

AGREED MINUTES

East of England Aggregate Working Party

Meeting on 4 February 2021 starting at 2pm

Venue: Virtual meeting via Microsoft Teams

ATTENDEES

Members	
Richard Greaves (RG)	Essex County Council (Chairman)
Phil Dash (PD)	Essex County Council
Emma Chapman (EC)	Hertfordshire County Council
Chris Stanek (CS)	Hertfordshire County Council
Andrew Rutter (AR)	Suffolk County Council
Richard Drake (RD)	Norfolk County Council
Roy Romans (RR)	Bedfordshire Authorities
Emma Fitch (EF)	Cambridgeshire County Council
Lee Youngs (LY)	Norfolk County Council
Laura Harrad (LH)	Suffolk County Council
Nick Everington (NE)	The Crown Estate
Mark North (MN)	Mineral Products Association
Peter Huxtable (PH)	British Aggregates Association (BAA)
Alan Everard (AE)	Tarmac / MPA
Angela Watts (AW)	Brett Aggregates / MPA
Mark Kelly (MK)	Cemex / MPA
Shaun Denny (SD)	Breedon Aggregates / MPA / BAA
Kirsten Hannaford-Hill	Aggregate Industries / MPA
Others	
Jerry Smith (JS)	EEAWP Secretariat
Natalie Chillcott (NC)	EEAWP Secretariat
Apologies	
Caroline Jeffery	Norfolk County Council
Alan Jones	Peterborough City Council
Lonek Wojtulewicz	MHCLG
Peter Lemon	Middaggs / BAA
Mark Page	Hansons / MPA
Georgie Sutton	Marine Management Organisation

Item No.	Subject	Owner
1	Welcome, Introductions and Apologies	RG / JS
	<ul style="list-style-type: none"> - RG welcomed everyone to the meeting. It was advised usually only one representative should be present from each organisation, but it was recognised that attending the meeting can be good planning experience and as such more than one representative from an MPA may attend on occasion. NC attended to take minutes in Dee Walker's absence. EF was representing Peterborough in addition to Cambridgeshire. <p>Apologies are as set out on previous sheet. NE had sent apologies that he would be joining the meeting late.</p>	
2	Minutes of the last meeting and matters arising	RG / JS
	<ul style="list-style-type: none"> - Noted that CS has joined Hertfordshire County Council as Minerals and Waste Team Leader for Planning and Policy and SD has moved from Cemex to Breedon. - AR explained that Suffolk CC is not proposing to publish its latest collected data as an LAA due to staffing issues and will instead look to roll it into a double survey. AR asked if members of the Group were content with that and the general consensus was that others had followed a similar approach in the past. - The EoEAWP had provided its response to the Planning White Paper. RG had attended a POS meeting at which MHCLG's Chief Planner noted that some 44,000 responses had been received. - MN pointed out that a reference was made to him under Item 7 of the Draft Minutes but that David Payne had stood in for him. JS to amend. 	-
3	National Planning Issues including AM2019 and Secretariat Contracts	RG/JS/ MN/PH
	<p><u>AM2019 Survey</u></p> <p>JS explained that he, RG, MN and PH had attended a further virtual meeting of the Steering Group on 26 January 2021, chaired by the British Geological Survey, which followed an earlier meeting in November 2020 and shared the following headlines:</p> <ul style="list-style-type: none"> - <u>Form A Returns by Operators</u>: As at the January mtg, BGS has received survey returns for 600 active sites (up from 517 in Nov). Returns for Dormant sites had also increased but figures for both were down compared to this point with the previous AM2014 survey. Returns account for 142.6 Mt of total sales for Primary Aggregates (up 10Mt since Nov) which is within around 3Mt of the 146Mt figure produced by the Mineral Products Association (MPA) for land-won sand and gravel and crushed rock. - For marine sand and gravel, BGS report returns in respect of 11.1Mt which compared with the Crown Estate figure for landings (for aggregate use excluding beach landings) of 13.4Mt represents some 83% by volume and equates to some 92% by volume compared with MPA produced figures. BGS recognise that neither picture is complete but provide the closest comparable data available. - BGS shared a breakdown of response rates by AWP area comparing returns received against its own BritPits data. This indicated an average 	

response rate of 71%. The response rate for the East of England stands at 78% whilst response rates in other AWP areas was highly variable ranging from 44% - 100%.

- BGS provided a further breakdown by individual mineral planning authority area and a list of sites that have not responded. This has been provided to AWP Secretaries and **JS will share with mineral planning authorities in the East of England by 5 February to chase up any outstanding sites.** These will need to be submitted by Excel spreadsheet as the Survey Monkey option was taken off line at the end of the year.
- BGS is confident it has captured significant tonnages but believe some key sites are still missing (although sites may be known, for example, by a different name) and thus a final push is being made for mineral planning authorities to chase up outstanding returns with help from the Mineral Products Association and the BAA.
- Form B Returns by Mineral Planning Authorities: BGS reported outstanding returns in respect of planning decisions had now been received from several authorities including Leeds, Sheffield and Derby. Follow up enquiries remain on-going but BGS consider that the total expected coverage is now in.
- BGS continue to populate tables with on-going enquiries relying on input from AWP Secretaries, the MPA, BAA and individual mineral planning authorities.
- In terms of timescale, clearly there has been some lag from the original timetable but BGS and MHCLG feel it is worth a final effort to try and capture non-returns. MHCLG recognise that this becomes a case of diminishing returns and therefore it is requested that the end of February is used as an end date by which either returns are submitted (copied to the mineral planning authority) or estimates are made to BGS by the relevant mineral planning authority. BGS then aim to produce a Draft National Collation by mid-March.

MN and PH offered to also help encourage operators to complete survey returns amongst their respective memberships, although PH notes that the absence of AMRI data makes comparisons difficult. RR commented on the benefit of MPAs in the East of England undertaking their own surveys to inform LAAs as the publication of the BGS report would be delayed and we could find responses to the 2020 survey coming back before the 2019 results are issued.

Proposed amendments to the NPPF

- The consultation on draft revisions to the NPPF was buried within a wider consultation on new design codes. The proposed NPPF changes seek to implement policy changes in response to the Building Better, Building Beautiful Commission's 'Living with Beauty' report. As such the amendments mainly focus on Housing, design and Plan making issues. Deadline for comments is 27 March 2021.
- RR drew attention to Paragraph 22 which currently refers to strategic policies needing to look ahead over at least 15 years from adoption. Proposed amendments, however, now state that where larger scale development (such as new settlements) form part of the strategy for the area, policies should be set within a vision that looks at least 30 years ahead to take account of the likely timescale for delivery. RR suggested

there was now some ambiguity as to whether Minerals & Waste Local Plans should now also plan for 30 years ahead instead of 15 years.

- MN welcomed that the chapter on Minerals remains virtually intact. Reference is now made to mineral consultation areas and in respect of Building Stone, the reference to 'small scale' is deleted which helpfully puts Building Stone on a more equal footing with other minerals. The glossary now adds 'coal derived fly ash' to the list of mineral resources of local and national importance. The MPA hope minerals is recognised as a separate workstream and MN believes minerals may undergo its own review later in the year.
- JS noted that a new Annex 3 sets out Flood Risk vulnerability classification but this appears to be lifted straight from Planning Practice Guidance but with Solar Farms now added as essential infrastructure.
- CS noted Paragraphs 127 and 128 have been strengthened and that local planning authorities should prepare design guides or codes.
- Whilst the EEAWP responded to the consultation on the Planning White Paper, it was not considered necessary for the group to respond to the current consultation on the revised NPPF.

Natural England – Potential SSSI designations

- Whilst outside the EoEAWP area, PH commented that Natural England proposes to designate the entire Cotswold Water Park as a Site of Special Scientific Interest (SSSI) and concerns had been expressed that full consultation on the matter had not been undertaken. PH drew attention to a list of other sites which for which SSSIs were being considered which could cause an issue for the minerals industry.

The Environment Bill

- MN noted that the Bill was being pushed back to Autumn 2021. DEFRA and Natural England appear wedded to the Biodiversity Net Gain Metric although the concern is that such a matrix would not be suitable for mineral sites. The industry has a very good record in delivering biodiversity benefits but, given the timescales of minerals development, such benefits often arise in later phases. The MPA is seeking a separate approach to minerals as this could impact on mineral coming forward or at least incur delays. RG referred to a POS Working Group on the topic which David Payne of the MPA is helping to steer. AE added that there may also be implications for Section 73 applications seeking to amend mineral permissions if there were uncertainties as to how they will be impacted.

AWP Secretariat Contract

- JS reminded the Group that the current (extended) contract expires at the end of this financial year and, as previously reported, Central Bedfordshire has decided not to tender for the new contract, primarily because resources will be needed to assist with the review of its Plan. JS will therefore end his role as EoEAWP Secretary at the end of March 2021.
- On 18 December 2020, MHCLG issued a Tender Notice inviting interested parties to bid for providing Secretariat services to support one or more of the nine AWP in England over the next four year period

	<p>from 1 April 2021 to 31 March 2025. The bidding process ended on the 1st February 2021.</p> <ul style="list-style-type: none"> - MHCLG has not advised whether or not anyone has made a bid but JS will seek to provide an update. <p><u>EoEAWP Chairmanship</u></p> <p>On a related matter, it was noted that the Group had previously discussed electing a new Chair to coincide with the new Secretariat contract with an appointment to be made at the Group's June meeting.</p> <ul style="list-style-type: none"> - RG confirmed he would be happy to continue with the role if no one else is interested but noted that he had been Chair for several years and prior to that Essex CC had provided the Chair. - It was agreed that if anyone wishes to undertake the role of EEAWP Chairman they should send their expression of interest to JS before the end of March 2021. A decision would then be made on who should act as Chair for the next four years at the next EEAWP meeting. 	
4	Annual Monitoring Report 2020	JS
	<p>JS confirmed that survey forms have been circulated to East of England mineral planning authorities for onward distribution to operators. It is unfortunate that some mineral operators will be asked to provide data for 2020 whilst at the same time being chased for returns for 2019 in connection with the national survey as it may cause some confusion. However, this cannot be avoided as it's important to get the 2020 survey underway if we are to meet targets for producing our Annual Monitoring Report.</p> <p>Normally JS would prepare the Annual Monitoring Report (AMR) with the collated returns although as noted the current contract expires on 31 March 2021. The circulated forms have suggested that Operators make their returns by 5 March 2021 and JS would be happy to receive what data may be available at that stage to start preparing the AMR and minimise the burden on any new incumbent who hopefully can be appointed before the end of March.</p> <p>MN and PH offered to help smooth any concerns regarding survey fatigue. Contact JS if anyone has any questions.</p>	
5	EoEAWP Terms of Reference	JS
	<p>Following discussions at the Group's last meeting the AWP's Terms of Reference were tweaked to make clear that in dealing with pre-circulated Statements of Common Ground, the Group would respond under Duty to Cooperate arrangements in broad, sub-regional terms and leave bi-lateral issues of a strategic nature to individual mineral planning authorities. A copy of this amended version had been circulated ahead of the meeting.</p> <p>Since preparing that version, JS noted that the documents for the Secretariat contract include Draft National Terms of Reference which are to be finalised upon contract commencement. It was therefore agreed that it would be useful if JS could ensure that the Draft National Terms of Reference is reflected in the EoEAWP's version for agreement at the Group's next meeting. JS to circulate both in advance of that meeting.</p>	

	<p>With reference to Point 7a in the current draft EoEAWP's Terms of Reference, MN wondered whether the requirement for the AWP to give technical advice to mineral planning authorities on, inter alia, <i>'the adequacy of their Local Aggregate Assessments'</i> should go further by adding <i>'and their conformity to National Planning Policy and Guidance'</i>. MN's thoughts were driven by a concern that the Planning Inspector had accepted the forecasts set out in Worcestershire's Minerals Local Plan simply because they reflected the figures in its LAA, which did not take into account other information such as housing and HS2 and should reflect the NPPF and Planning Practice Guidance. PD noted that there is not consistency in the approach Planning Inspectors take. RR agreed that aggregate need should be subject to scrutiny. He saw an LAA as technical guidance and made the point that, unlike the local plan process, the LAA is not subject to consultation. MN would give the matter further thought and pass any comments to JS.</p>	
6	Mineral Products Association Update	MN
	<p>MN referred to the following economic and market outlook which had been previously circulated to the Group:</p> <ul style="list-style-type: none"> <p>MPA MARKET SALES VOLUMES IN GREAT BRITAIN: 2020 Q4 Demand for mineral products has been significantly impacted by the pandemic in 2020. Sales volumes of asphalt and aggregates declined by 8.6% and 10.5% respectively in 2020 compared to 2019. Demand for RMC and mortar was the most impacted, with sales volumes down 18.5% and 23.5% year on year respectively.</p> <p>As general construction activity started to recover since last summer, demand for mineral products improved during the second half of the year. The pace of recovery suggests that mineral products markets are catching up with pandemic-related losses quicker than the rest of the economy.</p> <p>ECONOMIC & CONSTRUCTION UPDATE After a historically large fall in output over 2020, the UK economy is expected to consistently recover in the next two years, as restrictions on a large swathe of sectors are gradually eased, the direct impact of COVID-19 fades, and household spending picks up.</p> <p>The sectoral composition of the economy reveals mixed fortunes. Construction activity is recovering faster than the rest of the UK economy, and has so far been more resilient to social restrictions. Monthly construction output in November 2020 exceeded levels of output pre-pandemic. The CPA expects output to rise by 14% in 2021 and 4.9% in 2022, fully recovering pandemic-related losses on an annual basis in 2022.</p> <p>Some issues concerning supply shortages noted but unclear whether these stem from furloughed staff or manufacturing issues.</p> 	
7	British Aggregates Association Update	PH

	<p>Whilst 2020 has not been a good year for the industry, PH noted that some members have had record years and construction is the only growth sector in the UK. Remains to be seen whether investment will continue to flow although the Government's Infrastructure Programme should help over 2021 and 2022.</p> <p>PH noted that earlier in the year Breedon acquired certain assets and operations from Cemex and drew attention to a new name in the region with Scottish company Tillicoultry taking over Ready Mix, Aggregate and Asphalt sites in Ely and Kings Lynn.</p> <p>Recent comments by the Business Sector recognising the minerals sector as an essential industry viewed as helpful.</p>	
8	<p>Mineral Local Plans Update</p> <p>Refer to Minerals Local Plan Update sheet previously circulated.</p> <p><u>Great Ouse Flood Storage Project</u> EF is contributing to the project to ensure MPAs and the Group are represented and there are no strategic implications for minerals. MN suggested the EA should provide a strong steer on the matter rather than expect Developers to solve the problem of flooding. RR recalled that the EA has in the past produced Catchment Area Plans but doesn't recall these ever being referred to in consultation responses.</p> <p><u>Corrections to the section on Norfolk CC's update</u> RD pointed out the entry for an application for extension for sand extraction to existing processing plant location (200,000 tonnes) at Burgh Castle has been inserted twice. Also, the application at Earsham for the extraction of 1,670,000 tonnes of sand and gravel has been granted and the words 'being determined' should be deleted. JS to amend the Local Plan Update.</p>	
9	<p>Any Other Business</p> <p>MN and RG extended their appreciation to JS for acting as Secretariat for the group over the last 3 years.</p> <p>SD questioned whether any MPAs have been aware of a need to look at the provision of coarse aggregate as a separate stream. RG confirmed this has not been picked up as a separate stream and difficult to do so without detailed analysis. SD wondered if it was a matter that individual LAAs should tackle. RG noted the guidance refers to 'Local distinct markets' which would not be available everywhere. RR commented that the matter has been taken into account in the past noting that all sites bar one in the Beds M&W Local Plan were for coarse aggregate. RR noted that it can be difficult to obtain adequate data from Industry to achieve detailed analysis on the supply of coarse aggregate to look at the issue in the round and can hold up detailed discussion.</p> <p>JS mentioned that the Marine Management Organisation is offering online marine planning implementation training sessions in the Spring and if anyone from an MPA with a coastal /tidal area is interested and hasn't heard from GS or her colleague Lucinda Robinson they can email Georgie.sutton@marinemanagement.org.uk who will send details and an invitation.</p>	

	RR noted that the Environment Agency (Brampton Office) was experiencing issues as a result of Coronavirus pandemic/illness and childcare/home schooling responsibilities leaving reduced staff capacity exacerbated by flood response duties. As a result, consultation responses to applications are likely to be delayed.	
10	Dates of Next Meetings	RG
	The date for the next two meetings were confirmed as: Thursday 3rd June 2021 at 14:00hrs Venue: Virtual meeting via Microsoft Teams Thursday 7th October 2021 at 14:00hrs	ALL TO NOTE