites Mapping will be updated where appropriate to reflect any changes to the Plan and to incorporate the most up to date information.	
Appendix 4: Glossary of Terms		
New Item	<b>LACW (Local Authority Collected Waste): Definition provided at beginning of Chapter 6 – Waste.</b>	Clarification.
Non-Inert Waste:	waste not classified as inert and thus in some manner will react with the environment. <b>Also known as 'Active Waste'.</b>	Clarification.
Development Plan Documents:	<del><b>Development Plan Documents (DPD):</b> The development plan documents which local planning authorities must prepare include a core strategy; generic development control policies; site specific allocations and policies (where relevant); and a proposals map (with inset maps, where necessary). They may also include area action plans (AAP). A DPD may form one document covering a range of policy areas or a number of individual documents. They will be spatial planning documents subject to independent examination and will have 'development plan' status (please see the explanation of 'the development plan' above).</del>	To reflect changes in current legislation and in response to representations made by National Trust
New Item	<b>Local Development Document: Local Development Documents are statutory documents prepared under the Planning and Compulsory Purchase Act 2004, which set out the spatial planning strategy and policies for an area. They have the weight of development plan and are subject to community involvement, public consultation and independent examination.</b>	To reflect changes in current legislation and in response to representations made by National Trust
New Item	<b>Local Plan: A Local Development Document which provides a written statement of the policies for delivering the spatial strategy and vision for an authority area, supported by a reasoned justification.</b>	To reflect changes in current legislation and in response to representations made by National Trust
New Item	<b>Localism Act 2011: Is an Act of Parliament that changes the powers of local government in England. The aim of the act is to facilitate the devolution of decision-making powers from central government control to individuals and communities.</b>	To reflect changes in current legislation and in response to representations made by National Trust
Development Plan:	Sets out policies and proposals for the development and use of land within the area of the application. Under the new planning system being introduced by the Planning and Compulsory Purchase Act, the development plan will eventually consist of regional spatial strategies and development plan documents contained within a local development framework. The statutory development plan will continue to be the starting point in the consideration of planning applications (Section 38(6) of the Planning and	Clarification.

Policy/ Paragraph	Minor Modification	Reason for Change
	Compulsory Purchase Act 2004).	



## **AUDIT COMMITTEE 26 JANUARY 2015**

### **PRESENT: COUNCILLOR MRS S RAWLINS (CHAIRMAN)**

Councillors Mrs E J Sneath (Vice-Chairman), N I Jackson, S M Tweedale, W S Webb and P Wood

Also in attendance: Mr P D Finch (Independent Added Person)

Councillors: C J T H Brewis, M J Hill OBE, Mrs M J Overton MBE, S L W Palmer, Mrs J M Renshaw, R A Renshaw, L Wootten and C N Worth attended the meeting as observers

Officers in attendance:-

Stuart Carlton (Assistant Director Children's Early Help), Tony Crawley (KPMG), David Forbes (County Finance Officer), Glen Garrod (Director of Adult Care), David Hair (Team Leader - Scrutiny and Member Support), Judith Hetherington Smith (Chief Information and Commissioning Officer), Dr Tony Hill (Executive Director of Community Wellbeing and Public Health), Pete Moore (Executive Director of Finance and Public Protection), Mike Norman (KPMG), Lucy Pledge (Audit and Risk Manager), Richard Wills (Executive Director for Environment and Economy) and Rachel Wilson (Democratic Services Officer)

### 35 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Miss F E E Ransome.

### 36 DECLARATIONS OF MEMBERS' INTERESTS

Councillor S Tweedale requested that it be noted that in his capacity as Executive Support Councillor for Libraries, Heritage, Culture, Registration and Coroners Service he had not been part of the decision making process for the libraries consultation.

### 37 MINUTES OF THE MEETING HELD ON 24 NOVEMBER 2014

RESOLVED

That the minutes of the meeting held on 24 November 2014 be signed by the Chairman as a correct record subject to it being noted that Tony Crawley and Mike Norman from KPMG were both in attendance.

**38      ORGANISATIONAL LEARNING - LIBRARIES PROJECT**

Consideration was given to a report which provided the Committee with independent insight on the facts surrounding the decision making process associated with the Libraries Project and identified suggested areas for improvement.

Members were advised that the report provided a chronology of events and a comprehensive examination of the decision making process throughout the Libraries Project, leading up to the Executive decision in December 2013. It was reported that the review of the Library Service involved a complex range of political, economic and social objectives and that the decision around the future delivery of libraries was sensitive, difficult and multi-faceted and the proposed changes were significant.

Initially it was queried whether it was appropriate to discuss this matter in light of the considerations of the proposals for the library service by the Community and Public Safety Scrutiny Committee the following day, and whether the deliberations at this meeting would have an effect on that meeting? Members were advised that this report would not have an effect as it related to what had already happened, and the Audit Committee was not being asked to determine policies around the library service. It was about the processes that led to the Judicial Review, and to ensure that decision making in the future took account of what had happened. There was a need to examine how the authority could learn from this experience and so make better decisions in the future.

The Chairman stated that the Audit Committee would not be revisiting the decisions which had been made, that was the role of the scrutiny committee. This was a regulatory committee, and needed to be apolitical. The Chairman stated that non-members of the Committee would not be allowed to speak.

Members were advised that the role of internal audit had been to look at the critical systems and processes, not to question the policy or the decisions that were made. This report was based on good governance principles and the recommendations were seeking how governance might be improved following the Library Service review. The lessons learned had been detailed in the report, and it recognises that there was a lot of work done and that there were key improvements for management to consider.

The Executive Director for Environment and Economy was in attendance to address the Committee and respond to questions in relation to this report. It was suggested that instead of Members considering what went wrong in the process and the Judicial Review, it was better to question why the outcome that was anticipated was not achieved. However, the Executive Director welcomed the report. It was noted that the focus for this report was on the process, advice, governance and decision making. It was acknowledged that the authority always expected to be challenged, but this was not something to be afraid of.

The Executive and officers were required to save £1.97m from the libraries budget whilst maintaining an effective and comprehensive library service. However, it was important to note that there was no definition of what this was. It was felt that it was

important that only deliverable options were presented to decision makers, and there were two issues to be resolved – what was a comprehensive and efficient library service, and how should it be delivered. One option proposed by officers firmly rejected: to retain 13 main libraries and close the others.

Consultation would remain as an essential factor in decision making, and in the future would use internal resources and the internal community engagement team.

The report would be carefully considered by the Executive Director and his colleagues, as well as by the Audit Committee, Executive and other councillors. In the future the authority would be faced with a succession of complex changes with fewer resources to plan and implement them. It was important that the authority did not become risk averse and so make little change. It must consult fairly and be open to valid alternatives and not mislead the public by offering choices that were not affordable or deliverable. Lincolnshire County Council must continue to be a learning organisation that was willing to undergo transformational change.

Members of the Committee were provided with the opportunity to ask questions to the officers present in relation to the information contained within the report and some of the points raised during discussion included the following:

- It was noted that there was a typographical error at point 3.32 of the report, and the date should have read 22 November 2013, not 2011;
- One member expressed disappointment that non-members were not able to speak at this Committee;
- It was suggested that when scrutiny committees did not support recommendations, it was good practice for them to suggest alternatives;
- The Greenwich Leisure Ltd (GLL) proposal was received on the last day of the consultation and it was not perceived as a 'Community Right to Challenge'. The proposal was still considered despite the limited information which had been included with the submission. The rationale for not considering this proposal further was outlined in paragraph 3.28 of the report;
- The judgement suggested that if there had been more input from Legal Services, it may have highlighted some of the issues that the Consultation Institute was not qualified to have picked up on;
- The Consultation Institute had been approached in order to give a degree of independence to the consultation, and to ensure that it was prepared in a transparent way;
- Concerns were raised regarding the timeframe, and it was queried whether it was felt that due to the timing of the submission from GLL, there was a tendency to look for reasons why the proposal was not suitable? Members were advised that all proposals were considered by the Panel that was set up to consider all expressions of interest. It was commented that it was felt as though there was enough time to consider the submissions;
- It was queried whether the timing of the election in May 2013 had had an effect on the process, as a lot of scrutiny experience was lost in the election. Some of the new councillors may not have been scrutinising at the level that they should have been;

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- It was recognised that the proposal submitted by a member of the public (Proposal X) was a genuine attempt to find another delivery model;
- It had not been recognised that GLL could be classed as a 'relevant body' under the Localism Act;
- From a governance point of view, the Council chose not to take a controversial decision before an election, and there was no right or wrong way in this approach. One issue for a council when taking decisions such as these before an election, was that one council would set the budget, and the new council would need to implement it;
- One of the issues picked up by the report was the vast amount of paperwork which was circulated as part of this process. It was commented that it was difficult to get the balance right between providing members with every piece of information or just giving them the relevant information;
- It was queried what the role of scrutiny was; what powers the scrutiny committees had; and what could be asked of the Committees;
- It was observed that the Judicial Review was critical of the consultation process, not the decision;
- It was commented that a presentation was made to one political group, and queried whether this was offered to any of the other groups;
- Concerns were highlighted regarding the document that was provided to the Scrutiny Committee by Sheffield Hallam University 15 minutes prior to the start of the meeting. It was queried when this document was received by officers, and if anyone had had prior sight of the report? It was considered important that Scrutiny Committees were fully informed. It was reported that generally members would receive papers five working days prior to the meeting. Members were advised that the report which had been circulated on the day of the scrutiny committee had only been completed that day, and was intended as background material to the presentation which was given to the Committee by Sheffield Hallam University;
- Members were advised that it was appropriate and normal for any report coming from external organisations to be analysed by officers. It was also mentioned that officers should be able to comment on any report prepared by a consultant (however, the comments did not have to be included within the report). Only the author was able to amend a report, and authors would only allow others to change the content of their report when they agreed with the comments;
- In relation to the timing of the report presented to the scrutiny committee, it was noted that it would have been possible for officers to suggest to the Chairman of the meeting that it be deferred until members had had an opportunity to fully consider the report. The amount of time members were given to consider this report was identified as a key pressure point;
- Representatives from Sheffield Hallam University were in attendance at the scrutiny committee and presented their report and gave a presentation to the Committee. The scrutiny committee did not make the request to defer the report;
- In relation to risk assessment and management, it was queried whether there was executive oversight of the individual operating boards and workstreams and also if there was a risk management framework in place?

- One of the risks highlighted did include the timetable for the consultation process due to waiting until after the election and then having to work to a compressed timescale. However, it was felt that there was sufficient engagement to ensure that these risks were understood;
- There was a Programme Team whose purpose was to support the different projects within the Council, and people within this team had been offered to the Libraries Review Project;
- At the Budget setting meeting of Full Council in February 2013, officers were directed to put more money into the budget to take account of the process being extended;
- It was acknowledged that the Executive did have oversight of the risk assessment;
- It was suggested that there was a need for the advice to have been more robust, for example regarding not recognising GLL's proposal under the Localism Act;
- It was suggested that some controversial issues may require more time to go through the scrutiny process. The Executive listened very carefully to what was said by the scrutiny committees;
- It was said that the proposals for the library service were judged to be legal by the High Court, but it was the consultation process which was flawed, as well as not considering the GLL proposal under the Localism Act. However, it had been felt at the time that localism referred to people in the local area;
- Members were advised that the authority had been very keen to keep the Library Service in-house, rather than handing it over to an external organisation, such as GLL, who would take control of the whole service;
- It was noted that this interpretation of the Localism Act could affect other services, as at any point an authority could receive a challenge from another relevant body to take over a service;
- There had been some very positive discussions around the areas for improvement, and it had become clear that it was very important to look carefully at options appraisals and the consultation process;
- It was commented that the report was very good, but was queried whether audit had become involved at the right time, or should this have come to the Audit Committee earlier? Members were advised that this had been the right time for Audit to be involved, as the role of audit was to ensure that good governance was maintained. It was right and appropriate that Audit examined the lessons learned and that an action plan was developed and implemented;
- There was a need to examine how the Audit Committee and Scrutiny Committees could work better together;

It was proposed that the Committee should accept the suggested areas for improvement in the report and that officers be directed to address them and bring the findings back to this Committee. It was also suggested that the action plan should be considered by the Executive and Corporate Management Board and a report brought back to the meeting in March.

## RESOLVED

1. That the Committee accept the suggested areas for improvement outlined in the report and officers be directed to address them and bring the findings back to a future meeting of this Committee;
2. That the action plan be considered by Executive and Corporate Management Board and a report brought back to the meeting in March.

39 COMBINED ASSURANCE STATUS REPORTS

Consideration was given to a report which provided the Audit Committee with an insight on the assurances across all the Council's critical services, key risks and projects.

The Executive Directors were in attendance to present their Combined Assurance report and answer any questions from members of the Committee.

## Public Health

The Executive Director Community Wellbeing and Public Health presented the Combined Assurance report for Public Health to the Committee. The Committee was informed that the areas the Executive Director was responsible had changed quite considerably following the senior management review and now included libraries.

It was reported that the risk had not changed from last year, but there were some particularly risky areas under the core statutory business of public health, such as outbreaks, education etc. However, there was a lot of expertise which could be used to mitigate these risks. There were now some areas which were not related to core public health business such as libraries.

Members were provided with the opportunity to ask questions to the officers present in relation to the information contained within the report and some of the points raised during discussion included the following:

- It was noted that these reports were a 'snapshot' of the assurances in place which looked at both critical systems and strategic risks, as well as emerging risks;
- It was acknowledged that one of the highest risks at this time was that a number of services would be re-procured in the near future;
- The Coroners Officers were paid for by the Police Force, and there was very little impact the authority could have on this service;
- It was noted that in relation to the Coroners Service, it had been reduced from four districts to two three years ago. The system was currently working as well as it could, but both coroners were due to retire in two years. There would be a need to look at what the Coroners Service would look like in the future;
- Nationally, there was a preference for one coroner per county, but Lincolnshire had pushed to have two;

- It was queried, in relation to mental health issues, how certain the authority was that it could offer services that could prevent people from becoming acute cases. Members were advised that a lot of work was taking place around mental health prevention. This was a joint approach and work was underway on preventing mental health problems from getting worse or developing and the authority was working with a whole range of organisations in order to better support people. There were a variety of schemes in place including a number of schemes that supported people and the community to give people mental health resilience;
- It was noted that the Integration with Health and Social Care was a newly recorded risk, and there would be large numbers of organisations involved in this process. There was not yet a completed plan on how this process would happen. It was expected that this plan would be ready by the summer. The programme of work had its own risk register and risk arrangements. The Executive Director reported that discussions had taken place with external audit on this issue;
- The potential for a second judicial review into the libraries review was recognised, and officers had put in a lot of work to ensure that the authority could respond in a more successful way;

#### Finance and Public Protection

The Executive Director for Finance and Public Protection presented the Combined Assurance report for Finance and Public Protection to the Committee. It was reported that this was an assessment of risks and how the authority was dealing with them. It was noted that some areas had moved from being completely green, into amber, such as the Youth Offending Service, this was mainly due to changes to the way that the service was managed, and a move to more pro-active work.

The Committee was advised that one risk which needed to be managed corporately was the budget. It was reported that the Council would only be publishing a one year budget due to the uncertainty in a number of different areas. It was also noted that the government had only published a one year spending review due to the general election taking place in May 2015, and it was expected that the new government would publish a spending review in the autumn of 2015. There would need to be a national discussion on what the role of a local authority was in providing services.

Members were provided with the opportunity to ask questions to the officers present in relation to the information contained in the report, and some of the points raised during discussion included the following:

- Concerns were raised regarding the police non-emergency number and how long people were waiting to get through, and how long they should then have to wait for action. The Executive Director agreed to raise this issue with the Police, but certain issues would be of lower priority than others;
- The areas with large budgets such as adult care were most sensitive, in terms of the role of local government, and it would need to be determined whether the existing model was sustainable in the future – both locally and nationally;
- In relation to the issue of Lincoln being labelled as a 'hot spot' for so called legal highs, this was due to an FOI request, and a lot of counties did not

respond. Lincolnshire also had a good recording system for incidents. It was noted that officers were developing a good database of information and were working with the Police;

- There was a government commitment in 2014 to introduce new legislation in relation to legal highs which would seek to make them illegal. The authority was working on a partnership approach, as there were issues around them being used by young people in care;
- It was commented that often, other authorities had placed difficult young people in private establishments in Lincolnshire, particularly in the south of the county, and so plans had not been able to be put in place soon enough. Officers were working with colleagues in the police on this issue as well.

### Children's Services

The Assistant Director – Children's Services presented the Combined Assurance Report for Children's Services to the Committee. It was reported that there had been an Ofsted inspection of the authority in November 2014, and the outcome was very positive, and Lincolnshire received the second best report for a local authority in the country.

It was noted that the children's scrutiny committee played a significant role, and had held a task and finish group on safeguarding. The authority also had a very active Corporate Parenting Panel. The authority also participated in peer reviews and had a comprehensive performance regime which was reported through the Lead member to the DMT group and to the scrutiny committee on a regular basis. Members were advised that this year officers would be examining several areas that were showing as amber.

The Committee was provided with the opportunity to ask questions to the officers present in relation to the information contained within the report and some of the points raised during discussion included the following:

- Members were advised that there was regular sufficiency reporting in terms of provision, from all aspects of education, but particularly in the primary sector. There was also regular reporting through the Children and Young People Scrutiny Committee;
- The government expected any new provision to be either free schools or academies;
- Home Start was very active in the south of the county. However, it was noted that this was one of the authority's commissioned activities, but due to budget restrictions it may not be commissioned in the future;
- The authority was successful at maintaining SEN provision within the county, and this provision was constantly reviewed. The provision in special schools would be reviewed in the future to determine whether there would be sufficient places for the future;
- Additional grants had been received for 2015 and 2016 to enable the authority to transition through the SEND reforms;

- There had not been a reduction in the cost of home to school transport due to reduction of the price of fuel. It was likely that this was because it was a fixed price contract;
- There were aspects of the home to school transport policy which were reviewed every year. However, the last fundamental review was approximately six years ago. The authority would be looking at new ways to bring in efficiencies and officers would be looking very closely at services related to children's transport;

### Adult Care

The Director of Adult Care was in attendance to present the Combined Assurance report on Adult Care to the Committee. It was reported that this report showed an improving performance and a strengthening of budget management.

Members were advised that there had been two internal audit reports around key areas which included contracting which provided significant management assurance.

The Committee was provided with the opportunity to ask questions to the officers present in relation to the information contained within the report and some of the points raised during discussion included the following:

- It was queried whether there was a need for a minimum standard for carers? It had been discussed whether apprenticeships could be developed which had an opportunity to progress to qualify as a nurse. It was noted that a similar issue had been raised at a recent meeting at East Lindsey District Council in relation to standards across domiciliary and residential care. Members were advised that within Adult Care was a Quality Assurance Team and contract officers would undertake quality checks when they went out to check providers;
- It was reported that there were over 60,000 visits per week in Lincolnshire, and the authority had six quality assurance officers and the CQC would visit once or twice a year. Therefore it was difficult to quality assure every visit. However, a sample of 300 people who received the home care service was carried out, and it was found that the most important thing to the people receiving the service was the quality of the relationship with the carer and that the scheduled visits took place on time. The length of the visit was found to be irrelevant;
- The area of most concern was domiciliary care in terms of securing better standards of employment and increased rates of pay;
- Clinical staff and carers were both difficult to recruit;
- The LEP had also looked at the health and care sector, and considered it one of the key sectors for the areas. One of the issues was the relatively low pay, and this was also an issue in the food sector;
- Concerns were also raised regarding the need for standardisation of travel costs for those staff who carried out home visits;

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Information and Commissioning

The Chief Information and Commissioning Officer was in attendance to present the Combined Assurance report for Information and Commissioning to the Committee. Members were advised that as this was a new area, this was the first combined assurance report that had been produced.

It was reported that the contract with Mouchel would be ending on 31 March 2015 and staff would be transferred to the new providers or brought back in-house. It was also noted that there were a lot of system changes taking place, including the implementation of the Agresso and Mosaic systems. This was a relatively high risk period due to the volume and complexity of the changes, and was being very closely managed.

There was a lot of uncertainty for staff at this time and the authority was currently in a TUPE consultation period with staff. Regular newsletters were circulated and there was a lot of staff engagement both directly and with the trade unions. The engagement was positive and it hoped that there would be a successful transfer.

In relation to the technology issues, the implementation of the Mosaic system would be a substantial move away from the Northgate system. It was noted that data from 18 different systems would be moved across, and some of the data from different systems would relate to the same client. It was intended that the new system would go live on 30 March 2015. The new Mosaic system would interface with the Agresso system.

Under the new property contract, Vinci Mouchel would be implementing a new system – Concerto – on 1 April 2015, which will also be integrated with the Agresso system.

All new IT systems were in the final stages of testing.

The Committee was advised that there had been a large restructure of Commissioning, and there were still a few vacant posts to be filled. Commissioning Leads would be remaining in each department. Officers were looking with each commissioning area to improve contract management as there were a range of different contract management arrangements in place. Some arrangements worked well and some required improvement, there was a need to share best practice within the authority.

Members of the Committee were provided with the opportunity to ask questions to the officers present in relation to the information contained within the report, and some of the points raised during discussion included the following:

- It was acknowledged that all new staff transferring into the authority would be made aware of the whistleblowing and counter fraud policies;
- In relation to the new arrangements for a more robust 24/7 out of hours communications service, it was noted that an out of hours service had been in place for a number of years on a good will basis. More robust arrangements were being put in place;

- Regular meetings took place with the suppliers of the new IT systems to ensure that the accommodation was ready and that IT equipment would be available. HR was also working closely with the suppliers;
- There was time within the hand over process to get to know the staff and help them with the transition process into their new roles;
- The biggest risk was that the Agresso system or Mosaic system were not operational on time. This risk was being managed very closely in order to mitigate the risk;
- Departments would constantly have new IT requirements, such as office moves or legislative changes. Members were assured that the new systems would be able to meet these requirements as and when they arose.

### Environment and Economy

The Executive Director for Environment and Economy was in attendance to present the Combined Assurance report for Environment and Economy to the Committee. It was reported that the directorate's highest rated strategic risks were Resilience (Business Continuity) and Projects as with fewer people there would be a need to think differently as the organisation shrinks. There would be a need to build into the structures sufficient people who could cover the specialisms. Projects were a high profile risk, and the authority did not always get the result it wanted. This also carried a reputational risk.

### RESOLVED

That the Committee note the current status of the Executive Directors' assurance regime.

### 40 INTERNAL AUDIT PROGRESS REPORT TO 31 DECEMBER 2014

Consideration was given to a report which provided the Committee with an update on progress made against the Audit Plan 2014/15 and provided summaries of all audits completed within the period September to December 2014.

A progress update on the Agresso implementation was also provided by the Chief Information and Commissioning Officer as the project was moving so dynamically, and it was felt that this was an appropriate time to update the committee.

Members were advised that the project had now entered a very intense stage, as the project was in the second round of integration and system testing. This stage involved officers ensuring that the system did do what it was expected to do. It was noted that problems had been encountered in terms of resources, as it had been difficult to secure sufficiently experienced payroll staff to carry out the very high number of payroll tests which were necessary. Getting the payroll aspect right was a key activity. The first end to end test of the full payroll was due to be carried on the coming weeks, which would give a very good indication of whether the system was working correctly.

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Training for staff would be in a number of different formats, and a lot of it could be carried out online, for example time sheets, annual leave and placing orders. There would more detailed face to face training for staff using it in relation to HR and finance.

Members were provided with the opportunity to ask questions to the officers present in relation to the information presented and some of the issues raised during discussion included the following:

- It was explained that the User Acceptance Training (UAT) which was due to take place was an opportunity for the future users of the system to go through a set of tests and see whether the system works. If the system did not work as it should then that issue would be documented and addressed;
- The final sign off of the system would be at the end of June 2015;
- It was acknowledged that there were still risks with payroll, however, the absolute worst case scenario was that the March payroll would need to be re-run, meaning that people would be paid the same amount in April as they were in March. Any corrections would then be made as necessary by Serco;
- Members were assured by the Serco Partnership Director that Serco understood their responsibilities in relation to this contract;
- It was reported that all invoices in the old system would be paid by 31 March;
- Risks in terms of data protection were being well managed during this process;
- Very detailed plans were being developed for the transportation of the physical files. The Information Governance Team was closely involved in this process;
- It was requested that a further update on the Agresso and Mosaic implementation be brought to the March meeting of the Committee.

It was reported that 11 audits had been completed between September and December 2014, and there were 13 in progress. Members were advised that since the last progress report, there were two audits with an opinion of 'Major Improvement Required' which were substance mis-use and Contract management – provision of wheeled loading shovels. It was noted that the audit of contract management within Environment and Economy had resulted in a three way assurance split.

Simon Gladwin from Public Health was in attendance to answer questions from the Committee in relation to the Substance Misuse audit. It was reported that when the audit was carried out Public Health was in a process of transition, and there was a governance process in place to govern the joint partnership group.

In relation to misuse services, it was reported that the Joint Commissioning Group (JCG) had now been disbanded and a new delivery group was being developed and a Strategy Co-ordinator had been employed.

There were issues around the Terms of Reference, and this was the only area not completed. However, they were being reviewed and revised to remove the JCG and replace with the new delivery group.

In relation to the performance targets, there was some very detailed reports and very specific reports being produced, and there was still exception reporting taking place.

In terms of the audit of Contract Management in Environment and Economy, it was reported that an update had been provided from Environmental Services. It was reported that this was a five year contract and was worth £800,000. Management had provided assurance that the actions relating to procurement had been implemented. It was also noted that the usage of the loading shovels was expected to increase from 1 April 2015 with the increased use of the Waste Transfer Stations due to the new countywide recycling contract.

Members were advised that it was right for them to challenge when audits had been cancelled, but were reminded that the Committee did not direct the work of internal audit. However, the Committee needed to be comfortable that there was a reasonable reason why an audit had been deferred or cancelled, so there may be a need for more rationale to be included in the report on these occasions.

#### RESOLVED

That the outcomes of the Internal Audit work be noted.

#### 41 FUTURE WORKING BETWEEN OVERVIEW AND SCRUTINY AND AUDIT

Consideration was given to a report which provided the Committee with the opportunity to consider the role of Overview and Scrutiny at Lincolnshire County Council and how the Audit Committee and Overview and Scrutiny function might work together in the future. Members were advised that it was felt that there could be some value in working more closely together, but whilst still respecting the boundaries of the committees.

Members were provided with an opportunity to ask questions to the officers present in relation to the information contained within the report and some of the points raised during discussion included the following:

- Members were cautious about rushing into anything and it was queried whether there was a possibility of an overlap of the business of Audit and scrutiny;
- The independent added member of the committee commented that they were not sure if there was any overlap, but thought it would be useful to see the Terms of Reference for both the scrutiny committees and the Audit Committee, and it would need to be known whether there was any overlap;
- It was noted that there was a separation between governance and assurance and quality and performance, and it was important that members were able to explore all issues;
- Members of Scrutiny Committees were kept informed of the discussions of the Audit Committee through the visibility of the work programme, the minutes of the meetings and officers;
- There was a need to build an understanding of each others roles and the conversations taking place;

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- One issue to be addressed was how could the audit committee get assurance that the scrutiny function was working effectively?
- Suggestions on how assurance arrangements could be improved could be included within the Annual Governance Statement;
- It was not appropriate for Audit Committee to set recommendations for other bodies;
- It was good practice to bring officers to the audit committee when limited assurance was reported;
- It was important to make best use of resources;
- It was important that appropriate information was provided to members when they were making decisions or recommendations;
- There was a need for caution in that the Audit Committee did not become involved in the governance process, for example examining recommendations;
- It was suggested that Democratic Services examine the Terms of Reference for the three committees which were most likely to overlap – the Audit Committee, Overview and Scrutiny Management Committee and Value for Money Scrutiny Committee;
- There was a need for a further discussion regarding the number of scrutiny committees and their roles and whether there was a need for this to change;
- It was important that the informal governance processes worked properly;
- The questions for the Audit Committee were whether the risks were being managed and what boundaries were being worked within, and were the systems and processes supporting the governance framework.

It was suggested that further informal discussions on this issue take place during the Committee's training session which was scheduled for 30 March 2015.

**RESOLVED**

1. That the role of Overview and Scrutiny at Lincolnshire County Council be noted;
2. That how the Audit Committee and Overview and Scrutiny Function might co-operate further be discussed during the Committee Training scheduled for 30 March 2015.

**42      EXTERNAL AUDIT PROGRESS REPORT**

Consideration was given to a report from the Council's External Auditors, KPMG, which provided the Committee with an update on the 2014/15 deliverables.

The Members of the Committee were guided through the report, and the following points were highlighted:

- KPMG's detailed audit plan would be presented to the Committee in March 2015, and would highlight the key risks to their audit at the planning stage. A significant area of focus would continue to be the work required to give the audit opinion on the accounts for the Authority and Pension Fund;
- The proposed audit fee remained the same as that notified to the authority in April 2014, which was £143,100 for the Council's audit and £24,350 for the

Pension Fund. The amount of this fee would be confirmed in the Audit Plan presented at the March meeting;

- The Independent Accountant's 'Reasonableness Assurance Report' in relation to the Teachers' Pensions 2013/14 return was issued in December 2014. This work was agreed as a separate audit as the return no longer falls within the Audit Commission's Grant Certification Regime. The fee for this work was £3,000;

Queries were raised regarding the new Pension Boards which were to be set up and it was noted that they would report to the Pensions Committee. It was commented that when carrying out audit work there was a need to have regard for the work of the Pensions Committee.

RESOLVED

That the content of the progress report be noted.

#### 43     WORK PLAN

Consideration was given to a report which provided the Committee with information relevant to the core assurance activities scheduled for the 2014/15 work plan.

It was agreed that the following be added to the work plan:

- Wider assurance around the organisational learning action plan in relation to the Libraries Review;
- Further assurance regarding the Agresso and Mosaic IT systems;

The meeting closed at 2.30 pm

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## AUDIT COMMITTEE 30 MARCH 2015

### **PRESENT: COUNCILLOR MRS S RAWLINS (CHAIRMAN)**

Councillors Mrs E J Sneath (Vice-Chairman), N I Jackson, Miss F E E Ransome, S M Tweedale, W S Webb and P Wood

Also in attendance: Mr P D Finch (Independent Added Person)

Councillors: P M Dilks, J D Hough and S L W Palmer attended the meeting as observers

Officers in attendance:-

David Forbes (County Finance Officer), Judith Hetherington Smith (Chief Information and Commissioning Officer), Pete Moore (Executive Director of Finance and Public Protection), Claire Pemberton (Assistant Head of Finance), Lucy Pledge (Audit and Risk Manager), Richard Wills (Executive Director for Environment and Economy) and Rachel Wilson (Democratic Services Officer)

#### 44 APOLOGIES FOR ABSENCE

There were no apologies for absence.

#### 45 DECLARATION OF MEMBERS' INTERESTS

There were no declarations of interest at this point in the meeting.

#### 46 MINUTES OF THE MEETING HELD ON 26 JANUARY 2015

#### RESOLVED

That the minutes of the meeting held on 26 January 2015 be signed by the Chairman as a correct record.

#### 47 INTERNAL AUDIT REPORT - ORGANISATIONAL LEARNING - LIBRARIES PROJECT - ACTION PLAN

The Committee received a report which outlined the action to be taken to strengthen the Council's governance and assurance arrangements following the request that the Corporate Management Team consider and develop a management response to the findings and suggested improvements arising from the Internal Audit of the Libraries Project.

It was noted that the Internal Audit review of the Libraries was considered by the Committee at its last meeting on 26 January 2015. The audit was commissioned following the outcome of the Judicial Review around the lawfulness of the Council's decision making process to reduce the Library services within Lincolnshire.

The action plan which had been produced and presented to the Committee for consideration addressed the key areas of suggested improvement which included the assessment of options appraisals; an enhanced project monitoring process by Corporate Management Board on key or high risk projects/programmes; and review of scrutiny in light of the Council Motion in February 2015.

Richard Wills, Executive Director Environment and Economy was in attendance at the meeting to answer any questions from the Committee in relation to the information contained within the report and some of the points raised during discussion included the following:

- During pre-discussions of reports at scrutiny committees, there was a need to think about the particular issues contained in complex report;
- The review of scrutiny was a result of a motion to Council;
- Where there were complex issues to be discussed by Scrutiny Committees, it was suggested that it would be beneficial to have a time table in place from the beginning in order to schedule in the opportunity for good scrutiny;
- Some of the information included in large reports, could instead be presented as background information;
- Members were reminded that the Council's Rules of Debate were contained within the Constitution;
- Members were informed that as a result of the Scrutiny Committee held on 27 January 2015, the Monitoring Officer did receive four complaints. The complaints were not upheld, but three issues which were considered to have validity were highlighted as follows:
  1. The timing of scrutiny needed some broad consideration. In the case of the Libraries project, it may have been beneficial to have had a bigger discussion one or two years earlier. There would be two questions for the Scrutiny Review to address. Firstly, how could open developmental scrutiny be timetabled? Secondly, did the Council have the correct balance between proactive developmental scrutiny and pre-decision scrutiny;
  2. Conduct of the Committee – it was reported that it was not illegal for 'whipping' to take place in scrutiny committees, and it was up to members to decide how they wanted to conduct the meeting, but should there be a presumption against whipping? It was thought that generally, scrutiny did not appear to be whipped, as members tended to say what they wanted to depending on what they believed;
  3. The role of officers in supporting scrutiny – the role of local government officers was to serve the council as a whole in all its activities. Recently, more officer time was being spent dealing with the outcomes of decisions made by the Executive and it needed to be queried whether the same quality of advice was being given to scrutiny. How should scrutiny processes be supported by officers to ensure that the

council had good scrutiny, as good scrutiny would lead to better decisions;

- It was commented that in general terms members were not made aware in good time of decisions which were likely to come up. The old-style Policy Development Groups (PDG's) were referenced, as it was thought that they provided an opportunity to field any concerns that arose. It was commented that PDG's were an extra tier in the decision making process, and it was thought that they had worked well;
- It was queried what assurance could be given that the same situation would not occur again? Members were advised that assurance could not be given that another Judicial Review would not take place, however, the suggested improvements from the Internal Audit report were being implemented, lessons were being learned and a lot of work was in progress on the scrutiny side. Positive assurances were being received from the Director and there was an acknowledgement that lessons did need to be learned, and it would be role of the Audit Committee to track the actions;
- It was noted that the management response from Dr Tony Hill, Executive Director of Community Wellbeing and Public Health had been included, which explained some of the actions which had been taken which were specific to the library service;
- Issues around scrutiny had been raised by the internal audit report. To some extent this came down to how members carried out scrutiny;
- A lot of councillor development had been carried out since the election, when almost half of the councillors elected were new to the Council;
- The Review of Scrutiny which had commenced recently would allow councillors to set out how they wanted to do scrutiny in the future;
- The vast majority of decisions would not require the council to go out to public consultation;
- It was felt that some of the management responses in the action plan needed to be firmed up;
- If alternative proposals were submitted during a public consultation, it was right that they should have some evaluation. However, there were risks in deciding whether to consider alternatives from a public consultation. It was important that nothing should be put to the public, that could not be delivered;
- In terms of assessments for projects, was the authority open to acknowledging when it did not have the necessary specialised skills and would seek those skills externally early enough;
- It was set out in the internal audit report, that if legal advice had been sought earlier in the process then different decisions may have been taken;
- One of the concerns of the Corporate Management Board was that the authority would not be able to afford to employ as many specialists in the future. However, the Committee was advised that in the future the more cost effective option could be to buy in that expertise when needed;
- It was very difficult to take account of local issues when consulting on a global decision. However, it was important to gather local views to get an idea of what mattered locally. Local knowledge needed to be valued and this was where scrutiny could be really useful;
- If all scrutiny was done in a formal way, some of the benefits could be lost;

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- In terms of the reporting back of the Scrutiny Review group, it was thought that as it was created through a council motion, it would report back to the Full Council. However, it was commented that it may be helpful for the Audit Committee and Overview and Scrutiny Management Committee to receive some early feedback;
- It was suggested that it may also be useful for the Review Group to examine consultations that had worked well and what could be learned from them.

#### RESOLVED

1. That the Audit Committee accept the response from Dr Tony Hill on the Library Service actions; and
2. That the Action Plan from the Corporate Management Board be received.

#### 48 EXTERNAL AUDIT PLAN - 2014/15

Consideration was given to a report which described how External Audit would deliver their Financial Statement 2014/15 work for the Council.

Members of the Committee were guided through the report by the External Auditors, and some of the points highlighted included the following:

- The Audit Commission would close on 31 March 2015. However, external audit responsibilities under the Audit Commission Act 1998 and the Code of Audit Practice in respect of the 2014/15 financial year remain unchanged;
- The overall audit approach remained similar to the previous year with no fundamental changes. The work would be carried out in four stages, and the timings for these, and specifically the on-site work, had been agreed with management;
- The Authority was changing its pensions administration arrangements from April 2015, with West Yorkshire Pension Fund taking over from Mouchel;
- Following the initial risk assessment for the VfM conclusion, a significant risk was identified in relation to the major procurement exercises for the Future Delivery of Support Services project, to re-award the authority's contracts for Corporate Support Services and property services, which would be supplied by new providers and five year contracts would become live from 1 April 2015. The External Auditors were satisfied that arrangements were in place to manage this risk;

Members were provided with the opportunity to ask questions to the officers present in relation to the information contained within the report, and some of the points raised during discussion included the following:

- The regulations for the new Pensions Boards had not yet been released. It was noted that if issues were raised with these Boards, they would be able to raise objections either to Full Council or the Pensions Regulator;
- Since 2010, the role of External Audit has been to check that adequate arrangements were in place to manage risk. It was noted that nothing had

been seen which caused a concern in relation to the adequacy of arrangements in place;

- In relation to managing risk, there were three lines of defence – the frontline staff, management, and finally internal and external audit;
- There was a need to acknowledge that there would be risks if the authority started doing things differently. There was a need to be aware of what these risks were, but the Council should not be risk averse;

RESOLVED

That the External Audit plan be noted.

49     DRAFT INTERNAL AUDIT PLAN 2015/16

Consideration was given to a report which presented the draft Internal Audit Plan for 2015/16 to the Committee. Members were advised that a slightly different approach had been taken this year, to enable the internal audit team to be more responsive.

Members of the Committee were provided with the opportunity to ask questions to the officers present in relation to the information contained within the report, and some of the points raised during discussion included the following:

- It was queried whether the Internal Audit Team faced any particular risks such as gaps in resources or capacity issues? Members were advised that this would be a transitional year for Internal Audit, and the Combined Assurance Model helped to ensure that the Head of Internal Audit could provide an annual opinion. There was a risk register in place, however, it was not yet fully populated;
- With the move to Agresso, it would generally not be possible for invoices to be paid unless an order had been placed;
- The authority had been assessed as 'low risk' by HMRC in terms of tax and NI compliance matters;
- In terms of ICT disaster recovery, it was promised that systems would be put in place by the new provider, however, this was a gradual process which could take between 12- 18 months to transfer the data across. It was noted that Agresso would be transferred immediately to the remote data centre;
- It was clarified that the total budget for Audit and Risk Management was approximately £1million, and that £551,000 was net budget for LCC;
- It was noted that the National Audit Office would be carrying out work to look at financial resilience in the public sector. It had been suggested that Lincolnshire Fire and Rescue could be used as one of the case studies;
- The outcomes of any inspections would be included as part of the combined assurance reporting;

RESOLVED

That the Audit Plan for 2015/16 be agreed.

50 COUNTER FRAUD AND INVESTIGATIONS WORK PLAN 2015/16

The Committee received a report which set out the Council's draft Counter Fraud Plan for 2015/16. Members were advised that in response to central's government's expectations for tackling fraud and corruption, the authority aimed to continue to focus on prevention, detection, and investigation work.

It was noted that during 2014, CIPFA issued a Counter Fraud Code of Practice which set out the good practice on managing the risk of fraud and corruption. The key principles of the code covered acknowledging responsibility; identify risks; develop a strategy; provide resources; take action. It was felt that the authority was generally compliant with the Code but officers would review their activities against the new Code.

Members were advised that the authority would continue to use its data analytics expertise to enhance analysis of fraud and error testing across key financial systems, as well as carrying out discrete pieces of work in areas carrying a higher fraud risk.

The authority was the Accountable Body for Lincolnshire Counter Fraud Partnership and was allocated £200,000 from central government to assist and improve how Lincolnshire local authorities worked together to tackle high risk areas of corporate fraud. It was reported that the last few months had focussed on setting up the project management arrangements and recruiting resources to support delivery of the work plan. Most of the planned work was scheduled for 2015/6 with progress and delivery being monitored by the Chief Finance Officer Group.

Members of the Committee were provided with the opportunity to ask questions to the officers present in relation to the information contained within the report and some of the points raised during discussion included the following:

- With the reduction in police numbers, it was queried whether they would be able to maintain the same level of assistance in terms of investigating suspected fraud?
- Officers were developing a protocol with Safeguarding and Adult Care teams to tackle fraud such as financial abuse of vulnerable adults;
- There had been a reduction days to 585 days. It was noted that whilst there had been a reduction in the Plan the authority had received a £200,000 grant to help to continue the work;
- It was noted that if district councils wanted specific advice from Internal Audit, they would need to pay for it, but if the advice came through the Partnership, it would be covered by the £200,000;
- Some of the key risks which faced the Council included procurement and contracts, as they were two areas where it was difficult to carry out proactive work. However, officers were working closely with the contract leads to build up intelligence. A particular barrier was that providers may be reluctant to provide the necessary information;
- The Executive and Corporate Management Board were very supportive of the work of the team. Referrals were made from managers where there were suspected irregularities.

RESOLVED

That the Counter Fraud Work Plan for 2015/16 be approved.

51     INTERNAL AUDIT PROGRESS REPORT TO 18 MARCH 2015

Consideration was given to a report which provided the Committee with an update on progress made against the Audit Plan 2014/15 and provided summaries of all audits completed within the period 1 January to 18 March 2015.

It was reported that good progress had been made in this quarter, and during this period Internal Audit had completed 16 County audits, 6 to final report and 10 to draft report stage, almost all of the key financial control testing and a further 4 school audits. Additional work in the following areas had also been completed – Fire and Rescue Control Centre Projects (draft report stage); Families Working Together Grant – 2014/15 Quarter 4 claim sign off; and three independent investigations. Overall, 93% of the plan had been completed.

It was reported that there still two auditors advising and supporting the Agresso implementation project. Highlight reports had been presented periodically to the S151 officer and Project Board.

The Committee was advised that there were 11 audits in progress in addition to the final key financial control testing. 35 Academy visits had also been carried out to date, in accordance with their agreements.

It was noted that two audits had been reported with an opinion of 'Major improvement required' which were the Corporate Landlord Project and Information Governance. Officers were in attendance in order to answer questions from the Committee in relation to these two audits.

Corporate Landlord Project

Jane Mason (Property Manager, Strategy) was in attendance for this item to provide an update on work which had taken place since the audit and to answer any questions from the Committee.

It was reported that this project had a built in review point at the end of year one and Corporate Property managers requested that internal audit carry out a review at this point, before phase 2 commenced. It was also noted that this audit was timed to coincide with the start of the Vinci Mouchel contract on 1 April 2015.

Members were informed that there was now transparency in the project and it was successful. There were good systems in place where officers could have an overview of all the property commissioning activity. There would be a property service centre, which would be a single point of contact for all property services and commissioning.

It was found that there was a lack of project governance, but the principles of corporate property were built into the new contract and all workstream plans.

Members were provided with the opportunity to ask questions to the officers present in relation to the information contained within the report and some of the points raised during discussion included the following:

- More details in relation to how the property service centre would work were requested. It was reported that there would be a help desk to report repairs etc., work could be commissioned directly to Mouchel. There would be strong links with the commissioning team for any procurement which needed to take place;
- It was noted that there was a lot of competing activity during the first year of this project, including a restructure of the Corporate Property Team, but it was believed that was now a more comprehensive team for each aspect of the project;
- The new Vinci Mouchel contract would enhance the service;
- There were a large number of property projects which were taking place in parallel which needed to be prioritised, and this number had been underestimated;
- It was queried whether officers were confident that as the project moved onto the second year that the governance arrangements had been adequately reviewed and focused on;
- Internal audit had been asked to go back and look at the governance as a whole;
- It was commented that this had been a gateway review of the project, and the project had only been in place for one year and therefore it would not have been appropriate to carry out this audit any sooner;
- Major projects were reported quarterly to the Value for Money Scrutiny Committee. All projects would be on its radar and would be RAG rated;
- The Corporate Landlord project was agreed in 2014 and was an important piece of work which needed to be done, but it would not necessarily have been put high up on the risk register;

#### Information Governance Breaches

It was reported that the management response had been produced recently, and a more detailed report would be brought to the next meeting of the Audit Committee in June.

The Chief Information and Commissioning Officer was in attendance to present the report and answer any questions from the Committee. Members were advised that there were a lot of issues around the accidental sharing of e-mail, however, a lot of training was taking place to tackle this. The training method was also being reviewed in order to make it easier for staff to engage with it. It had been difficult to know how many staff had done the training, but there would be better monitoring once Agresso was operational.

It was noted that there had been a lot of breaches identified. However, the ICO had worked well with the authority and LCC had not received any fines.

It was queried whether there was a need for refresh training in relation to information governance for councillors and if this issue should be highlighted to the Councillor Development Group.

Members queried what a principle 7 incident was, and officers agreed to clarify this after the meeting.

RESOLVED

That the outcomes of the Internal Audit work be noted.

52     COUNTER FRAUD PROGRESS REPORT TO 28 FEBRUARY 2015

The Committee received a report which provided an update on the authority's fraud investigation activities and information on progress made against the Counter Fraud Work Plan 2014/15.

Members were advised that 15 fraud referrals had been received since April 2014 and seven cases had been concluded. There had been one successful prosecution since the last progress report, which related to an employee's misuse of a lease vehicle.

The Committee was guided through the report, and some of the points highlighted during discussion of the report included the following:

- Presentations had been made to the Council's Adult Safeguarding Team, which had been well received and officers continued to receive regular referrals as well as requests for advice around potential fraud and financial abuse;
- Large volumes of Council data in 8 key areas of business had been submitted for the purposes of the National Fraud Initiative. The Audit Commission had now returned over 16000 data matches and work had commenced on the reports containing the highest fraud risks which included personal budgets, private residential care homes and pensions;
- The Team was nearing the end of a pro-active fraud exercise on the Council's payroll transactions, which focussed on honoraria, overtime and other ad-hoc payments. The Counter Fraud and Investigation Team used data analysis to identify outliers, unusual patterns or individual transactions for validation and/or investigation. This was now at draft report stage;
- A planned pro-active exercise on Contracts would now take place in 2015/16. Investigation demand and increased due diligence commitments, especially around the Agresso project, had caused the slippage;
- There were currently 9 live cases – 2 of which were currently with the police. It was unlikely that the remaining 7 cases would result in a Police referral;
- Training sessions had been delivered with the view to improving responses to procurement and contract fraud. Officers were working closely with the Council's Communications Team. This work would continue into 2015;

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- No fraud had been identified during the payroll proactive exercise;
- Following an investigation, if a need for organisational learning was identified, an action plan would be produced – action taken would be tracked in the same way as audit recommendations.

RESOLVED

That the outcomes of the counter fraud work be noted.

53 INTERNATIONAL AUDIT STANDARD - RESPONSE TO MANAGEMENT PROCESSES QUESTIONS

Consideration was given to a report which provided the Committee with an assessment around whether the County Council and Pension Fund Financial Statements may be mis-stated due to fraud or error. Members were advised that the Council was assessed as low risk that the financial statements may be materially mis-stated due to fraud or error.

It was reported that a material mis-statement for the Authority's accounts in 2014/15 was around £20m and £17m for Pension Fund accounts.

RESOLVED

That the Committee consider that the assessment accurately reflected the Council's management processes to minimise the risk of fraud or error in the County Council and Pension Fund financial statements.

54 RISK MANAGEMENT PROGRESS REPORT - MARCH 2015

Consideration was given to a report which would assist the Committee in fulfilling their role to gain assurance that the Council was effectively managing its key risks and had good risk management systems and processes in place that enable decision makers to understand the level of risk being taken and the level that the Council was prepared to accept. The report provided an update on how well the Council's biggest risks were being managed as well as reporting on the progress made in assisting the Council to adapt and change the way it 'thinks' about risk.

It was reported that there was a medium to high level of confidence that the risks were being managed well.

Members were provided with an opportunity to ask questions to the officers present in relation to the information contained within the report, and some of the points raised during discussion included the following:

- It was considered important that the risk register was in line with the business plan;
- The monitoring of the risk register was a continuous process;

- It was queried what assurance could be given in light of the serious case reviews which had taken place? Members were advised that the Executive Director for Children's Services had given assurance to the Corporate Management Board and the Scrutiny Committee that processes were in place. It was also noted that the recent Ofsted inspection of safeguarding had returned a rating of good;
- The Public Protection Board cut across various organisations and had been also been reviewing the area of safeguarding;
- It would be possible to track money spent on training through Agresso;
- It was queried whether risks around consultation be included in the risk register, but Members were advised that this would be included as part of the project risk register.

RESOLVED

That the Audit Committee note the current status of the strategic risks facing the Council.

55     STATEMENT OF ACCOUNTS 2014/15

Consideration was given to a report which summarised the changes to the Code of Practice on Local Authority Accounting which would be incorporated into the 2014/5 Statement of Accounts, the review of the Council's Statement of Accounts for de-cluttering as well as a review of the Council's Accounting Policies.

The Committee was guided through the report, and it was noted that KPMG, the Council's external auditors, were broadly supportive of the proposals.

RESOLVED

1. That the changes required to the Council's Statement of Accounts from the Code of Practice 2014/15 be noted;
2. That the notes to be removed from the 2014/15 Statement of Accounts be approved;
3. That the Statement of Accounting Polices (set out in Appendix A to the report) for use in the preparing the Council's accounts for the financial year ending 31 March 2015 be approved.

56     AGRESSO IMPLEMENTATION UPDATE

The Committee received a verbal update from the Chief Information and Commissioning Officer in relation to the implementation of Agresso. Members were informed that there was still a lot of work going on but a lot of progress had been made. However, everything had not yet been fully tested and signed off. In relation to payroll, it was noted that it had not been possible to do a clear parallel run test. Each time this had been attempted there had been a need to manipulate the data from SAP. Work was ongoing to correct this data, and the system would be run again later in the day.

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It was reported that this ability for Agresso to go live on 1 April 2015 was looking strong, but there would be some small areas of additional work required, but nothing that should affect the go live date. There would be some work to do on some of the interfaces.

In terms of the situation with the payroll, there would be an option to re-run the BACS tapes from March to ensure that everyone would be paid in April. However, it was commented that this would not be the preferred option as everyone's pay would be wrong due to the change in tax codes.

When Agresso went live it would be able to be used for HR, and staff would be able to update their details, and enter invoices and orders. Currently, it was mainly payroll which was causing an issue.

It was noted that the cost of putting the issues right was Serco's liability. Overall, it was thought that there would be some areas which would need to be corrected, but this would be manageable. The final decision on whether the system was ready to go live on 1 April 2015 would be made in the afternoon of 31 March. The decision in relation to payroll would be made in the middle of April.

RESOLVED

That the update be noted.

**57**     CASE MANAGEMENT SYSTEM (MOAIC) IMPLEMENTATION

The Committee received a verbal update from the Chief Information and Commissioning Officer in relation to the Case Management System (Mosaic) implementation. Members were advised that the go live date for Mosaic had been postponed as testing data migrations had not been successful to date. There was data from 17 different systems which needed to be migrated. It was thought that the go live date was now likely to be in July 2015.

Members were advised that payments which were linked with SAP such as the Abacus system for payments for adult care and payments of invoices, would be linked to Agresso so that the payments would continue to be made.

It was noted that an update on the implementation of the Mosaic system would be brought to the next meeting of the Audit Committee.

RESOLVED

1. That the update be noted;
2. That an update on the implementation of the Mosaic system be brought to the next meeting of the Audit Committee.

58     WORK PLAN

Consideration was given to a report which provided the Committee with information relevant to the core assurance activities currently scheduled for the 2014/15 work plan.

Members were advised that this was the last meeting where work had been programmed into the work plan, and any areas of assurance that the Committee felt should be considered would be picked up in the informal afternoon session that would follow this meeting.

It was noted that an update on the Library Service Action Plan was requested for the June meeting.

RESOLVED

That the Audit Committee's work plan be amended and updated following the informal afternoon session of the Committee.

The meeting closed at 1.05 pm

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**PLANNING AND REGULATION  
COMMITTEE  
16 FEBRUARY 2015**

**PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)**

Councillors D McNally (Vice-Chairman), D Brailsford, G J Ellis, D C Hoyes MBE, D M Hunter-Clarke, M S Jones, Ms T Keywood-Wainwright, N H Pepper, Mrs H N J Powell, Mrs J M Renshaw, C L Strange, T M Trollope-Bellew and W S Webb

Councillors Mrs J Brockway, C J Davie and R L Foulkes attended the meeting as local Members and Councillor C J Davie attended the meeting as an observer

Officers in attendance:-

Steve Blagg (Democratic Services Officer), Alan Brown (Area Highways Manager), Kevin Brumfield (Area Highways Manager), Nurainatta Katevu (Solicitor, Legal Services), Paul Little (Network Manager North), Neil McBride (Development Manager) and Satish Shah (Network Manager South)

**95     APOLOGIES/REPLACEMENT MEMBERS**

An apology for absence was received from Councillor J W Beaver.

**96     DECLARATIONS OF MEMBERS' INTERESTS/REPLACEMENT MEMBERS**

It was noted that all members of the Committee had been lobbied on this report (Minute 102).

Councillor Mrs J M Renshaw requested that a note should be made in the minutes that her granddaughter attended Ling Moor Primary Academy detailed in the report (minute 101).

Councillor C L Strange requested that a note should be made in the minutes that he was the Vice-Chairman of the Wold's Area of Outstanding Natural Beauty Advisory Committee (minute 103).

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97 MINUTES

- 97a Minutes of the previous meeting of the Planning and Regulation Committee held on 12 January 2015

RESOLVED

That the minutes of the previous meeting of the Planning and Regulation Committee held on 12 January 2015, be agreed as a correct record and signed by the Chairman.

- 97b Minutes of the Site Visit to Sheepmarket, Stamford held on 6 February 2015 - Proposed Zebra Crossing Installation and Removal of Parking Order

RESOLVED

That the minutes of the site visit to Sheepmarket, Stamford on 6 February 2015, be agreed as a correct record subject to the addition of the words "one of" after the word "and" in paragraph three. (minute 2).

98 TRAFFIC ITEMS

99 STAMFORD - SHEEPMARKET PROPOSED ZEBRA CROSSING INSTALLATION AND REMOVAL OF PARKING ORDER

(NOTE: Only those members of the Committee who had attended the site visit to Sheepmarket on 6 February 2015, were able to debate and vote on this item, namely:- Councillors D Brailsford, G J Ellis, I G Fleetwood, D M Hunter-Clarke, T Keywood-Wainwright, D McNally, N H Pepper, Mrs H N J Powell, Mrs J Renshaw, T M Trollope-Bellew and W S Webb. Councillor R L Faulkes, who had attended the site visit, was permitted to speak as a local Member).

The Committee received a report in connection with the outcome of consultations on a scheme to improve pedestrian facilities in the Castle Dyke/Sheepmarket area of Stamford. The proposal would remove approximately six parking bays on Castle Dyke to allow the footway to be widened and would provide a pedestrian crossing on Sheepmarket.

The report outlined the detail of the proposals, the objections received and the comments of officers on the objections.

Councillor R K Faulkes, a local Member, stated that he had conducted a poll in his electoral Division and stated that while there was support for the crossing facility from disabled people there was less support from able bodied people who thought that the money could be better spent on other areas; that concern had been expressed about the loss of parking on Castle Dyke and that the proposals would spoil the character of the Eleanor Cross which had been erected as part of the Gateway project.

Comments made by the Committee included:-

1. The crossing was needed because of the footfall coming from the Meadows area.
2. The opportunity should have been taken ten year ago to install a crossing when the Gateway project was started.
3. The Gateway project had removed twenty five car park places and therefore it seemed unusual for objectors to complain about the removal of six car park places on Castle Dyke.
4. The Eleanor Cross was unusual in its design.
5. There were vacant disabled parking bays and other parking bays in the Sheepmarket so it was difficult to understand the objections about loss of parking.
6. People did not want to lose on-street parking and did not want to pay for car parking.
7. The area proposed for the crossing was used by tourists visiting Stamford.
8. The proposals would widen the footpath on Castle Gate which was currently too narrow for pedestrians and for wheel/pushchairs.

On a motion by Councillor T M Trollope-Bellew, seconded by Councillor D Brailsford, it was –

RESOLVED (10 votes for, 0 votes against and 1 abstention)

That the Committee support the proposed Order for the installation of a zebra crossing and the removal of the Parking Order at Sheepmarket/Castle Gate, Stamford.

100     INNS CLOSE, NORTH HYKEHAM - PROPOSED PARKING RESTRICTIONS

The Committee received a report on objections and comments received in connection with proposed parking restrictions in Inns Close, North Hykeham

The report outlined details of the proposal, objections received and the comments of officers on the objections.

1. Parking was an issue outside every school in the country and was worse during the start and finish of the school day.
2. Parents drove their children to school and if they were not allowed to park near the school then they would park in the vicinity.
3. Should the proposal be permitted then similar requests should be allowed.
4. The issue was irresponsible motorists who blocked residents' drives and enforcement was needed.
5. The Council was a corporate parent and had a duty of safety to children.

On a motion by Councillor M S Jones, seconded by Councillor Mrs H N J Powell, it was –

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**PLANNING AND REGULATION COMMITTEE  
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RESOLVED (8 votes for, 1 vote against and 4 abstentions)

That the objections be upheld and that the proposals not be introduced as advertised.

101 NETTLEHAM VILLAGE CENTRE - PROPOSED PARKING  
RESTRICTIONS

The Committee received a report in connection with objections and comments received in connection with proposed parking restrictions in Nettleham Village centre.

The report outlined details of the consultations, objections received and the comments of officers on the objections.

Comments made by Councillor Mrs J Brockway, the local Member, included:-

1. Consultation on the proposals by officers and the Parish Council had been thorough.
2. Most residents were unaffected by the proposals.
3. Parking was chaotic in the area proposed for the parking restrictions and motorists were parking on the pavement.
4. Particular concern expressed in connection with the problems experienced by a resident of The Green.
5. Parking problems caused by HCVs on The Green.
6. A resident of The Green had an electric car which needed to be kept charged and therefore needed to access and egress his driveway.
7. Concern about the parents of children not being able to park and accompany their children to the Scout Hut on Vicarage Lane.
8. Peoples' health could be made worse if the proposals were implemented.
9. Supported a site visit by the Committee.

Comments made by the Committee included:-

1. There was a car park behind the Co-op, owned by the Co-op, which could be used by the public.
2. This was a complex issue and a site visit was supported.
3. The public needed access to local facilities and the introduction of any restrictions could prevent this happening.
4. Problems caused by environmental pollution.

Officers stated that the Parish Council felt strongly about the obstructions caused by irresponsible parking in the centre of the village and particularly by some motorists parking all day. It was proposed to introduce a two hour waiting limit for vehicles and added that the Co-op had stated that they experienced problems with motorists parking all day in their car park.

On a motion by Councillor W S Webb, seconded by Councillor Mrs H N J Powell, it was –

RESOLVED

That consideration of the proposals be deferred pending a site visit.

(Note: Councillors M S Jones and T Keywood-Wainwright left the meeting).

102     COUNTY MATTER PLANNING APPLICATION

103     TEMPORARY PLANNING PERMISSION FOR THE CONSTRUCTION OF A NEW ACCESS TRACK, TEMPORARY WELL SITE, WITH ASSOCIATED PORTABLE CABINS FOR THE STORAGE OF EQUIPMENT AND FOR STAFF OFFICE ACCOMMODATION, THE DRILLING OF AN EXPLORATORY BORE HOLE, UNDERTAKING OF PRODUCTION TESTS FOR CONVENTIONAL HYDROCARBONS AND RETAINING THE SITE AND WELLHEAD VALVE ASSEMBLY GEAR FOR EVALUATION AT LAND OFF HIGH STREET, BISCATHORPE - EGDON RESOURCES UK LTD - (E)N59/2259/14

(NOTE: Councillor T Keywood-Wainwright returned to the meeting.

Councillor C L Strange requested that a note should be made in the minutes that he was the Vice-Chairman of the Wold's Area of Outstanding Natural Beauty Advisory Committee (AONB)).

Nicola Traverse-Healy, on behalf of the applicant, commented as follows:-

1. The application was temporary.
2. It was not proposed to prospect for shale gas by means of fracking.
3. She explained the geological conditions.
4. She recognised the impact a drilling rig could have but added that it would only be for a short duration and when bunding was in place the view of the rig would be reduced.
5. The company had a good relationship with the local community.
6. The correct geological conditions were not appropriate to permit drilling from another nearby site.
7. The company had held a public exhibition of its proposals and the feedback from the local community had not been adverse.
8. The conditions of the National Planning Policy Framework were met as exceptional conditions existed to permit this application to proceed.

Nicola Traverse-Healy responded to questions from the Committee, stating that she was unaware of the agricultural grade of the land on which it was proposed to drill and explained that seismic research had indicated the possibility of hydro-carbons in the area.

Comments made by the Committee included:-

1. Concerns about the grading of the agricultural land on which it was proposed to drill for hydro-carbons, therefore, a survey was needed.

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### PLANNING AND REGULATION COMMITTEE

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2. East Lindsey District Council had raised concerns about the potential noise levels in the area and that the Wold's AONB Advisory Committee had also stated that the settlement of Burgh on Bain was nearby.
3. The landscape in the area was special and needed to be protected and if the area was in a National Park it would be protected.
4. There would be constant noise from the application site.
5. The photographs accompanying the application did not reflect the landscape and beauty of the area.
6. The long term effects of the application on the Wold's AONB needed to be explained.
7. There was a need for a habitat survey as there was a need to protect the ecology of the area.
8. Noise from the site would be minimal due to its location.
9. The Belmont communications mast was located in the area and was prominent.
10. Preliminary exploration would be of a short duration and if no hydro-carbons were found then it would be returned to agricultural use.
11. Similar oil wells already existed in Lincolnshire.

In response, officers confirmed that the application had been screened as part of the Environmental Impact Assessment Regulations. The screening assessment concluded that the proposal was not development which required an Environmental Statement to be submitted. Officers confirmed that a desk based assessment had confirmed the agricultural quality of the land was Grade 3. It was not possible to determine from this desk based assessment if the land was Grade 3a or 3b.

A motion by Councillor D C Hoyes, seconded by Councillor T M Trollope-Bellew, was proposed.

Following further discussion, an amendment was moved by Councillor C L Strange, seconded by Councillor Mrs H N J Powell, that the application should be deferred pending a site visit, was agreed by six votes for and five votes against. This then became the substantive motion.

The substantive motion on being put to the vote, it was -

RESOLVED (6 votes for 5 against)

(a) That the planning application be deferred pending a site visit.

(b) That when the planning application is reconsidered by the Committee, officers provide (a) details of the environmental protection the Wold's AONB currently receives and (b) details of the agricultural grade of the land of the application site.

The meeting closed at 11.55 am



**PLANNING AND REGULATION  
COMMITTEE  
16 MARCH 2015**

**PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)**

Councillors D McNally (Vice-Chairman), D Brailsford, G J Ellis, D C Hoyes MBE, D M Hunter-Clarke, M S Jones, Ms T Keywood-Wainwright, N H Pepper, Mrs H N J Powell, Mrs J M Renshaw, C L Strange, T M Trollope-Bellew and W S Webb

Councillor C J Davie attended the meeting as an observer

Officers in attendance:-

Steve Blagg (Democratic Services Officer), Alan Brown (Area Highways Manager), Nurainatta Katevu (Solicitor, Legal Services), Neil McBride (Development Manager) and Steve Willis (Chief Operating Officer)

104 APOLOGIES/REPLACEMENT MEMBERS

An apology for absence was received from Councillor J W Beaver.

105 DECLARATIONS OF MEMBERS' INTERESTS

The Chairman stated that all members of the Committee had received documentation just before the meeting (minute 109).

Councillors J W Beaver, D Brailsford, M S Jones, Ms Keywood-Wainwright, T M Trollope-Bellew and W S Webb, had not attended the site visits held on 12 March 2015 (minutes 107, 109 and 112).

106 MINUTES

107 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND  
REGULATION COMMITTEE HELD ON 16 FEBRUARY 2015

**RESOLVED**

That the minutes of the previous meeting of the Planning and Regulation Committee held on 16 February 2015, be agreed as a correct record and signed by the Chairman.

**PLANNING AND REGULATION COMMITTEE****16 MARCH 2015**

- 108 MINUTES OF SITE VISITS TO NETTLEHAM ( PROPOSALS FOR REVISED CAR PARKING ARRANGEMENTS) AND BISCATHORPE (PROPOSED TEMPORARY HYDRO-CARBONS SITE) HELD ON 12 MARCH 2015

RESOLVED

That the minutes of site visits to Nettleham (proposed Traffic Regulation Order and Biscathorpe (planning application), held on 12 March 2015, be agreed as a correct record.

- 109 TRAFFIC ITEMS

- 110 NETTLEHAM VILLAGE CENTRE - PROPOSED PARKING RESTRICTIONS

(NOTE: Only those members of the Committee who had attended the site visit to Nettleham on 12 March 2015, were allowed to speak and vote on this item, namely:- Councillors G J Ellis, I G Fleetwood, D M Hunter-Clarke, D C Hoyes MBE, D McNally, N H Pepper, Mrs H N J Powell, Mrs J Renshaw and C L Strange (minute 107).

Councillor C L Strange requested that a note should be made in the minutes that he knew the owner of the Florist shop near the Co-op.

Councillor T Keywood-Wainwright arrived at 10.39).

The Committee received a report in connection with objections and comments received to proposed parking restrictions in Nettleham Village centre, which had been previously considered at the meeting of the Committee on 16 February 2015 and deferred for a site visit on 12 March 2015.

The report gave details of the background, the consultations, the objections and the responses of officers to the objections and comments received.

Officers stated that further correspondence from Browne Jacobson, Solicitors, dated 13 March 2015, had been received on behalf of a resident that lived on Vicarage Lane (next to The Green and opposite the Co-operative Store, Nettleham). Officers stated that they would respond to the letter but added that the letter had been received outside the consultation period. Officers noted that the Committee had been sent a letter and documents relating to this issue by the resident concerned prior to consideration of this matter at the last meeting of the Committee and that an additional letter from the resident was received by the Committee on the 16 March but both of these had not been submitted to the Council through the consultation process.

Officers' comments on the Browne Jacobson, Solicitor's, letter included:-

1. Investigations within Lincolnshire under Air Quality legislation had confirmed that only three locations had levels of traffic related pollution requiring Air Quality

Management Plans. These were in Lincoln, Boston and Grantham on routes carrying over 30,000 vehicles per day.

2. They were unaware of any road traffic pollution problems existing in a village location in Lincolnshire.
3. The proposals in the report would reduce on-street parking, improve the movement of HGVs and public transport and therefore would reduce pollution levels.
4. There would be an increased turnover of vehicles as a result of the proposed changes to parking on Vicarage Lane. The Parish Council in their consultation identified clear support within the community for an increase in the turnover of vehicles using the available parking spaces and the Parish Council's survey data had been presented at a public meeting without any objections to its accuracy at the time or subsequently.
5. With regard to the issues in connection with the effects of the proposals on the property in Vicarage Lane, The Green, which was a Listed Building, this was not an issue considered as part of the process for implementing a Traffic Regulation Order. The legislation and considerations to be had by the Local Authority relating to Planning Applications and Traffic Regulation Orders was explained.

Comments by the Committee included:-

1. The preferred method of consultation by the Council was to listen to the views of the Parish Council and the public.
2. The Co-op in the centre of the village had surplus car parking and should consider re-configuring their building to allow public access at the rear.
3. The property on Vicarage Lane, The Green was a Listed Building and the Council needed to consider a Design Statement showing the effects of the proposals.
4. A Design Statement was only required for a planning application and this proposal was for a Traffic Regulation Order.
5. Tourism was important for the county and Nettleham was a scenic village.
6. There was irresponsible parking of HGVs on pavements.
7. There were car parking problems near the Scout Hut including safeguarding issues in connection with the dropping off of young children.
8. The parking of vehicles outside a Listed Building should not be allowed as there was plenty of provision for car parking nearby.
9. Listed Buildings were given the highest protection in planning and conservation legislation.
10. The proposals would affect access to the property on Vicarage Lane.
11. Public transport would have problems accessing Vicarage Lane.
12. The effects of pollution from vehicle fumes on the property in Vicarage Lane.
13. The property in Vicarage Lane did not have sealed window units.
14. The proposed parking restrictions should correspond to the restrictions for vehicle parking at the local shops.
15. Consultations about the project had been on-going for many years. The majority of people supported the proposals.

Officers' responses included:-

1. The parking of vehicles in the vicinity of the property would become less of an issue as the current area of unrestricted parking would be reduced.

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2. The impact of the parking on the residents of the Vicarage Lane property had changed as a result of the change to the opening hours of the Co-op.
3. Planning legislation only applied to Listed Buildings and not Traffic Regulation Orders.
4. The requirements of the Road Traffic Regulation Act 1984 in connection with Traffic Regulation Orders were outlined.
5. There were only three locations in Lincolnshire that went above the pollution threshold levels and although the effects of pollution had not been directly considered in this case they would not outweigh the County Council's obligations under Traffic Management legislation.
6. The proposals had been promoted by the Parish Council and every effort had been made to improve parking restrictions in the area with a balanced approach being taken by the Council.
7. With regard to car parking issues in Cross Street it had been noted on the site visit that the street was full of parked vehicles. The proposals would not worsen the current parking situation.
8. The issues raised in connection with the parking of vehicles outside of the Scout Hut had been considered and a reasonable attitude would always be adopted by Traffic Enforcement Officers to allow parents to drop their children off without being penalised providing vehicles were not left unattended.
9. The occasional thoughtless parking by HGVs on pavements was difficult to monitor and control.

A motion moved by Councillor Mrs H N J Powell, seconded by Councillor Mrs J M Renshaw: -

"That, after considering the report and the objections received, the objections be overruled and the proposals be implemented as advertised and as shown on the plan attached at Appendix C in the report, except that the proposed parking restrictions outside of the Scout Hut should be reduced, to allow parents to drop their children off and that the parking arrangements outside the Listed property on Vicarage Lane should be reviewed to allow longer parking and to prevent environmental pollution".

Officers stated that if Councillor Mrs H N J Powell's motion was approved then it would be necessary to re-consult the public.

An amendment moved by Councillor I G Fleetwood, seconded by Councillor N H Pepper -

"That after consideration of the report, the objections received to the consultation, the site visit, the comments of officers, the Committee and Councillor Mrs J Brockway at the meeting on 16 February 2015, a letter, dated 13 February 2015, from Browne Jacobson, Solicitors, and the comments of officers in response to the issues raised in that letter, that the objections be overruled and that the proposals be implemented as advertised and shown on the plan attached at Appendix C to the report – was agreed by 7 votes for and 0 votes against.

The substantive motion on being put to the vote it was –

RESOLVED (7 votes for and 2 votes against)

That, after consideration of the report, the objections received to the consultation, the site visit, the comments of officers, the Committee and Councillor Mrs J Brockway at the meeting on 16 February 2015, a letter, dated 13 February 2015, from Browne Jacobson, Solicitors, and the comments of officers in response to the issues raised in that letter, that the objections be overruled and that the proposals be implemented as advertised and shown on the plan attached at Appendix C to the report.

111     PROPOSED PARKING RESTRICTIONS - KINGSLEY ROAD AND SADLER ROAD AREA, NORTH HYKEHAM AND LINCOLN

The Committee received a report in connection with objections and comments received in connection with the proposed parking restrictions in the Kingsley Road and Sadler Road area of North Hykeham, Lincoln.

The report gave details of the background, the consultations and the comments of officers on the comments received.

Comments made by the Committee included the substantial problem of on-street parking in the area, the fact that off-street parking on employers' existed premises and that good public transport provision existed in the area.

On a motion moved by Councillor M S Jones, seconded by Councillor W S Webb, it was –

RESOLVED (unanimous)

That the objections be overruled and the proposals be implemented as advertised and consulted on.

112     COUNTY MATTER PLANNING APPLICATIONS

113     SUPPLEMENTARY REPORT - TEMPORARY PLANNING PERMISSION IS SOUGHT FOR A PERIOD OF THREE YEARS FOR THE CONSTRUCTION OF A NEW ACCESS TRACK, TEMPORARY WELL SITE, WITH ASSOCIATED PORTABLE CABINS FOR THE STORAGE OF EQUIPMENT AND FOR STAFF OFFICE ACCOMMODATION, THE DRILLING OF AN EXPLORATORY BORE HOLE, UNDERTAKING OF PRODUCTION TESTS FOR CONVENTIONAL HYDROCARBONS AND RETAINING THE SITE AND WELL HEAD VALVE ASSEMBLY GEAR FOR EVALUATION AT LAND OFF HIGH STREET, BISCATHORPE BY EGDON RESOURCES UK LTD (AGENT: BARTON WILLMORE)

(NOTE: Only those members of the Committee who had attended the site visit on 12 March 2015 were allowed to speak and vote on this item, namely:- Councillors G J

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Ellis, I G Fleetwood, D M Hunter-Clarke, D C Hoyes MBE, D McNally, N H Pepper, Mrs H N J Powell, Mrs J Renshaw and C L Strange (minute 107).

Councillor C L Lewis requested that a note should be made in the minutes that he was the Vice-Chairman of the Wolds' Area of Outstanding Natural Beauty).

Nicola Traverse-Healy, representing the applicant, commented as follows:-

1. A soil survey had been undertaken on the application site and the land comprised Sub Grade 3a and Grade 4 soils. Therefore, there was no conflict with planning policies.
2. Extracted soil from the preparation of the temporary site would be stored in bunds surrounding the site.
3. The geography of the area was undulating and drilling would take place in a shallow dike. Therefore, only the drilling rig could be viewed.
4. There had been little opposition from neighbours and none of the statutory consultees had objected.

In response to a question from the Committee, Nicola Traverse-Healy stated that she was unable to provide an answer to how deep in the ground the soil samples had been taken but it was noted that soil experts had carried out the survey.

Comments made by the Committee included the temporary nature of the application and that if the applicant went to appeal it was very likely be upheld, that the site was suitable as it could only be viewed from High Street, Biscathorpe and that the majority of the site would be hidden by a bund.

On a motion by Councillor Mrs H N J Powell, seconded by Councillor I G Fleetwood, it was –

RESOLVED (unanimous. 9 being the members of the Committee who attended the site visit on 12 March 2015)

That planning permission be granted subject to the conditions detailed in the report.

- 114 TO EXTRACT LIMESTONE FROM LAND TO THE NORTH OF MILL LANE; TO CONTINUE TO EXTRACT LIMESTONE FROM THE EXISTING QUARRY TO THE SOUTH OF MILL LANE AND TO USE THIS AREA FOR THE PRODUCTION OF RECYCLED AGGREGATES; AND TO RESTORE BOTH AREAS UTILISING IMPORTED INERT MATERIAL PRIMARILY TO A MIX OF AGRICULTURE AND CALCAREOUS GRASSLAND AT SOUTH WITHAM QUARRY (WEST), MILL LANE, SOUTH WITHAM BY MICK GEORGE LTD

Officers reported that the applicant had withdrawn his application. NOTED.

The meeting closed at 11.30 am



**PLANNING AND REGULATION  
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**PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)**

Councillors D McNally (Vice-Chairman), J W Beaver, D Brailsford, G J Ellis, D C Hoyes MBE, D M Hunter-Clarke, Ms T Keywood-Wainwright, N H Pepper, Mrs H N J Powell, Mrs J M Renshaw, T M Trollope-Bellew and W S Webb

Councillor C J Davie attended the meeting as an observer

Officers in attendance:-

Steve Blagg (Democratic Services Officer), Dave Clark (Traffic Orders Manager), Andy Gutherson (County Commissioner for Economy and Place), Nurainatta Katevu (Solicitor, Legal Services), Neil McBride (Development Manager), Satish Shah (Network Manager South) and Rowan Smith (Area Highways Manager (South))

115 APOLOGIES/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors M S Jones and C L Strange.

116 DECLARATIONS OF MEMBERS' INTERESTS

Councillor T M Trollope-Bellew requested that a note should be made in the minutes that he was present at the meeting of Baston Parish Council when the planning application was discussed and was copied in on an e-mail to the Parish Clerk by the applicant's Agent (minute 125).

117 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND  
REGULATION COMMITTEE HELD ON 16 MARCH 2015

RESOLVED

That the minutes of the previous meeting of the Planning and Regulation Committee held on 16 March 2015, be agreed as a correct record and signed by the Chairman.

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**PLANNING AND REGULATION COMMITTEE**  
**13 APRIL 2015**

118 TRAFFIC MATTERS

119 WESTGATE/PLAYHOUSE YARD, SLEAFORD - PROPOSED INTRODUCTION OF NO WAITING AT ANY TIME (NWAAT) AND NO WAITING 9AM - 5PM MON-FRI PARKING RESTRICTIONS

The Committee received a report in connection with an objection received as part of the formal advertisement to the proposed restrictions on Westgate/Playhouse Yard, Sleaford.

The report gave details of the background, current proposals, consultations, objection and the comments of officers to the objection and comments received.

In response to a comment made by the Committee officers stated that the proposals would only have a minimal impact on parking in Sleaford.

On a motion by Councillor W S Webb, seconded by Councillor T M Trollope-Bellew, it was –

RESOLVED (unanimous)

That the objection be overruled and that the Order be implemented as advertised and consulted on.

120 CASTLE CAUSEWAY, SLEAFORD - PROPOSED INTRODUCTION OF NO WAITING AT ANY TIME (NWAAT) AND NO WAITING 9AM-5PM MON-FRI PARKING RESTRICTIONS

The Committee received a report on objections received to the proposed introduction of No Waiting at Any Time and No Waiting 9am-5pm Monday-Friday parking restrictions on Castle Causeway, Sleaford.

The report gave details of the background, consultations, objections received and the comments of officers on the objections received.

Officers in response to comments made by the Committee stated that "H" bars were advisory only and that the No Waiting at Any Time parking restrictions were applicable on a Sunday.

On a motion by Councillor I G Fleetwood, seconded by Councillor T M Trollope-Bellew, it was –

RESOLVED (unanimous)

That the objections be overruled and the proposals be implemented as advertised and consulted on subject to:-

(a) The advertised No Waiting at Any Time outside No.9 Castle Causeway be extended by approximately 4m in a northerly direction to end at the boundary

between No's 9 and 7 and remove the advertised limited hours waiting between No's 7 and 3 to make this section unrestricted as detailed in Appendix E of the report.

(b) That the advertised limited hours waiting restriction outside No. 1 be extended in a northerly direction for approximately 15m to the start of the No Waiting at Any Time at the Electric Station Road junction as detailed in Appendix F of the report.

121     KING EDWARD STREET, SLEAFORD - PROPOSED INTRODUCTION OF NO WAITING AT ANY TIME (NWAAT) PARKING RESTRICTIONS

The Committee received a report in connection with objections received to the proposed introduction of No Waiting at Any Time parking restrictions on King Street, Sleaford.

Officers in response to comments made by the Committee stated that highways was a statutory consultee on planning applications and that the developer of a proposed housing estate to be developed nearby would meet the cost of the Traffic Regulation Order.

On a motion by Councillor I G Fleetwood, seconded by Councillor D McNally, it was –  
RESOLVED (unanimous)

That the objections be overruled and the proposals be implemented as advertised and consulted on.

122     COMMONS ACT 2006 - APPLICATION TO REGISTER LAND AS A TOWN OR VILLAGE GREEN

The Committee received a report in connection with an application to register land known as the Kime Memorial Lawn in Mareham le Fen, as a Town or Village Green. Following advertisement of the application representations against its registration as Town or Village Green were received from a number of individuals. An Inspector was appointed and an inquiry was held with the Inspector recommending that the Council should reject the application for the reasons detailed in his report to the Committee.

On a motion by Councillor D C Hoyes, seconded by Councillor T M Trollope-Bellew, it was -

RESOLVED (12 votes for and 1 abstention)

That the application to register land known as the Kime Memorial Lawn in Mareham le Fen, as a Town or Village Green, be rejected.

123     TRAFFIC REGULATION ORDERS - PROGRESS REVIEW

The Committee received a report in connection with the latest position on all current Traffic Regulation Orders and petitions received since the last meeting of the Committee.

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RESOLVED

That the report be noted and the petitions be received.

124 COUNTY MATTER PLANNING APPLICATIONS

125 PERMANENT RETENTION OF THE EXISTING CONCRETE BATCHING PLANT SITE COMPRISING HORIZONTAL CONCRETE BATCHING PLANT, AGGREGATE STORAGE BINS HOUSED WITHIN CLAD STRUCTURE, TRANSFER CONVEYOR, TWO CEMENT SILOS, SEPARATE AGGREGATE STORAGE AREA, LORRY WASH OUT AREA, ADMIXTURE STORE, GREY WATER AND FRESH WATER TANK, BATCH CABIN, OFFICE AND MESSROOM AND ASSOCIATED AREAS FOR ACCESS, MANOEUVRING AND CAR PARKING AT MANOR PIT QUARRY, BASTON OUTGANG ROAD, BASTON - CEMEX UK OPERATIONS LTD - S7/2896/14

Officers stated that references in the report to the "A16" were incorrect and that it should read "A1175".

James Brown, representing the applicant, commented as follows:-

1. The applicant had discussed the application with the Council's officers for nine months.
2. The applicant had addressed the concerns of the Parish Council by having a routeing agreement, agreeing the operating hours of the plant and to making a contribution towards the maintenance of Cross Road.
3. The area would be restored following the end of operations of the plant.
4. The storage of materials at the plant would be reduced.
5. The levels of noise and dust at the plant were agreeable to all parties.

The applicant responded to questions from the Committee including that a contribution of £66,000 (represents a 75% operational capacity of the concrete batching plant), over a ten year instalment period, had been agreed by the applicant, following consultations with officers, towards the improvement of Cross Road and that a condition had been agreed to deal with material accidentally left on the local highway by vehicles leaving the plant.

Officers explained the methodology used in calculating contributions for a number of planning applications in this locality for an improvement scheme for Cross Road. The methodology was based on a twenty year design life for the road improvements. Consequently, the contribution was calculated on the basis of the number of vehicle movements for a period of twenty years.

Comments made by the Committee included that the contribution of £66,000 was not a substantial amount considering the wear and tear on the highway caused by the application.

On a motion by Councillor T M Trollope-Bellew, seconded by Councillor N H Pepper, it was –

RESOLVED (unanimous)

(a) That the applicant be invited to enter into a Section 106 Planning Obligation to:-

1. route all HGVs to approach and leave the site only from the A1175 by Cross Road;
2. to make a financial contribution of £66,000 towards the improvement works to Cross Road over a ten year instalment period.

(b) That, subject to the conclusion of the Planning Obligation in (a), above, the Executive Director for Environment and Economy be authorised to grant planning permission subject to the conditions detailed in the report.

126 TO EXTRACT SAND AND GRAVEL FROM LAND TO THE WEST OF WHISBY QUARRY (ADJACENT TO SWINDERBY ROAD AND BEEHIVE LANE); TO UTILISE THE EXISTING QUARRY INFRASTRUCTURE, PLANT SITE AND ACCESS ONTO EAGLE ROAD TO FACILITATE THE DEVELOPMENT; AND TO RESTORE THE SITE TO A MIXTURE OF WATER BODIES, GRASSLAND, WOODLAND AND AGRICULTURE AT LAND WITHIN AND ADJACENT TO WHISBY QUARRY IN THE PARISHES OF EAGLE AND SWINETHORPE, DODDINGTON AND WHISBY AND THORPE ON THE HILL - LAFARGE TARMAC - N23/27/64/0385/14

Since the publication of the report a consultation response had been received as follows:-

English Heritage (now Historic England) – recommend that the application should be determined in accordance with national and local policy guidance and on the basis of specialist conservation advice.

Kate Todd, representing the applicant, commented as follows:-

1. It was proposed to extract 2.22m of sand and gravel and this would provide a supply of this material for the next seven years.
2. The restoration of the site including support for biodiversity, village monuments and car parking, etc, was explained.
3. Discussions had been held with statutory consultees including the Environment Agency and the Internal Drainage Board and they were satisfied with what the proposal.
4. A Public Right of Way would be closed due to the development but numerous alternative Public Rights of Way would be provided.
5. HGVs would be asked to avoid the village of Doddington by a routeing agreement.
6. The applicant had good communications with local villages.

Comments made by the Committee included the need for local members to respond to consultation on matters affecting their area and the effect of the proposals on the Listed Buildings of Eagle Hall and Tunman Farmhouse.

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**PLANNING AND REGULATION COMMITTEE**  
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Officers stated that the Listed Building of Eagle Hall was some distance from the application site and therefore would have little impact. The Listed Building of Tunman Farmhouse was well screened by trees from the application site by trees and the railway line.

On a motion by Councillor T M Trollope-Bellew, seconded by Councillor D McNally, it was -

RESOLVED (unanimous)

(a) That the applicant be invited to enter into a Section 106 Planning Obligation to:-

- to route all HGVs to approach and leave the site only over the length of Eagle Road and Whisby Road between the quarry access on Eagle Road and the A46 (except for local deliveries) and that no "shortcuts" through the village of Doddington will be permitted;
- secure an appropriate package of footpaths, bridleways and permissive rights of way as part of the restoration scheme to compensate for the loss of Eagle Footpath 7/1;
- to submit a 10 year management plan for the restoration of the quarry extension and implement the approved plan in full; and
- to submit a bird management plan in accordance with the requirements of the Ministry of Defence to discourage the congregation on the quarry extension of birds that present a risk to aircraft and thereafter implement the approved plan.

(b) That, subject to the conclusion of the Planning Obligation in (a) above, the Executive Director for Communities be authorised to grant planning permission subject to the conditions detailed in the report; and

(c) That the report forms part of the Council's Statement pursuant to Regulation 24 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 which required the Council to make available for public inspection at the District Council's Offices specified information regarding the decision. Pursuant to Regulation 24(1)(c) the Council must make available for public inspection a statement which contains:-

- content of decision and any conditions attached to it;
- main reasons and considerations on which decision is based;
- including if relevant, information about the participation of the public;
- a description, when necessary, of the main measures to avoid, reduce and if possible offset the major adverse effects of the development;
- information recording the right to challenge the validity of the decision and procedure for doing so.

The meeting closed at 11.45 am