

MINUTES

East of England Aggregates Working Party

Meeting on 22 October 2015 starting at 2pm

Venue: County Hall, Market Street, Chelmsford, CM1 1QH

ATTENDEES

Members	
Andrew Cook	Essex County Council (Chairman)
Roy Romans	Bedfordshire Authorities
Richard Drake	Norfolk County Council
Trish Carter-Lyons	Hertfordshire County Council
Irina Davis	Suffolk County Council
James Cutting	Suffolk County Council
Phil Dash	Essex County Council
Chris Stanek	Peterborough City Council
Richard Ford	Brett/MPA
Mike Pendock	Lafarge Tarmac/MPA
Kirsten Hannaford-Hill	Cemex/MPA
Peter Dawes	Frimstone/BAA
David Payne	MPA
Keith Bird	Hanson/MPA
Mark Russell	BMAPA
Others	
Sue Marsh	EE AWP Secretariat
Natalie Chillcott	EEAWP Secretariat
Jerry Smith	EEAWP Secretariat
Apologies	
Ann Barnes	Cambridgeshire CC
Eamon Mythen	DCLG
Nick Tennant	DCLG

No.	Subject	Papers	Owner
1	Welcome, introductions and apologies	<p>Apologies – as set out on previous sheet. Introductions were made.</p> <p>SM made a short statement about the AWP Secretariat contract. She said that the EEAWP contract had again been awarded to CBC but at the moment the contract, which had not yet been received, only runs until March 2016. Whether it is extended for the full 3 year contract period will depend on the DCLG settlement in the autumn statement to be published in late November.</p>	AC
2	Minutes of the last meeting & matters arising	<p>One amendment to item 6: Apportionment/10 year average discussion. MASS Guidance has been cancelled & now included as part of Planning Practice Guidance. Minutes otherwise accepted as an accurate record.</p>	NC
3	<p>4(5) Year survey:</p> <ul style="list-style-type: none"> - Any issues/comments - The need for an additional survey to address matters not covered by the national survey. 	<p>RR noted that there appears to have been 1/3 of reserves lost in the Beds Auths area (c7MT) not accounted for in sales which the next survey will need to explain</p> <p>No other issues raised or comments made</p> <p>SM explained what information is included in EEAWP AMR which is not included in the BGS survey. This includes:</p> <ul style="list-style-type: none"> • non-energy minerals – chalk, building stone and clay; • Secondary and recycled aggregates tonnages, grid references and operator, • location of recycling facilities; • road planing arisings • Information on railheads, • Major construction projects 	SEM

		<p>in 2014,</p> <ul style="list-style-type: none"> • List of aggregate sites with grid references and operator • Mineral Local Plan updates <p>SM asked if MPAs would like a separate survey to be sent out or if a combined 2014- 2015 survey could be used to cover both years.</p> <p>All agreed it would be more cost effective to collect the 2014 data retrospectively with the 2015 information- rather than undertake a separate survey.</p>	
4	Annual Survey-timetable	<p>Early Jan 2016 – Secretariat to send surveys to MPAs. – MPAs to send survey to operators by the end of January. MPAs to send collated surveys to Secretariat by end of February March-April – Secretariat to produce draft EEAWP AMR. May – Secretariat to circulate AMR to EEAWP members for comment. June – draft AMR is discussed and agreed at EEAWP meeting – Secretariat to send AMR to DCLG by 31st June. All content with timetable.</p>	
5	POS/MPA LAA Practice Guidance	<p>DP introduced the POS/MPA LAA Practice Guidance to everyone. The document encourages a simple and concise approach to producing LAAs. It recommends using track-changes to highlight updates to LAAs. This saves time for officers producing the report and makes it easier for readers to see the changes.</p> <p>Need to work out where growth is taking place and where the demand for aggregate will be.</p> <p>DP does not recommend using</p>	

		<p>modelling tools to deviate from the 10 year average approach.</p> <p>The document is a “living document” and as such DP would appreciate any comments on it. Appendix 2 contains examples of good practice.</p> <p>A seminar for MPAs will be held on 15th November at Warwick University looking at emerging practice – what is working well & what isn’t. This may result in changes to the document.</p> <p>RR said that the guidance encourages the inclusion of productive capacity figures. However, industry are reluctant to provide this information to MPAs. DP acknowledged that this was the case and will raise it with the Environment and Planning Committee. MP had also raised the same issue. He asked whether there were reliable methodologies to assess the implications of new housing on aggregate demand. RD said that new housing could be aggregate neutral if there was some prior extraction. Mineral safeguarding areas have come as a shock to some developers and the need for prior extraction to ensure that mineral is not needlessly sterilised. Mineral safeguarding was in Mineral Planning Guidance and it is only now that it is incorporated in the NPPF that it has come to the housebuilders attention.</p> <p>RD said that the LAA Guidance suggests consulting Environmental Bodies on the LAA. He asked which Environmental Bodies it meant. The EA, Natural England and Local Nature Partnerships were suggested as appropriate</p>	<p>DP to raise this issue with MPA members.</p> <p>All</p>
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		<p>consultees.</p> <p>AC asked that any comments on the LAA Guidance should be sent to DP.</p>	
6	Apportionment/10 year average discussion	<p>RD- The apportionment figure for Norfolk was very high (far higher than annual sales) and Norfolk have used the 10 year average approach for calculating landbanks and the apportionment for calculating allocations in its Minerals Local Plan to provide flexibility.</p> <p>PD – Essex anticipate huge growth in levels of housebuilding which will require significant amounts of aggregate. For this reason Essex considered the 10 year average too low. The Plan uses preferred and reserved sites to maintain an adequate supply of aggregates.</p> <p>Plans need sufficient flexibility to account for future changes.</p> <p>DP – Recommends a qualitative description, rather than a quantitative assessment. It is difficult to make an accurate 1 dwelling = X tonnage of aggregate calculation.</p> <p>RR noted that the NPPF has to be the starting point for an assessment and that Plans as a whole make more provision for aggregate than historical plans did due to the need for 15 year plan periods.</p> <p>RD – The Norfolk Minerals Plan includes a safeguarding policy which currently applied to encourage house builders to be aggregate neutral (extract as</p>	All to note

		<p>much as they use) as a minimum.</p> <p>PD- There is a site in Essex that is undergoing phased excavation / restoration in order to allow housing to come forward. Essex are currently working with two districts to pilot a Safeguarding SPD which aims to raise the profile of MSAs with developers at the point of land being allocated in a district Local Plan. The aim is to investigate the feasibility of prior extraction at a very early stage in recognition of the fact that extraction can have a significant impact on the immediate landscape and therefore impact on the design and landscaping of housing development.</p> <p>RR – Prior extraction was required at a site in Central Bedfordshire to avoid the sterilisation of significant silica sand resources. RR stressed the importance of making non-minerals and waste planners and landowners aware of the issue at an early stage.</p> <p>RD suggested that District planners may be concerned that Minerals safeguarding policies may jeopardise the delivery of housing.</p> <p>It was agreed that the NPPF now had to be treated as the starting point and that requires an assessment based on 10 year sales average. However, it may be appropriate to take into account other matters such as the apportionment figure depending on local circumstances.</p>	
7	<p>Presentation of LAAs for 2014: HCC</p>	<p>TCL Presented the draft Herts LAA. There are two new parts – an Executive Summary and Future Supply from Preferred Areas.</p>	<p>TCL</p>

		<p>TCL confirmed that BGS has given permission for BGS survey information to be used before the publication of the BGS Report next year which will use the figures obtained through the national survey for 2014 .</p> <p>TCL said that the draft LAA had been presented to members at Herts CC that morning.</p> <p>TCL said that the table in section 6.5 may be moved as it doesn't sit comfortably with comments below.</p> <p>The LAA includes information on the 10 year average, 3 year average and apportionment. Herts CC currently processing Minerals Local Plan consultation responses.</p> <p>RR said that there was nothing in the LAA on capacity. TCL said that they had followed the previous format and hadn't given this consideration.</p> <p>TCL queried reference to consulting 'Environmental Bodies' on the LAA. It was suggested that Environmental Bodies meant the EA, Natural England and Local Nature Partnerships.</p> <p>AC asked for any comments on the Herts LAA to be submitted to TCL by Friday 13th November.</p>	<p>All to note</p>
<p>8</p>	<p>Preparation of LAAs and 2014 AMR</p>	<p>LAAs are normally based on information contained in the EEAWP AMR which is finalised by the June of that year for submission to DCLG. AC posed the question that given that the 2014 EEAWP AMR will not be produced this year are MPAs going to produce a joint LAA in</p>	<p>SEM</p>

		<p>2015 to cover 2014 as well?</p> <p>Norfolk – No but holding fire until a publication date for the National Survey is known, if these will be available in the New Year will wait. Essex – will produce a combined 2014 – 2015 LAA, next year.</p> <p>Beds – will produce a combined 2014 – 2015 LAA next year. It is hoped that by looking at the figures for both years that the apparent significant fall in aggregate reserves can be explained.</p> <p>Suffolk- No. Will produce one next year. Suffolk do not have the staff resources to produce one this year.</p> <p>RR asked Industry if the above approach is acceptable to Industry.</p> <p>KHH – said it was not ideal, especially for those in the industry who are submitting planning applications,, but acceptable for one year.</p>	
9	MPA Restoration fund	<p>DP Introduced the MPA Restoration Guarantee Fund document. This sets out how the restoration conditions can be enforced if an operator (who is a member of the MPA) becomes financially insolvent. It seeks to give communities, landowners and MPAs some confidence that the site will be restored and not just left.</p> <p>. MPAs should be aware of the fund, though it has never been used.</p> <p>RR made the point that MPAs will need to take action against the landowner – before resorting to</p>	DP

		the fund.	
10	Aggregates Levy – EU ruling and shale	<p>Shale companies benefiting from having an Aggregates Levy Exemption will need to pay (including retrospective fees).</p> <p>PD- BAA are challenging this ruling. Outcome will be interesting but no operators in the area.</p>	AC
11	Wharves and railheads – safeguarding	<p>JC said that the GLA have liaised with operators to discuss safeguarding wharves and railheads on the Thames.</p> <p>A number of EEAWP members from Industry and MPAs were concerned that new (inappropriate) development close to wharves and railheads are jeopardising the ability of aggregate wharves and railheads to function. This is a particular issue for wharves in Greater London. The approach has been to maintain wharf capacity but this could mean a fall in the number of facilities. PLA wish to retain river as a working river but pressure exists for redevelopment. This pressure also exists outside the capital e.g from LEPs and local authorities that want to improve the appearance of the riverside</p> <p>JC wanted to know how the industry was engaging and if evidence is required on the network on supply. DP said that the GLA has been liaising with operators on facilities and the MPA has been involved on plans affecting facilities – especially housing and regeneration. It would not hurt if LPAs were making the same point as the operator. A LEP in the SE is not recognising the threat to wharf facilities created by regeneration proposals.</p>	AC

		<p>A Wharf Capacity Study was prepared by Regional Assembly for the SE. West Sussex published a wharf capacity study in 2014. Closing a wharf facility may put more pressure on other authorities and sites for extraction. JC suggested that the AWP should ask the SE E AWP whether this study is being updated as it needs to be due to fundamental mistakes made.</p> <p>PD said that the LP Inspector required Essex to review the capacity for bringing in mineral to the county.</p>	
12	National Co-ordinating Group feedback	EM was unable to attend the meeting but set out the main points in an email (attached). The main points are:	
13	National Planning Issues	<ul style="list-style-type: none"> • The Guide to effective use of enforcement powers is still in use (an announcement to cancel it has been reversed). • All 9 AWP Secretariats have been awarded. • DCLG will find out the outcome of the Spending Review late November which will cover the period 2016/17 – 2019/20. • A meeting of the NCG will not be arranged until after the results of the autumn spending review are known. 	
14	Update on local plans	 MPA Update sheet Oct 2015.docx	
15	AOB	Nothing raised	
16	Time and Date of next	27th January.2016	

	meeting	Essex CC offices, Chelmsford 2:00 – 17:00pm.	
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