

MINUTES

East of England Aggregates Working Party

Meeting on 6 February 2020 starting at 1400

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

ATTENDEES

Members	
Richard Greaves (RG)	Essex County Council (Chairman)
Phil Dash (PD)	Essex County Council
Emma Fitch (EF)	Cambridgeshire County Council
Emma Chapman (EC)	Hertfordshire County Council
Andy Rutter	Suffolk County Council
Chris Stanek (CS)	Peterborough City Council
Caroline Jeffery (CJ)	Norfolk County Council
Roy Romans (RR)	Bedfordshire Authorities
Mark North (MN)	MPA
Alan Everard (AE)	Tarmac / MPA
Georgie Sutton (GS)	Marine Management Organisation
Others	
Jerry Smith (JS)	EEAWP Secretariat
Dee Walker (DW)	EEAWP Secretariat
Eleanor Keep (EK)	Central Bedfordshire Council
Laura Kitson (LK) <i>for Items 1 & 2 only</i>	Environment Agency
Apologies	
Kirsten Hannaford-Hill (KH-H)	Aggregate Industries / MPA
Peter Larwood (PL)	Frimstone Ltd / BAA
Angela Watts (AW)	Brett / MPA
Nick Everington (NE)	The Crown Estate
Shaun Denny (SD)	Cemex / MPA

Item No	Subject	Owner
1	Welcome, Introductions & Apologies	RG
	<p>RG welcomed everyone to the Group and introductions were made for the benefit of new attendees. Apologies are as set out on previous sheet.</p> <p>Noted the departure of Peter Larwood (moved to Mick George Ltd) & Shaun Denny (transferring to Breedon). MN to chase replacements.</p>	MN
2	Great Ouse Flood Storage & Flow Conveyance Study	LK
	<p>Laura Kitson from the Environment Agency (EA) attended to give a presentation of this study that is to be undertaken by the EA. Due to technical problems with the projector, LK will forward the presentation slides to JS for circulation to the group after the meeting.</p> <p>The River Gt Ouse (RGO) catchment covers a significant area from MK to Kings Lynn taking in parts of Beds, Bucks, Cambs, Herts, Essex, Oxon, Norfolk, Northants & Suffolk.</p> <p>Project seeks to explore how devt and growth, particularly in the Oxford - Cambridge Arc, can best be used to improve catchment scale flood risk reduction. Lack of transport connectivity & affordable homes seen as the greatest obstacles to economic growth.</p> <p>Plenty of assets in the Fens & downstream but other areas have ageing infrastructure & need resilience with climate change adding increased pressure.</p> <p>The EA wants to put together evidence within a study report that encompasses thoughts from MPA's / LPA's / other stakeholders that influence planning delivery to ensure that flood storage and conveyance can be part of a development and not an afterthought. Considering better managing flood risk upstream rather than mitigate downstream across the whole catchment geography.</p> <p>RGO landscape will change massively over the next 30yrs (up to 1M homes by 2050/ Oxford to Cambridge Expressway & East-West Rail) & the EA wants to be able to use such growth to deliver flood risk management at that catchment level & achieve multiple benefits. Govt keen to see how the Oxford - Cambridge Arc can act as a pilot. Need to see it as an infrastructure feature rather than a constraint within the development / planning world.</p> <p>£500k + funding secured from several sources to undertake the Study. Jan Workshop and inception study collating current data with a view to carrying out main study in 2020/21. Exploring opportunities for large scale water storage across upper parts of the catchment – is it technically feasible? Need to better understand functioning off tributaries to see whether the topography allows peak water flows to be flattened out. LK would welcome a rep from a M&W plg authority attending the Steering Group identifying that extraction in the flood plain could contribute to flood water storage at restoration e.g. through wetland creation & recreational green infrastructure as at Willen Lake, Milton Keynes.</p> <p>CJ suggested that the MoD be involved highlighting potential conflict with flight paths, due to the risk of bird strike from waterfowl attracted to wetland areas. EF highlighted concerns with identifying areas on a map as this could then introduce a political dimension.</p> <p>MN recognised flood storage as being of interest / opportunity for the MPA but questioned whether the approach was joined up. Are teams within the EA working together with their new framework? LK asked for comments if there are any EA areas that are resulting in conflict where conversations may be needed.</p>	

	<p>RG referred to deliver of Garden Villages in 2 tier areas identifying opportunities for avoiding mineral sterilisation along with flood storage provision, nature conservation biodiversity etc achieving several goals. RR queried who would be responsible for the long-term management of flood storage facilities. LK referred to an example where post mineral extraction by Hansons wet woodland had been created providing increased flood storage and increased biodiversity managed by the Parks Trust.</p> <p>EF offered to represent the EEAWP & MN offered to get someone from the industry. LK to check with Jenny Gough on the industry rep although MN made the point this would involve someone responsible for delivery on the ground. MN also warned that the approach needed to avoid falling foul of the Reservoir Act otherwise landowners wouldn't be interested.</p> <p>LK suggested if anyone has any further comments to contact Jenny Gough – details to be circulated with the slides.</p>	
3	Minutes of the last meeting & Matters arising	RG / JS
	<p>Suffolk Minerals & Waste Local Plan</p> <p>Modifications on removal of Wangford Quarry in an AONB. Inspector had removed it, but Suffolk CC argues it is merited on account of the high quality of the mineral which is 80% gravel. SCC has sent representations back to the Inspector and is awaiting the Inspector's response. However, no substitute site has been put forward as SCC still has 20% over-capacity.</p> <p>RG commented that the Group's comments by email had worked well enabling a collective response, with the exception of the Marine Management Organisation, to be sent suggesting that the future demand for coarse material be taken into account given its regional and national significance.</p> <p>Minutes of the previous meeting were accepted as a true and accurate record.</p>	
4	EEAWP Draft Terms of Reference	RG
	<p>RG wondered if the Group needs to review these as we are signatories on Statements of Common Ground (SoCG), although MN reported that the industries are not signatories. RR believed the Terms of Reference (ToR) are set by MHCLG within the Secretariat contract process. JS commented that this would appear to be the case having enquired as to the ToR used by other AWP's which, of those made available, were along very similar lines to those in use for the Group. RG's concern arises where AWP's are tasked to sign SoCG and where there may be internal disagreement within the Group, the ToR appear silent on the matter. For example, how may voting rights be organised; would this be arranged as a nominated rep from every MPA; should Chairman have a casting vote etc? RR questioned what are the arrangements of the AWP moving forward? It was felt that perhaps MHCLG needs to consider this issue on the next round of contracts? JS commented that it was Lonek's intention to review issues concerning the governance of AWP's but at present MHCLG has more pressing priorities.</p> <p>PD queried whether the EEAWP could have a standard agreement to deal with issues that the Group is considering. RG asked whether the Group informs MHCLG of its approach and whether this best be agreed as a sub-ToR on headed paper or alternatively run the AWP like a Committee with agreed voting rights for every MPA member? RR felt the Group should discuss the SoCG at an AWP meeting and arrive at a conclusion to record in the Minutes that x party gave a view on issues of regional significance. A form of words therefore is needed to</p>	

	<p>cover such working arrangements of the AWP. RR suggested that it be discussed, minutes taken at the AWP rather than the AWP signing it off.</p> <p>MN favours an approach whereby views are recorded within the Minutes with the industry giving no comment in order to avoid a scenario whereby industry could be challenged at an Examination in Public.</p> <p>MN noted that the SEEAWP had a form of words in place and would forward to JS/RG to tweak as necessary. This could then be agreed electronically by the Group and inserted within the ToR and forwarded to MHCLG to consider including as part of the new contract terms.</p>	<p>MN RG / JS</p>
<p>5</p>	<p>MPA Update</p>	<p>MN</p>
	<p>MN referred to the following economic & market outlook update, which had also been circulated to the Group prior to the meeting:</p> <p>ECONOMIC & MARKET OUTLOOK</p> <ul style="list-style-type: none"> • 2019Q4 & 2019 MPA SALES VOLUMES. Construction market demand for mineral products closed 2019 with mixed results. On a seasonally adjusted basis, sales volumes of primary aggregates increased in 2019Q4 compared to the previous quarter, but manufactured mineral products including asphalt and ready-mixed concrete (RMC) remained broadly flat, whilst mortar sales declined sharply. As a result, demand across all MPA markets monitored declined in 2019 compared to 2018, down 3.9% for RMC, 2.2% down for aggregates, 1.7% down for mortar and 0.8% down for asphalt. • ECONOMIC OUTLOOK. Early estimates show that the UK economy stalled in 2019Q4, consistent with annual growth of 1.4% in 2019. The outlook over the next couple of years is expected to remain subdued. In their recent forecast, the IMF estimated that the UK economy will grow about 1.5% pa in 2020-21, based upon an orderly withdrawal from the EU and a gradual transition to a future relationship. • CONSTRUCTION. Official statistics and business surveys depict two very different stories. On the one hand, ONS data show continued growth in construction in 2019, driven by housebuilding and new infrastructure work. Business surveys on the other hand point to continued reductions in work last year across all three major sub-sectors of construction (housing, commercial and civil engineering). In their latest forecast, the Construction Products Association expects a small decline in overall activity in 2020, with growth only expected to resume from 2021, provided work in a number of infrastructure projects across the roads, rail and energy sectors pace up. <p>MN had also previously circulated to the Group (email dated 3 February 2020) an overview of construction and the mineral products markets in the East of England. The MPA's Economist, Aurelie Delannoy, is very happy to discuss further, and her contacts details are on the back of the document. Updated annually as thought helpful in absence of any Government-produced figures.</p> <p>ANNUAL MINERAL PLANNING (AMP) SURVEY Due to be published this week. Headlines from that:</p> <ul style="list-style-type: none"> • 10yr average replenishment rate for sand and gravel 63% and 75% for hard rock; • 43% of new permissions related to unallocated sites; 	

	<ul style="list-style-type: none"> • Around 93% of minerals applications were granted planning permission; • Demand continues to outstrip new reserves coming forward keeping landbanks under pressure. <p>In respect of pressures on landbanks and given the high proportion of minerals applications being permitted, RR questioned whether applications were coming through quickly enough as publications often implied MPAs are at fault rather than industry not putting applications in. In response MN pointed to the fact that many major mineral operators were now internationally owned and therefore future investment options had to increasingly be weighed up on a more global scale. Also, recent political upheaval had not helped the UK being identified as the best place to invest. Replenishment rates very low overall coming out of recession / sites become mothball and old equipment requires expenditure to renew/replace. AE added that landowners' aspirations had changed over the last number of years with landowners more demanding due to agricultural value increasing / aspirations for development on the land / other opportunities for the land etc meaning it was harder to secure sites and estimated that leasehold agreements now accounted for around 90% sites coming forward. Also noted that surges in demand creates problems e.g. HS2 Phase 1 estimated to require 20Mt of aggregate; 10Mt of concrete; 550 lorries/day and 100% of the UK's dumper truck fleet! CS noted that this would cause other development to suffer. The AMP Survey would be provided for circulation.</p> <p>NORTH YORKSHIRE GREEN BELT CASE – MN referred to a recent Supreme Court judgment involving Darrington Quarries Ltd's Jackdaw Crag Limestone quarry. Permission had been granted but then taken to JR by local landowner Samuel Smith Old Brewery, resulting in the permission being quashed in the Court of Appeal on the basis that the Landscape Officer had not properly considered openness. Supreme Court overruled that decision finding that openness is not a matter for law but for the planning judgement. RR advised that it was down to how these issues are considered within the officer's report. AE reported that aspects like stockpiles etc affect the visual impact. EF queried what the officer's report was like, how detailed or issues considered? JS to circulate with case details & summary to the group as provided by MN.</p> <p>ENVIRONMENT BILL This was in the Queen's speech and includes references to biodiversity net gain and air quality issues. Tories likely to make this an issue so this needs to be considered in detail. A lot going on for 'water' for developers / plan makers. Noted that the need to apply for licences in respect of water abstraction had been put back 6 months until 30 June 2020 although it is in law, so if it's not complied with the EA are the enforcing agent. MN has advised members to take it seriously with any new applications.</p>	<p>MN/JS</p> <p>JS</p>
6	National Planning Issues	RG/JS
	<p>Update from JS: <u>Personnel</u> – Sara Lewis has left Minerals to take on a role in Local Plans & her replacement is Aimee Smith (from MMO). Lonek also receiving support from Hannah Henderson but only 2.5FTE. <u>AWP Secretariat Meeting</u> – A further meeting of AWP Secretaries was convened by Lonek in December 2019 which JS was unavailable to attend at which the National Survey and Secretariat Contracts were discussed. JS had also attended an RTPi event on 5 February with RG at which Lonek had provided a further update: <u>Aggregate Mineral Survey</u> – MHCLG on the brink of issuing the contract national survey but no confirmation yet as to successful bidder. Consultants preparing the digital forms are fine</p>	

	<p>tuning the forms and process to allow the survey to be conducted electronically this time. Timing – outcome of survey data won't be available until end of 2020, so this will be a problem for MPAs in preparing their LAA's and assessing planning applications.</p> <p><u>Secretariat Contracts</u> – due to expire end of March 2020, these have been extended twice and now being procured to go out to tender shortly.</p> <p><u>MASS</u> – outdated and Lonek recognises the importance of refreshing the guidance and the operation of MASS. To date only preliminarily work has been undertaken. All these areas of works need ministerial sign off.</p> <p><u>Governance of AWP's</u>– Lonek keen on reviewing the governance of AWP's and how they can be improved. This could include Terms of Reference.</p> <p><u>Mineral Planning Fact Sheet</u> – Silica Sand factsheet published last month by BGS.</p> <p><u>Monitoring of Minerals Local Plans</u> – Another area Lonek is keen to expand, conscious that monitoring of local plans is done in mainstream planning but not for Minerals LPs.</p> <p>In response to a question it was understood that Lonek's contract runs until the end of November 2020.</p> <p>Central Bedfordshire Council has provided Secretariat resource for last 5 years & RR advised that it will not be bidding for the contract this time round due to resources needed to embark on its Minerals and Waste Local Plan review and others may be in a similar position. Therefore, it was suggested that contact could be made with former M&W employees to see if they are interested? RG doesn't want to be in the position where no one bids for the contract, so contacting former officers may be a good idea. Agreed preliminary enquiries would be made to some potential candidates although they would need to follow the bid process.</p> <p>RR commented that the results of the last national survey had not been made available until the following year having awaited Ministerial sign-off and required two years' of data to be reported jointly. RR therefore raised whether industry would be willing to entertain MPAs conducting their own parallel annual surveys in order to have data available earlier. JS understood that the national digital version did not allow operators to simply print out a copy of their input to provide to the MPAs so would require completion of physical form. AE responded that the same data would be required and agreed a parallel survey would be beneficial in having the information available for the timely production of LAAs. Agreed that JS would circulate survey forms (and some accompanying text to explain the background and reasoning to recipients) for MPA colleagues to distribute. RG asked MN to express to the MPA members the importance of completing the local survey alongside the national survey.</p>	<p>RG</p> <p>JS</p>
7	Minerals Local Plan Update	MPAs / ALL
	<p>An update was circulated prior to the meeting using the agreed template and was noted. A late update was received from Hertfordshire County Council, a revised update will be circulated with the draft minutes following this meeting.</p> <p>Cambridgeshire County Council and Peterborough City Council – finished Reg 19 submission and submitting mid-March 2020. Expects challenges in certain areas but going to complete SoCG to help the Inspector.</p>	DW
8	Any Other Business	ALL
	THE CROWN ESTATE / MPA BOOKLET	

	<p>Copies of the 21st annual report were made available to members of the Group.</p> <p>SOUTH EAST MARINE PLAN Gone to consultation, closes on 6 April 2020. MMO will be hosting a webinar on 13 February 2020.</p> <p>EAST MARINE PLAN MONITORING SURVEYS These are running and GS would appreciate a response for those involved by March 2020.</p> <p>GENERAL EA PERMIT ISSUES RG liaising with the EA, no ambition to produce anything above what is already available. Raised by POS was the implications and conflicts between noise permit / planning permission – what takes priority? MPA’s were consulted on permit applications (1980’s) but this does not happen anymore and can result in conflict between permit & conformity with planning permission.</p>	
9	Dates of Next Meetings	RG
	<p>The date for the next meeting was confirmed as: 04 June 2020 at 1400hrs Venue: Essex County Council, County Hall, Market Square, Chelmsford, CM1 1QH Further dates will be agreed at the next meeting.</p>	ALL TO NOTE