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| **Publication stage Response form - Part B** **Please use a separate Part B form for each representation**  |
| Name or Organisation : | Escrick Parish Council |
| *Please mark with an x as appropriate*1. To which part of the Minerals and Waste Joint Plan does this representation relate?
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| Paragraph No./ Site Allocation Reference No. MJP06 |  Policy No. W05 |  Policies Map  |
| 2. Do you consider the Minerals and Waste Joint Plan is :  |
| 2.(1) Legally compliant 2.(2) Sound  | x Yes x Yes  |  No  No  |
|  (2a) Which Element of soundness does your representation relate to? (please only mark with an x one element of soundness per response form).*Positively Prepared* YesNo  *Justified* Yes No x*Effective* YesNo  *Consistent with National Policy* YesNo x |
| 2 (3) Complies with the xxDuty to co-operate Yes No |
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3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

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| It is important to note that the proposals for landfill at sites WJP05 Land at Duttons Farm, Upper Poppleton and WJP06 Land adjacent to former Escrick Brickworks, Escrick will only be permitted as a means of enabling reclamation of any mineral workings developed in connection with allocations MJP52 and MJP55 as relevant.Escrick Parish Council has already set out its objection to the scale of the Preferred Area currently shown for site MJP55 in its representation regarding the soundness of policy M13. The same comments regarding the scale of the proposed Preferred Area relates here. However, the policy statement that only the area required for to be reclaimed will be allowed to be filled with landfill is welcomed. Landfill is an accepted means of filling the hole excavated by clay extraction (so long as only inert and non toxic fill is used) so long as quality restoration of the site is guaranteed in the longer term immediately following the completion of all workings (or undertaken on a phased basis if practicable). However, we strongly object to the proposal that hazardous CD&E waste can be tipped without a full assessment being made of the underlying geology of the land – care would need to be taken to ensure that nothing toxic could pass into any local aquifer or watercourse and therefore we consider that the inclusion of hazardous waste is inappropriate in this location.I attach the fuller representations that Escrick Parish Council submitted on previous consultations for the Inspector to consider our full concerns. |

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

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

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| Whilst is accepted that any hole excavated at Escrick Briskwords needs to be filled prior to resoration, the use of hazardous waste is inappropiate in this location. The key sensitvites already identified in the site analysis in Appendix 1 already identifiy ‘Water issues, including: hydrology, aquifer, flood risk (Zones 1 and 2) and surface water drainage and pond’. The Plan should not ignore its own finding s and the reference to allow hazardous waste should be deleted. |

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

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

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

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

 **No,** I do not wish to participate **Yes,** I wish to participate

x

 at the oral examination at the oral examination

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

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

**All responses received will be considered and any information provided**

**will be made public. My consent is hereby confirmed.**

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| Signature: Helen Guest, Clerk to Escrick Parish Council | Date: 21.12.16 |