

**Bridlington Town Centre Area Action Plan:
Minor Post-publication Proposed Changes - Part 2**

Minor Post-publication Proposed Changes to the Bridlington Town Centre Area Action Plan to Improve Accuracy and Clarity and to Bring up to Date Minor Errors of Fact

Introduction

Part 2 of the minor post-publication proposed changes to the Bridlington Town Centre AAP set out the changes needed to improve the accuracy and clarity of the AAP’s statements and bring up to date minor matters of fact. Where noted in the ‘Justification’ column, the proposed changes are the Council’s proposed responses to statutory consultees and others who requested corrections or additions to the text of the Publication AAP to improve the accuracy of the statements. All other minor changes are proposed by the Council alone. The Minor Post-publication Changes exclude typographical and similar minor errors, save where these militate against the clarity of statements.

No.	Policy / Paragraph / Page Reference	The accuracy / clarity / up to date issue	Proposed Edit <i>(strike through for deletions, underline for additions)</i>	Justification for the Proposed Edit
1.	Executive Summary, Para 36, last bullet	Clarity	36. <ul style="list-style-type: none"> ▪ The Town Centre Strategic Public Realm, which is an integrated package of improvements to the Town Centre’s public realm and ‘green infrastructure’ <u>The Strategic Public Realm is</u> , designed to make up shortcomings... <i>[continue bullet as drafted]</i> 	Improve the clarity of the statement.
2.	Executive Summary, Para 37, last sentence	Update	37. ... to achieve the Marina. The Council and Yorkshire Forward aims to work in partnership with local interests wherever possible in order to deliver the AAP’s Strategy and the community’s ambitions for Bridlington that it embodies.	While the Council continues to involve Yorkshire Forward in the AAP’s projects, Yorkshire Forward is no longer, as of late autumn 2010, an active funding partner. Yorkshire Forward will be dissolved by the end of March 2012; and the Council itself will make up the

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				funding that had, prior to autumn 2010, fallen to Yorkshire Forward.
3.	Executive Summary, Para 40, last sentence	Accuracy	40. The AAP is supported by a <u>draft</u> Town Centre and Marina Supplementary Planning Document (SPD) that provides the detailed design guidance for delivering the AAP's principal projects. [<i>continue as drafted</i>]	The SPD remains a draft (CD07 proposes minor changes to bring it up to date with the Publication AAP, improve its accuracy and clarity). The Council has decided not to consult on the SPD again until the AAP has been examined and only then if needed to take into account the outcome of the examination of the AAP.
4.	Para 1.8, first bullet	Clarity	<ul style="list-style-type: none"> ▪ identify, so that they are resolved by the Regeneration Strategy, the factors that explain why Bridlington is doing less well as a local economy and a 'place' than it should be able to, <u>so that these causes of underperformance are addressed by the Regeneration Strategy;</u> 	Improve the clarity of the statement and arrange the phraseology so that it is the same as the second and third bullets in the sequence.
5.	Para 1.8, last bullet	Clarity	<ul style="list-style-type: none"> ▪ understand, so that the Regeneration Strategy plans properly to accommodate it, the 'demand' that the Town Centre can expect to attract over the plan period - in developer investment, in shopper and visitor expenditure, small business space, sailing berths in a marina and in high density housing - <u>so that the Regeneration Strategy plans properly to accommodate it.</u> 	Improve the clarity of the statement and arrange the phraseology so that it is the same as the second and third bullets in the sequence.
6.	Para 1.11, second	Clarity	1.11 ... directs to town centres. These advantages are created by the concentration in space of complementary and competing activities,	Improve the clarity of the statement, and its accuracy

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	sentence		<p>and are called ‘agglomeration economies’. <u>The term refers to the efficiencies for businesses, their employees and their customers that result from this concentration. For businesses, these ‘scale returns’ because they produce efficiencies which both reduce businesses’ costs and advantage their customers improve the choice of suppliers and employees and drive up innovation. Prospective employees have a greater choice of more accessible jobs; and customers a greater choice of more keenly priced and better supplied goods and services.</u> These efficiencies ... [<i>continue as drafted</i>]</p>	(agglomeration efficiencies embrace economies of scope as well as scale).
7.	Para 1.21	Clarity; update	<p>1.21 Bridlington is also an established visitor destination, —albeit, <u>although its markets are predominantly low spend and seasonal.</u> This is beginning to change Even this is changing with the refurbishment of the Spa, and its hugely successful programme and the delivery of the £6.7m Spa Gardens public realm scheme. <u>The Spa’s its location near to the Harbour presents a further opportunities: to integrate the Spa with the works to regenerate the Harbour; and to include, as part of these works, the creation of the quality of site needed to attract, and together the changes should alter the scope for attracting the hotel investment the town sorely needs.</u></p>	Improve the clarity of the statement, and bring it up to date with the delivery of Spa Gardens (completed for Easter and May Bank Holidays, 2011).
8.	Para 1.29	Update; clarity.	<p>1.29 The Council and Yorkshire Forward <u>places</u> a priority on supporting the growth and development of the town’s small business sector, including <u>those in the</u> creative industries.</p>	Bring the statement up to date. Yorkshire Forward is no longer, as of late autumn 2010, able to be an active partner during the remainder of its operation prior to dissolution at the end of March

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				2012. Improve the clarity of the reference to the creative industries
9.	Para 1.33	Risk of data being considered out of date; clarity	1.33 The Council undertook a review of community infrastructure in Bridlington over the winter of 2005 /06; <u>there has been no change since in pressures on those in the Town Centre.</u> The biggest gaps <u>identified,</u> and the most pressing need for community facilities in the Town Centre, identified were the requirements for a more new, up to date, mixed media library on the one hand, and space to accommodate activities that young people can do out of school hours and in the evenings. The Council intend to meet these is <u>needs</u> within the AAP plan period.	Clarify that the data are not out of date. Improve the readability of the statements.
10.	Para 1.37	Accuracy	1.37 Residents and businesses also perceive serious problems with the availability of sufficient, well-located short-stay parking; and traffic congestion is compounded by the extent of the on-street <u>parking</u> shopping in the primary shopping streets.	The statement as drafted is inaccurate; the reference is to on-street parking, not on-street shopping.
11.	Para 1.38, second sentence	Accuracy	1.38 The Government sets out <u>the guidance by which it expects Trust Ports to be governed</u> in its recently published 'Modernising Trust Ports' (2009). that is intended to set new benchmarks for best practice in the governance of Trust Ports <u>the governance of Trust Ports.</u> <u>The guidance explains that Trust Port governors – in Bridlington's case, the Harbour Commissioners – are accountable to their 'local stakeholders' for ensuring the Port asset is handed on in the same or better condition to succeeding generations ('the ultimate stakeholders').</u> <u>The guidance defines stakeholders widely to include local communities, businesses, local authorities and</u>	Clarify the statements to avoid the implication, in the text as drafted, present drafting, that the guidance contains merely 'aims' for Trust Port governors.

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			<p><u>regeneration bodies. Trust Port governors are to consult stakeholders and work with the local authority on planning matters; to take their stakeholders’ views ‘openly and transparently’ into account; and to report annually on matters of interest to their stakeholders. A key aim is to ensure that Trust Ports work effectively with their local authorities, to establish joint approaches to promoting regeneration, local economic growth and the effective operation of the Trust Ports</u></p>	
12.	Para 1.40, add a final sentence	Clarity	<p>1.40 ... for Burlington Parade require this. <u>Works proposed to open up the Gypsey Race will increase its carrying capacity, and the landscaping to create the Park will increase the floodplain around it.</u></p>	Added clarification requested by the Environment Agency in their representation on the Publication Document
13.	Para 1.41	Clarity	<p>1.41 The Harbour Top, which is also part of Burlington Parade, however, lies within Flood Risk Zone Zone 3. The Harbour Top, nonetheless, is a critically important regeneration site. It is the catalyst for the rest of the Burlington Parade development, and thus a key asset for realising the Town Centre’s potential. and It is a prominent site that adjoins the core of the shopping area and is under-utilised <u>given its importance. in its current role; Notwithstanding the land area required for the Port’s operation, there are significant areas of public surface car parking and the density of the commercial (non-operational) buildings is low and both these and the surface parking detract from the Quay Conservation Area. The consequence is that the Harbour Top, in its present state, also drags on the Town Centre’s performance and investment appeal. [continue as drafted]</u></p>	Clarify the reasons for stating that the Harbour Top land is under-utilised in response to the representation by the Bridlington Harbour Commissioners.
14.	Para 1.44, first	Clarity	<p>1.44 ...in both cases:</p>	Clarify the text, including by

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	bullet		<ul style="list-style-type: none"> ▪ The Harbour Top and Marina ‘made land’ are essential, unsubstitutable, parts components - on the evidence - of the Regeneration Strategy. ▪ <i>(new bullet, existing text)</i> Hotel development <u>on these sites</u> is justified because the use is essential to the competitiveness of Bridlington’s tourism sector (on which Bridlington is heavily dependent); because the Harbour Top and made land locations place a hotel close to the Spa, the success of which will ultimately depend on a proximate hotel so that it can develop its entertainment and conference markets (helping to deliver a year round visitor economy for Bridlington); and because the seaside location and quality of the site for a hotel (and its proximity to the Spa) makes it much more likely that Bridlington will be able to attract this much needed investment. ▪ <i>(new bullet, existing text)</i> Housing and related leisure development <u>are</u> is justified on these sites because of their value, in this location, to achieving the other aims for the Harbour and Marina – animation, natural surveillance, providing for housing choice; they taking <u>they</u> taking advantage of the setting value of the investment in the Gypsy Race, Harbour Top and Marina; they help to capture ing the tourism expenditure related to the Marina investment; and they help to produce the a needed securing a financial returns that making it feasible financially for the public sector to invest the substantial sums needed both for Burlington Parade and the 	breaking the first, single, bullet into four separate bullet points.

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			<p>Marina. The prospect that Marina users will be able to live near to their sailing berth also makes the Marina a much more marketable development.</p> <ul style="list-style-type: none"> <li data-bbox="792 488 1603 627">▪ <i>(new bullet, existing text)</i> Because both Burlington Parade and the Marina play a central role in the Regeneration Strategy, the Council concludes that the benefit case for their development in the Flood Zone is made out. 	
15.	Para 1.44, second bullet	Clarity and accuracy	<ul style="list-style-type: none"> <li data-bbox="792 667 1603 831">▪ Burlington Parade, including the Harbour Top, develops previously developed land; and there are no reasonable alternatives, <u>capable of delivering the needed regeneration benefits</u>, either to using the Burlington Parade site or to ‘making land’ in conjunction with the Marina to help finance its development. 	Clarify that the alternatives would also have to deliver the same or similar regeneration benefits if they were to be ‘reasonable’ in PPS25 Exception Test terms.
16.	Para 1.44, third bullet	Accuracy	<ul style="list-style-type: none"> <li data-bbox="792 909 1603 1378">▪ The works to the Gypsy Race and the design of the Harbour Top and Marina will incorporate substantial <u>flood risk</u> mitigation measures. in respect of flood risk. <u>These measures include: increasing the water carrying capacity of the Harbour; making use of the level changes in the Harbour to raise more vulnerable development to second floor level (using the first two levels for parking), allowing routine and emergency access onto South Cliff Road above critical flood levels; construction of new, flood defences as part of the Marina’s development; and the imposition of flood resistant and resilient construction methods where needed.</u> The Council expects that these measures will be expected to reduce overall flood risk in the Town Centre, and the Council will consequently be working closely with the Environment Agency with the aim of agreeing the taking the formal steps necessary to for re- 	Clarify what the measures will entail and add the additional information in response to a request by the Environment Agency. This information is already provided by the Publication AAP in Appendix 1, para 143, and Section 3, para 3.19.

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			mapping of the Flood Risk Zones in the AAP area. <u>The Council will commission the additional work required to inform the form and structure of the proposed mitigation measures as part of the work to prepare and support the intended outline planning application for Burlington Parade.</u>	
17.	Para 2.8, last sentence	Accuracy	2.8 ...Bridlington Town Charter. The Town Charter itself - a design-led vision for the whole of Bridlington - was formally signed in <u>2005 by the Town Council, most of the then ward councillors and many individuals from the community.</u>	Clarify who the signatories to the Town Charter were.
18.	Para 2.9, second sentence	Accuracy	2.9 ... if they were to be deliverable. <u>The AAP process involved consultation with an even wider public, testing the Strategy's proposals, inviting ideas for further options, appraising the options to select the issues and options for addressing them were the best alternatives available, and refining these through the successive stages of the AAP's preparation.</u>	Improve the accuracy of the statement to explain the actual process followed for the AAP.
19.	Para 2.17	Update	2.17 The partners – the Council, <u>and</u> the Harbour Commissioners <u>(and Yorkshire Forward when they were actively involved)</u> – all recognise this, and are committed to realising the potential to create a Marina and, in doing so, to regenerate the Harbour and integrate it and the Spa firmly into the heart of the Town Centre.	Update the statement to reflect the change in Yorkshire Forward's involvement, now that they have no further funds to contribute to the Marina work and are due for dissolution at end March 2012.
20.	Para 2.25, second sentence	Clarity	2.25 ... in well-designed contemporary buildings <u>that are sympathetic to the Town Centre's historic character</u> and will to lift the heart.	Clarify, in response to a comment by the Town Council in its representation, that 'contemporary' buildings should be

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				sympathetic additions to the town's historic character. The draft SPD (2009) explains fully.
21.	Para 2.26	Accuracy	2.26 Recovering and protecting this character needs to be elevated to strategic importance – in part through the AAP and in part through the new designation <u>in May 2010</u> of Bridlington Quay Conservation Area (the boundaries of which are shown in the AAP Proposals Map).	Improve accuracy by providing the date of the designation.
22.	Para 2.28, bullet ii, second sentence	Accuracy	2.28 ii. ...the existing primary shopping streets. The Town Centre lacks, but needs, this primary retail circuit to concentrate and direct pedestrian flows, and the town centre needs to expand to accommodate the additional floorspace required to capture forecast spending growth in the catchment and <u>raise expenditure retention to competitive levels.</u>	Improve accuracy by including both of the principal reasons for expanding the retail floorspace in the Town Centre.
23.	Para 2.28, bullet ix, second paragraph, after final sentence	Update	2.28 ix. ...in on-street parking. <u>The first phase of the variable message signing was put in place in spring 2011.</u>	Update to acknowledge that the implementation of the variable message signing has begun.
24.	Para 2.30, bullet i., last sentence	Accuracy	2.30 i. ...means for regenerating it <u>without adverse effects on the efficiency of the Port operations</u> , and making the better connections that are needed between the core of the Town Centre and the Harbour – from the new town centre square that	Improve the accuracy of the statement in response to comments in the representation on the Publication AAP by the

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			is part of the Strategic Public Realm.	Bridlington Harbour Commissioners (a concern that the introduction of Burlington Parade will be harmful to the Harbour operations).
25.	Para 2.30, bullet ii., second sentence	Accuracy	2.30 ii. ... linked to the Spa. The Marina and integrated Harbour will provide more efficient operating conditions for the <u>Harbour Trust Port</u> and much better facilities for its existing users and fishing industry, and	Improve the accuracy of the reference in response to the comment by the Bridlington Harbour Commissioners in their representation that ‘Trust Port’ refers to the navigability only of the Harbour and does not embrace the essential landside operations.
26.	Para 2.39	Clarity	2.39 The AAP sets Burlington Parade and the Marina as the development priorities because demand from occupiers, shoppers, visitors and new residents is limited in Bridlington’s markets. This limited demand needs to be used to greatest advantage in creating the conditions for Bridlington’s future prosperity as well as in delivering immediate benefits. The evidence shows that Burlington Parade and the Marina are likely to produce greater benefits for Bridlington, and in turn, the region as a whole, both over the AAP period and the long term, than any other alternatives for capturing this demand. The Council accepts that it will need to ensure that suitable sites within these priority areas will be forthcoming in line with market demand, and undertakes to play its full part in securing the delivery of the access and movement and parking strategies.	Improve the clarity of the text by removing the repetition of the points already make in paras 2.35 and 2.36. Clarify that the Council is committed to ensuring that suitable sites will be forthcoming.

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27.	Para 3.3	Clarity	3.3 Burlington Parade is the working name for the major retail, housing, office and workspace development scheme that is proposed for the part of the Town Centre that lies between, and includes, the Coach Park site (<u>Parcel 1A in Plan 3.2</u>) and part of the Harbour Top (<u>Parcel 4 in Plan 3.2</u> shown hatched on Plan 3.1).	Clarity; Plan 3.1 does not make clear where the Coach Park site is.
28.	Plan 3.1	Clarity	Insert Plan after paragraph 3.4	Clarity; the contingent change is required follow the improvement to the plan references in Para 3.3.
	Para 3.6, second sentence	Update	3.6 ... comprehensive approach. The public sector's role includes contributing the land it owns within Burlington Parade (including, for example, the Council-owned Coach Park site and Palace Car Park), the Council's use of its powers to assemble the comprehensive site, and the Council's and Yorkshire Forward's investment (<u>when it was actively involved</u>) to lever the private sector's investment by ... [<i>continue as drafted</i>].	Bring the statement up to date. Yorkshire Forward is no longer, as of late autumn 2010, able to be an active partner during the remainder of its operation prior to dissolution at the end of March 2012.
29.	Para 3.10, bullet ii), final sub-bullet	Accuracy	3.10 ii) o take advantage of the Gypsy Race to create a <u>unifying spine and</u> waterside environment for the development, and to add to the <u>Town Centre's 'Green Infrastructure' within in the Town Centre adding at the same time to the additional capacity needed in the public realm, to accommodate its regeneration, and to increase the flood carrying space of the Race and the land around it.</u>	Improve the accuracy of the statement by including the further reason for the Gypsy Race Park, and the clarity of the drafting. Respond to the request by the Environment Agency in its representation on the Publication Document AAP to add the further information.
30.	Para 3.10,	Update; clarity	3.10	Acknowledge that the Harbour Top

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	bullet iii), final sub-bullet		iii) The extension of Burlington Parade into the Harbour Top, both to regenerate this part of the Harbour <u>and the Bridlington Quay Conservation Area</u> and, in order [<i>continue as drafted</i>]. to ensure that the scale and quality of development in Burlington Parade will be forthcoming, to give the Burlington Parade development access to this prime position for commercial development. [<i>continue as drafted</i>]	is within the Bridlington Quay Conservation Area.
31.	Para 3.10, bullet iv)	Clarity	3.10 iv) The delivery of the new bus-coach pick-up and drop-off facility, located to improve integration with the rail station and with improvements for passengers, to encourage more use of public transport.	Clarify the purposes – coach as well as bus – of the proposed interchange facilities near to the railway station, in response to comments by the Town Council and others (a concern that there were to be no such facilities as part of Burlington Parade).
32.	Para 3.10, bullet ix)	Clarity	3.10 ix) The <u>delivery achievement</u> of a range of sustainability measures: –low carbon development, and energy generation and consumption; <u>sustainable</u> management of flood risk, waste and water; in the provision of green infrastructure; and a healthy living and working environment; the <u>protection ing and enrichment</u> of existing, <u>and the creation of new ,in</u> adding to local biodiversity; and <u>inducements, in the location and specification of development and the provision of the public realm and related infrastructure, to cycle, walk and use public transport in preference to the private car. contributing to the en</u>	Clarify in response to comments by the Environment Agency in their representation on the Publication AAP. Delete stray sentence fragment.

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33.	Para 3.10, add a further objective; correct the first sentence of para 3.10 to account for the additional objective	Update; accuracy; clarity	<p>3.10 The nine <u>ten</u> objectives for Burlington Parade are:</p> <p><i>[continue as drafted, with the proposed minor amendments to bullets ii), iii), iv) and ix)]</i></p> <p>x) <u>Protect and enhance the heritage interest of the parts of Burlington Parade that lie within the Bridlington Quay Conservation area.</u></p>	Part of the Burlington Parade site lies within the recently designated Bridlington Quay Conservation Area. The significance of this fact needs to be elevated to the status of a key development objective.
	Para 3.11, third bullet	Accuracy	<p>3.11</p> <ul style="list-style-type: none"> ▪ the remainder of the comparison goods retail floorspace, <u>after the allowances for the supermarket and unit shop developments, sited distributed between the Harbour Top mixed use scheme, the supermarket site as part of the use mix</u> to animate and provide natural surveillance for the Station Plaza, Gypsy Race Park and the new Town Square 	Improve the accuracy of the text so the intent of the statement is unequivocal.
34.	Para 3.11, seventh bullet	Accuracy	<p>3.11</p> <ul style="list-style-type: none"> ▪ not fewer than 500 and not more than 600 housing units in a high density mix of well-designed and specified town houses and apartments, with all schemes achieving silver on the Building for Life criteria and, <u>where the public sector disposes its own land for development</u>, a target of all achieving at least one rank higher on the Code for Sustainable Homes than is required by currently applicable standard set by Building Regulations and with at least 10% meeting Lifetime Homes standards 	The statement, to be accurate, needs to be consistent with the provisions of BridTC3.3.

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35.	Para 3.17, second sentence	Accuracy	3.17 for delivery Chapter 1, paragraphs 1.32-1.45 <u>1.39-1.45</u> <i>[continue as drafted]</i>	Correct the paragraph reference.
36.	Para 3.28, last sentence	Clarity	3.28 ...they will need to be confident at the very least that the Burlington Parade element of the Harbour Top works will be delivered in a <u>timely manner</u> .	Clarify the basis of developer confidence.
37.	Para 3.32	Clarify	3.32 ... so that the statutory operations of the Harbour will can continue and the Harbour Commissioners are able to satisfy their Trust Port duties.	Clarify that the Commissioner's have general operational duties as well as their statutory navigation duty, in response to this point in the Commissioners' representation on the Publication AAP. Clarify, by using the word 'can', that the continuation of the Harbour operations and duties is possible.
38.	BridTC3.2 d), second sentence	Accuracy	BridTC3 2. d) ...plus at least 150 car parking spaces. <u>The development will be designed to protect and enhance the Conservation Area of which it is part, conserve the elements that contribute to the significance of the listed south pier, and be phased to permit the continued operation of the Trust Port; and</u>	Reference is needed to the fact that the Harbour Top forms part of the Bridlington Quay Conservation Area and includes the root of the listed south pier. The additional reference responds to comments by English Heritage in its representation on the Publication AAP.

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39.	BridTC3.2 e), add a new penultimate sentence	Accuracy	<p>BridTC3</p> <p>2. e) ...in line with the Burlington Parade Masterplan. <u>Parcels 3A-B lie within the Bridlington Quay Conservation Area, requiring additionally that developments protect and enhance the heritage interest of this part of the Conservation Area and elements that contribute to its significance, including the listed buildings on the eastern boundary of Parcel 3B.</u> Provision for private car parking for these parcels should be made on site or nearby <u>to</u> permit the continued operation of the Trust Port; and</p>	<p>Add the reference needed to the fact that this part of Burlington Parade forms part of the Bridlington Quay Conservation Area, and adjoin several listed building on Manor Street on the eastern boundary of Parcel 3B. The additional references are in line with comments by English Heritage in its representations on the Publication AAP.</p>
40.	BridTC3.3c)	Accuracy	<p>BridTC3</p> <p>3. c) Sustainable approaches to energy needs are required, with at least 30%of energy needs to be met from renewable sources generated on site <u>where practicable</u>, subject to the financial viability of schemes.</p>	<p>PPS22 states that planning permission for renewable energy should only be granted where the objectives for the designation of a Conservation Area would not be comprised. Respond to the comment by English Heritage in its representations on the Publication AAP.</p>
41.	Para 3.38, third bullet	Update	<p>3.38</p> <ul style="list-style-type: none"> ▪ A business plan study to be completed in 2011 2010 which will allow <i>[continue as drafted]</i>. 	<p>The commissioning of the business plan study was delayed, and therefore will not be finished until the early Autumn 2011.</p>

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42.	Para 3.39, second bullet	Accuracy	3.39 <ul style="list-style-type: none"> ▪ the provision of <u>some</u> 320 berths for sailing and other leisure craft in two newly impounded water areas; 	To be accurate, this statement needs to allow scope for variation in the number of berths, pending the outcome of the business plan study and the design work still to be commissioned.
43.	Para 3.39, fifth bullet	Update; accuracy	3.39 <ul style="list-style-type: none"> ▪ the design and construction of the Marina so as to protect the listed piers in line with the provisions of PPG15 <u>PPS5</u> and other current government guidance, including [<i>continue as drafted</i>]; 	Update the reference to PPS5.
44.	Para 3.41, bullet ii)	Accuracy	3.41 <ul style="list-style-type: none"> ii) ... to accommodate the <u>circa</u> 320 berths [<i>continue as drafted</i>] 	To be accurate, the statement needs to acknowledge that the figure of 320 berths without qualification indicates a precision that does not yet exist.
45.	Para 3.44	Update; accuracy	3.44 The Marina proposals will require, at planning application stage, a full Appropriate Assessment under the <u>Conservation of Habitats & Species Regulations 2010 (Statutory Instrument 2010 No 4901) under Regulation 48 of the Conservation (Natural Habitats & c.) Regulations 1994 (as amended)</u> . [<i>continue as drafted</i>]	The 1994 regulations have been replaced by the 2010 regulations. Emphasise, in response to comments by Natural England, that the AAP cannot support developments unless, on completion of a full Appropriate Assessment, it can be demonstrated that adverse effects on the designated areas will be avoided.

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46.	Add a new paragraph after para 3.44	Clarity	<p>(new)</p> <p>3.45 <u>The development of the Marina will be in conformity with the provisions of the AAP only where it can be demonstrated that the adverse effects on the integrity of the Flamborough Head and Bempton Cliffs SPA and Flamborough Head SAC will be avoided. Proposals will be subject to:</u></p> <ul style="list-style-type: none"> ▪ <u>an appropriate Sediment Transport Assessment to ensure no physical damage or loss to the European site and its qualifying features, including suitable sediment design measures to control sediment to and from the Marina;</u> ▪ <u>a contamination report including measures to contaminated sediments within the Harbour during construction phase;</u> ▪ <u>assessment and modelling of potential dredging requirements within the Marina; and</u> ▪ <u>details of suitable measures to ensure no negative effect on important bird species as a result of commercial vessels or motorised boats which may include the implementation of restricted zones for certain leisure activities.</u> 	Respond to a request from Natural England to include the statement in the AAP (email to the Council of 28 March 2011).
47.	Insert a new plan to support Para 3.44	Clarity	Add a plan in the AAP to show the extent of the SPA and SAC, using the information provided on Natural England's website:	Natural England suggests, and the Council accepts, that the inclusion of a map of the SPA and SAC will improve the clarity of the AAP's text on the designations.

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48.	Para 3.46, second sentence	Clarity	<p>3.46 ...from the sea. The Marina will require, therefore, a full Flood Risk Assessment at planning application stage, and <u>its findings</u> and recommendations for protection, mitigation and resilience will have to be incorporated in the final design proposals <u>for which planning consent is sought</u>.</p>	Respond to the additional statement requested by the Environment Agency in its representation on the Publication AAP.
49.	Insert new sub-section after para 3.47	Accuracy	<p>Bridlington Quay Conservation Area and the Listed South and North Piers <i>new</i></p> <p>3.48 <u>The Harbour lies within the Bridlington Quay Conservation area, and the north and south piers, including the slipway that forms part of it, are listed buildings. It is a key objective to design the Marina (and the Harbour Top development promoted by BridTC3) so as to protect the listed structures and enhance the character of the Conservation Area, while also achieving the very substantial benefits to Bridlington’s communities and economy the Marina will deliver. Policy HE9 of Planning Policy Statement 5 – Planning for the Historic Environment (PPS5) sets specific criteria to be met where development will harm the significance of a designated heritage asset. The Council has</u></p>	Respond to the comment by English Heritage that without tacit acknowledgement of the requirements of PPS5 Policy HE9, and the evidence base in favour of the benefits to be generated by the Harbour regeneration and Marina development, the provisions of BridTC4 would be unsound.

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			<p><u>applied these tests and considers them to be met. Although the Council, in working up detailed design of the Marina with the Harbour Commissioners, will test all options so as to ensure that harm to the listed structures is avoided if it can be and is minimised if not. The evidence base for the AAP shows that the scale and value of the public benefits to be generated by the Harbour’s regeneration and the development of the Marina and Harbour could not otherwise be achieved for Bridlington and the wider sub-region it serves as a Principal Town.</u></p>	
50.	BridTC4, second and third vision statements	Accuracy	<p>BridTC4</p> <p>The Marina will breathe new life into and historic Harbour, giving <u>this valuable heritage asset</u> it a long-term, more prosperous future at the heart of the Town Centre’s activities, <u>and</u> providing it with a rich resource for stimulating new wealth- and job-generating investment in Bridlington, attracting new and higher spending visitor markets and bringing new residents into the Town Centre.</p> <p>Development of the Marina will respect and enhance the setting of Harbour’s <u>heritage value as part of the Quay Conservation Area</u> and conserve those elements which contribute to the significance of the listed piers and their roots. and <u>The</u> arrangement of land-based uses will ensure the efficient operation of the Marina and Harbour while also optimising its interest, appeal and usability for visitors and on-site residents</p>	Respond to the request for the acknowledgement of the Harbour’s inclusion in the Quay Conservation Area and a reference to its status as a heritage asset in the context of PPS5.
51.	BridTC4.1.e	Accuracy	<p>BridTC4</p> <p>1. e) protection of the north and south piers and the setting of these piers <u>conserve those elements which contribute to the</u></p>	Bring the criterion into line with PPS5 and acknowledge the Conservation Area designation.

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			<u>significance of the listed north and south piers and that part of the Quay Conservation Area;</u>	Respond to the request for the change by English Heritage.
52.	BridTC4.2	Update	BridTC4 2. All development requires a full Appropriate Assessment under Regulation 48 of the Conservation (Natural Habitats & c.) Regulations 1994 (as amended) <u>the Conservation of Habitats & Species Regulations 2010 (or whatever the regulations apply at the point a planning application is made).</u> [<i>continue as drafted</i>]	The 1994 regulations have been replaced by the 2010 regulations.
53.	BridTC4.3, last sentence	Clarity	BridTC4 3. ... if it is to be allowed. Permissible schemes will be required <u>to take account of the findings and</u> implement the recommendations set out in the detailed Flood Risk Assessment.	The Environment Agency requested, in its representation on the Publication AAP, the further clarification.
54.	BridTC4. (new)4	Accuracy; clarity	BridTC4 4. <u>Development affecting the listed south pier, including its slipway, or the listed north pier will have to satisfy the tests set by Policy HE9 of Planning Policy Statement 5 – Planning for the Historic Environment .</u>	Respond to English Heritage’s comment that this provision is necessary for BridTC4 to be sound.
55.	Para 3.60, second sentence	Clarity	4.60 ... effects of climate change; and <u>Hard and soft landscape schemes should be designed so as to contribute to the sustainable management of surface water. Where public realm forms part of a new development, landscape should be designed to form part of the</u> should meet standards for Sustainable Urban Drainage System <u>designed for the whole of the scheme.</u>	The Environment Agency requested, in its representation on the Publication AAP, the further clarification.
56.	Para 3.64, second	Accuracy	3.64 ... the Prince Street and Cliff Street areas, Garrison Square and the Esplanade up to Leisure World; <u>and falls within, in its southern part,</u>	Acknowledge that part of the Seafront is within the Bridlington

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	sentence		<u>the Bridlington Quay Conservation Area.</u>	Quay Conservation Area.
57.	Para 3.88	Update; clarity	3.88 <u>Further additions to the</u> variable message signing on the outskirts and within the central part of the town <u>are</u> is also needed to inform prospective shoppers and visitors as to where available spaces are located and how many spaces are left at any point in the day. This is being —linked to the new provision in the Burlington Parade scheme and to major existing car parks— will be introduced along the approach roads into Bridlington Town Centre, <u>and will be</u> —linked to the new provision in the Burlington Parade scheme <u>when it is delivered.</u> and to major existing car parks. As set out in point ii) above, the signage will be sited closer into the Town Centre.	Update to acknowledge that the signing scheme is being implemented. Delete the final sentence.
58.	Para 4.15 Final (partial) sentence	Clarity	4.15 ...Town Centre as a whole. The prosequential approach therefore promotes	Delete the sentence. It is a typographical error.
59.	BridTC9, introductory statement, add a second sentence	Clarity	BridTC9 Within the defined Bridlington Town Centre boundary, there is a sequential preference for siting major development for a main town centre use in favour of the <u>sites and locations</u> developments promoted by the Regeneration Strategy. <u>The sequential test applies where the sequential preference offers a site that is suitable, available and viable.</u>	The policy should clarify that the exercise of the sequential approach is in favour of the <i>sites and locations</i> promoted by the Regeneration Strategy; and that sequential preference applies where there is a suitable, available and viable site in the sequentially preferred site or location for the development proposed (as the AAP states at para 2.39, clarified with Proposed Post-publication Change

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				No 26).
60.	Para 4.21, first sentence	Clarity	4.21 The PPS4 Practice Guidance - need, impact and the sequential approach National policy guidance accepts that, where there [continue as drafted].	Clarify the practice guidance that the statement refers to
61.	Para 4.39, last sentence	Update	4.39 ... the protected areas are have the potential for significant effects arising from the construction and use of the Marina. BridTC4 duly requires that a full Appropriate Assessment under Regulation 48 of the Conservation (Natural Habitats & c.) Regulations 1994 (as amended) at planning application stage <u>the Conservation of Habitats & Species Regulations 2010 (Statutory Instrument 2010 No 4901)</u> .	The 1994 regulations have been replaced by the 2010 regulations.
62.	Para 4.40, first sentence	Accuracy	4.40 The Level 1 Screening Stage 1 Appropriate Assessment of the AAP under the Regulations considered it unlikely that any other development proposals would have the potential for significant effects. [continue as drafted]	The correct term for the initial assessment is a Level 1 Screening.
63.	BridTC11.4, an additional criterion	Accuracy	BridTC11 4. a) ...a detailed Flood Risk Assessment is required and its recommendations must be implemented; and b) a sequential approach within the site is required with the aim of locating the most vulnerable uses towards the lowest risk parts of the site; <u>and</u> c) <u>surface water management measures will be required to reduce the volumes of water and flow rates away from the site by a minimum of 30% over pre-development levels.</u>	Response to a request by the Environment Agency to include the further criterion (in line with the statement in Publication AAP para 4.38).
64.	BridTC11.6	Accuracy	BridTC11	The 1994 regulations have been

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			6. Development that could give rise to potentially significant effects on the protected interest features of the SPAs or SAC is required to carry out a full Appropriate Assessment under Regulation 48 of the Conservation (Natural Habitats & c.) Regulations 1994 (as amended) . <u>the Conservation of Habitats & Species Regulations 2010 (Statutory Instrument 2010 No 4901).</u>	replaced by the 2010 regulations.
65.	Para 4.99	Accuracy	4.99 Single person households are forecast to continue to increase, particularly in the older age groups. These new projections have fed through to the <u>1,150</u> 800 (net) dwellings per annum housing target for the East Riding in the <u>Preferred Approach</u> emerging Core Strategy.	The reference to 800 dwellings pa is an inadvertent error (800 units is the number allocated by the Preferred Approach Core Strategy to the AAP area over the whole of the plan period). The housing numbers are correctly set out for the East Riding in para 1.31 of the Publication AAP and for East Riding in Appendix 1 , paragraph 86 of the Publication AAP.
66.	Para 5.8, penultimate sentence	Clarity	5.8 ... a supportive planning environment. Over-provision of development sites – i.e., allocating more development land than the local <u>economy is capable of generating demand for</u> market is capable of supporting – creates uncertainties for developers and adds to their risks in Bridlington’s already weak property market. <u>creating more competition between developers for occupiers, end users and customers than the local market can deliver.</u> It is particularly important, for this reason, that the AAP is also clear as to the priorities for development, and that policy focuses on the delivery of these priorities.	Clarify the intent of the statement.

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67.	Sub-heading to paras 5.14-5.15	Update	4. <u>Commitment by the Council and Yorkshire Forward to the delivery of the Regeneration Strategy</u>	Yorkshire Forward is no longer a principal delivery partner as it will be dissolved by the end of March 2012.
68.	Para 5.18, point ii)	Accuracy	5.18 ii) the case for any 'made land' to be reclaimed as part of the Marina works <u>must</u> should be justified both <u>by the balance of certain public benefits over the known environmental costs.</u> <u>Evidence will be required to demonstrate: of the deliverability of the development proposed on that land; the public benefits that will follow from the development; and of that with</u> reference to the effects of the development on the wider regeneration of the town, including the established Town Centre, <u>will be acceptable.</u>	The accuracy of the statement requires reference to the environmental costs and the fact that the compensating benefits need both to be certain and outweigh the environmental costs.
69.	Para 5.19, last sentence	Clarity	5.19 ...the wider local economy. The same evidence also shows that, without the public sector's commitment to transformational investment of the type, on the scale and in the location proposed for the <u>regeneration of the Harbour and creation of the Marina</u> , any significant regeneration of Bridlington Town Centre is unlikely	Clarify that the regeneration of the Town Centre does not depend solely on the delivery of the Marina as a project that is separate from the regeneration of the Harbour (including the Harbour Top). The clarification is needed in response to comments in the representation by the Harbour Commissioners on the Publication AAP.
70.	Para 5.22, first sentence	Update	5.22 Although Yorkshire Forward will is likely to be disbanded by March 2012, the agency has been a significant partner to the Regeneration	It is now certain that Yorkshire Forward will be dissolved by the

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			Strategy from the outset. [<i>continue as drafted</i>]	end of March 2012.
71.	Para 5.30, point v)	Clarity	5.30 v) The Council must demonstrate that the development for which the land is needed would <u>not</u> be achievable via other means.	Clarify the intent of the statement.
72.	Para 5.73, first sentence	Accuracy	5.73 The level of the charge is calculated to amount to <u>about 3%, less than 5%, and not more than 4%</u> , of typical development costs for the types and sizes of developments promoted by the AAP's Regeneration Strategy.	Correct the statement and bring it into line with the Schedule in Appendix 5 (and the viability assessment carried out to set the charge).
73.	Para 5.77, first sentence	Clarity	5.77 In levying the S106 charge provisions in BridTC <u>2015</u> , the Council will take into account <u>these any other charges on the development (e.g., an affordable housing contribution)</u> and will consider each proposed development on its merits. [<i>continue as drafted</i>]	Correct the typographical error and clarify the intent of the statement.
74.	Para 6.14, last sentence	Accuracy	6.14 ...this will be necessary. The Delivery Report that supports the AAP contains a risk assessment and management strategy.	The Council decided that, on receipt of the relevant parts of the Delivery Report that there is no further information to be added to the AAP that would not compromise the commercial deliverability of the development proposals. All of the information is sensitive, including: the costs of land acquisition to date; the working assumptions on development values against

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				development costs; the estimated value of acquired land on disposal; and the detailed tactics for managing risks.
75.	Appendix 1, para 114, first sentence	Accuracy	114. The detailed work on the delivery of Burlington Parade , set out in the separately published Burlington Parade Delivery Report, shows that the scheme is deliverable.	The reference should be deleted for the reasons explained in response to the proposed post-publication minor change to paragraph 6.14.
76.	Appendix 2, new section inserted after para 44.	Accuracy	<p><i>Planning Policy Statement 5 – Planning for the Historic Environment</i></p> <p>34. <u>PPS 5 sets out the government’s policies for protecting, conserving and enhancing heritage assets, and giving these a central role in creating sustainable places. The overarching aim of national policy is to conserve the historic environment for their value to the quality of life, now and for future generations.</u></p> <p>35. <u>PPS5 sets these policies for local plan-making that are of particular relevance to the AAP area:</u></p> <ul style="list-style-type: none"> ▪ <u>HE3 requires local plans to set out positive and proactive strategies for conserving and enjoying the local historic environment, recognising the role of heritage assets in acting as catalysts for regeneration, most particularly for tourism, leisure and economic development. HE3.2 states that the level of detail in a local plan should reflect the scale of the plan’s geography and the significance of the heritage assets in it. HE3.4 states that at a local level, the quality and distinctiveness of the local heritage assets should be</u> 	The statement of conformity of the AAP with PPS5 was inadvertently omitted from the Publication AAP text. Insert the text after para 33 in Appendix 1.

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			<p><u>acknowledged and given a role in achieving local aims for sustainable development in detail.</u></p> <ul style="list-style-type: none"> ▪ <u>HE6 sets the information requirements for planning applications that affect heritage assets.</u> ▪ <u>HE9 sets out the presumption in favour of the conservation of designated heritage assets, making clear that this presumption is greater the more significant the designated asset. Substantial harm to or loss of grade II should be exceptional; and harm or loss to grade I and II* buildings (or parks or gardens) wholly exceptional. HE9.2 states that development that will lead to substantial harm or loss should be refused unless it can be demonstrated that:</u> <ul style="list-style-type: none"> ○ <u>the loss or harm is necessary to deliver substantial public benefits that outweigh the loss or harm; or</u> ○ <u>the nature of the heritage asset prevents all reasonable uses of the site; and</u> <ul style="list-style-type: none"> - <u>no viable use can be found in the medium term that will permit conservation; and</u> - <u>Conservation through grant funding or other charitable source or public ownership is not possible; and</u> - <u>the harm or loss is outweighed by the public benefits.</u> <p><u>Applicants proposing development that could lead to substantial harm or loss should be required to provide evidence that they have undertaken the steps needed to demonstrate that it is unavoidable – through attempts to find other owners, through marketing and efforts to secure grant aid or other charitable funding.</u></p>	

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			<p><u>In instances where loss or harm is likely, a full assessment is required of the relative significance of the affected asset and its contribution, this should be balanced against an assessment of the public benefits of the proposed development that would lead to the harm.</u></p> <ul style="list-style-type: none"> ▪ <u>HE10 states that the greater the negative effects of a development, the greater the justification that is required for development that will lead to substantial harm or loss.</u> ▪ <u>HE10.1 states that local authorities should identify opportunities to enhance the setting of heritage assets or better reveal their significance.</u> <p><i>The AAP's Conformity</i></p> <p>36. The AAP conforms with PPS5 by:</p> <ul style="list-style-type: none"> ▪ putting the conservation and enhancement of heritage assets at the heart of the Regeneration Strategy; ▪ providing for policies that acknowledge the heritage assets – both designated (listed buildings in the AAP area, the listed north and south piers in the Harbour, the Bridlington Quay Conservation Area) and not designated (Gypsy Race, the historic character of the distinctive built environment in the AAP area); ▪ making provision in policy for the conservation and enhancement of heritage assets; and ▪ requiring an assessment of the significance of the heritage asset against the public benefits to be gained should a development entail the substantial harm or loss of a heritage asset. 	

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77.	Appendix 3. Non Technical Summary of the Sustainability Appraisal	Update	<p>Household waste arisings in the East Riding increased from the 2005/06 level of 200,092 tonnes to 207,932 tonnes in 2007/08, even though the amount of household waste collected per head decreased from 610 kilograms in 2005/06 to 560 kilograms in 2007/08.</p> <p><u>The total volume of municipal waste produced in East Riding has decreased since 2007. The proportion of this municipal waste which was sent to landfill has decreased slightly over this period, with an increase in the volume of recycled and composted waste. These trends broadly reflect those observed for England as a whole. However, the proportion of waste sent to landfill is significantly higher in East Riding (62.23% in 2008/09) than the average proportion sent to landfill across England (50.32% in 2008/09). The volume of household waste produced per capita in East Riding in 2008/09 (540kg) has reduced since 2006/07 (560kg). The proportion of this waste which has been diverted from landfill through reuse, recycling or composting has also increased from 31.2% in 2007/08 to 33.7% in 2008/09. The level of recycling and composting increased to 31.32% in 2007/08 from 24.2% in 2005/06 and slightly exceeded the target of 30% for 2007/08. The amount of waste landfilled decreased to 67% in 2007/08 from 75.7% in 2005/2006. The proportion of waste recycled and composted needs to grow further to meet the target of 40% over 2008/09 and 45% over 2008/09 period.</u></p> <p>662 tonnes of municipal solid waste will require to be managed by 2021 in East Riding and East Riding and Hull have established a number of joint targets, including increasing participation in kerbside recycling to 80% of all households.</p> <p><u>Within the East Riding, refuse including brick rubble, engine oil, garden</u></p>	Response to representation by Community for Toxics (CD20.2, RO10), Shlomo Downen (CD20.2, RO12) and Hull Friends of the Earth (CD20, RO24)

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			<p><u>refuse, household chemicals and carpets can be disposed of at a number of household waste recycling sites (HWRS) which are provided by the Council. In addition, more general household items such as glass, paper, cans and textiles can be taken to a number of local recycling facilities. Recycling facilities of 'white goods' such as fridges and cookers are provided by ERYC through a bulky item collection service. Currently, there are 83 East Riding of Yorkshire recycling sites and kerbside collection is almost 100% across the District.</u></p> <p><u>The main sites are operated by Waste Recycling Group on behalf of the council at the following locations: Airmyn, Beverley; Carnaby, Driffield, Hornsea, Market, Pocklington, Preston, Withernsea.</u></p>	