

PART B – YOUR REPRESENTATION - Please use a separate sheet for each representation.

3. To which part of the Plan does this representation relate?

Section	5.6	Paragraph	B	Policy	WM1
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4. Do you consider the Plan is:

4 (1). Legally compliant	Yes		No	
4 (2). Sound	Yes		No	X
4 (3). Complies with the Duty to co-operate	Yes		No	

5. Please give details of why you consider the Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please refer to the guidance note and be as precise as possible.

If you wish to support the legal compliance, soundness of the Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Policy WM1 / B states that the Council will ensure that sufficient capacity is located within the district to accommodate waste of all types and reduce the reliance of other authority areas yet will by identifying waste management sites within the District will give regard to cross boundary issues, including waste movement and location of facilities in adjacent areas.

The nearest waste management site to Menston is on the border of Menston and Otley at Ellar Ghyll and so is within the Leeds District Council boundary. This site was originally formed with an incinerator that was scheduled to provide heating for the adjacent former Menston Children’s Hospital (now housing and within the Bradford MDC boundary). The nearest Household Waste Recycling Site site to Menston within Bradford MDC is in Ilkley some 5 miles away.

Although a tacit agreement (the implementation of which is informal and erupts from time to time) is in place allowing Menston residents to use the site it is limited to cars and excludes trailers and trade waste. This exclusion has inevitably led to fly tipping on minor roads and verges within the village.

6. Please set out what modification(s) you consider necessary to make the Plan legally compliant or sound, having regard to the test you have identified at question 5 above where this relates to the soundness. (N.B Please note that any non-compliance with the duty to co-operate is incapable of modification at examination).

You will need to say why this modification will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To alleviate the fly tipping and associated environmental issues **the policy WM1 should include the necessity to form an agreement with a neighbouring authority that will allow local residents the use of the closest site available, whether a rate payer of that authority or not.**

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. Please be as precise as possible.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

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

	No, I do not wish to participate at the oral examination
Yes	Yes, I wish to participate at the oral examination

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

We can bring local knowledge to support our arguments

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

9. Signature:	Catriona Hanson	Date:	26 March 2014
	Parish Clerk		