

## Consultation on Proposed Modifications (2016) Response Form

For Official Only	
Person ID	
Rep ID	

Please use this form if you wish to support or object to the Proposed Modifications

This form has two parts:

- Part A – Personal Details
- Part B – Your Representations

If your comments relate to more than one proposed Modification you will need to complete a separate Part B of this form for each representation.

This form may be photocopied or alternatively extra forms can be obtained from the Council's offices or places where the Modifications have been made available (see the table below). You can also respond online using the Council's e Consultation System, visit: [www.warwickdc.gov.uk/newlocalplan](http://www.warwickdc.gov.uk/newlocalplan)

Please provide your contact details so that we can get in touch with you regarding your representation(s) during the examination period. Your comments (including contact details) cannot be treated as confidential because the Council is required to make them available for public inspection. If your address details change, please inform us in writing. You may withdraw your objection at any time by writing to Warwick District Council, address below.

All forms should be returned by **4.45pm on Friday 22 April 2016**

To return this form, please deliver by hand or post to: **Development Policy Manager, Development Services, Warwick District Council, Riverside House, Milverton Hill, Leamington Spa, CV32 5QH** or **email: [newlocalplan@warwickdc.gov.uk](mailto:newlocalplan@warwickdc.gov.uk)**

### Where to see copies of the documents:

Copies of the proposed Modifications, updated Sustainability Appraisal and all supporting documents are available for inspection on the Council's web site at [www.warwickdc.gov.uk/newlocalplan](http://www.warwickdc.gov.uk/newlocalplan) and also at the following locations:

- Warwick District Council Offices, Riverside House, Milverton Hill, Royal Leamington Spa;
- Leamington Town Hall, Parade, Royal Leamington Spa
- Warwickshire Direct Whitnash, Whitnash Library, Franklin Road, Whitnash
- Leamington Spa Library, The Pump Rooms, Parade, Royal Leamington Spa
- Warwickshire Direct Warwick, Shire Hall, Market Square, Warwick
- Warwickshire Direct Kenilworth, Kenilworth Library, Smalley Place, Kenilworth
- Warwickshire Direct Lillington, Lillington Library, Valley Road, Royal Leamington Spa
- Brunswick Healthy Living Centre 98-100 Shrubland Street, Royal Leamington Spa
- Finham Community Library, Finham Green Rd, Finham, Coventry, CV3 6EP

# Part A - Personal Details

	1. Personal Details*	2. Agent's Details (if applicable)
	* If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in section 2.	
Title		Mr
First Name		Andrew
Last Name		Morgan
Job Title (where relevant)		Strategic Planning Manager
Organisation (where relevant)	Warwickshire Police and West Mercia Police	Place Partnership Limited
Address Line 1		2 Kings Court
Address Line 2		Charles Hastings Way
Address Line 3		Worcester
Address Line 4		
Postcode		WR5 1JR
Telephone number		07734 777330
Email address		andrew.morgan@placepartnership.co.uk

### 3. Notification of subsequent stages of the Local Plan

Please specify whether you wish to be notified of any of the following:

The submission of the Modifications to the appointed Inspector

Yes  No

Publication of the recommendations of any person appointed to carry out an independent examination of the Local Plan

Yes  No

The adoption of the Local Plan.

Yes  No

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## Part B - Your Representations

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Please note: this section will need to be completed for each representation you make

### 4. To which proposed Modification to the Submission Plan or the updated Sustainability Appraisal (SA) does this representation relate?

Modification or SA:	<input type="text" value="Modification"/>
Mod. Number:	<input type="text" value="11"/>
Paragraph Number	<input type="text" value="2.49 – Explanation for Policy DS11"/>
Mod. Policies Map Number:	<input type="text"/>

### 5. Do you consider the Local Plan is :

5.1 Legally Compliant?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
5.2 Sound?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

### 6. If you answered no to question 5.2, do you consider the Proposed Modification is unsound because it is not:

**(Please tick)**

Positively Prepared:	<input type="checkbox"/>
Justified:	<input checked="" type="checkbox"/>
Effective:	<input checked="" type="checkbox"/>
Consistent with National Policy:	<input type="checkbox"/>

7. Please give details of why you consider the Proposed Modifications to the Submission Warwick District Local Plan are not legally compliant or are unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Proposed Modifications, please also use this box to set out your comments.

The developments referred to in paragraph 2.49 are shown on the map enclosed in **Appendix 1**. Cross-referencing these with the spreadsheet enclosed in **Appendix 2** demonstrates that they have all contributed to the expansion of the police infrastructure required to support them.

The information contained within the aforementioned appendices confirms that the methodology used by Place Partnership Limited (PPL), on behalf of the police, for Section 106 requests in Warwick District is compliant with the Community Infrastructure Levy (CIL) Regulations.

To evidence this point, **Appendix 3** contains a summary of three recent appeal decisions. These are from January and February 2016 and therefore very up-to-date. In all three cases, the Secretary of State agrees with his Inspector that developer contributions towards the cost of police premises and equipment are CIL compliant.

(Continued on a separate sheet)

Continue on a separate sheet if necessary

8. Please set out what change(s) you consider necessary to make the Proposed Modifications to the Submission Warwick District Local Plan legally compliant or sound, having regard to the test you have identified at Question 5 above where this relates to soundness. You will need to say why this change will make the Local Plan/Sustainability Appraisal 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.

We advocate that paragraph 2.49 should be amended as follows. This is to ensure that it is justified and effective in soundness terms; by recognising the fact that the Section 106 agreements of the approved developments described in the paragraph include significant contributions to police infrastructure:

*'...The area will deliver extended secondary school facilities, three primary schools, local GP services, **police infrastructure**, shops, community facilities and an important buffer of open space to the south to be delivered as a Country Park.'*

Continue on a separate sheet 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 changes, as there will not normally be a subsequent opportunity to make further representations. Further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

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**9. If your representation is seeking a change, 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, I wish to participate at the oral examination

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

Whilst we do not expect it to be necessary to attend the oral part of the examination, we would be prepared to attend if the Council or Inspector would find it useful in addressing this issue.

Continue on a separate sheet if necessary

Please note: This written representation carries the same weight and will be subject to the same scrutiny as oral representations. 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.

**11. Declaration**

I understand that all comments submitted will be considered in line with this consultation, and that my comments will be made publicly available and may be identifiable to my name/organisation.

Signed:

Andrew Morgan

Date:

20 April 2016

Copies of all the comments and supporting representations will be made available for others to see at the Council's offices at Riverside House and online via the Council's e-consultation system. Please note that all comments on the Local Plan are in the public domain and the Council cannot accept confidential objections. The information will be held on a database and used to assist with the preparation of the new Local Plan and with consideration of planning applications in accordance with the Data Protection Act 1998.

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