

DRAFT MINUTES

East of England Aggregate Working Party

Meeting on 21 June 2022 starting at 10am

Venue: Virtual meeting via Microsoft Teams

ATTENDEES

Authority 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
Jerry Smith (JS)	Bedfordshire Authorities
Caroline Jeffery (CJ)	Norfolk County Council
Matthew Breeze (MB)	Cambridgeshire County Council
Andrew Rutter (AR)	Suffolk County Council
Ross Walker (RW)	Suffolk County Council
Industry Members	
Mark North (MN)	Mineral Products Association
Kirsten Hannaford-Hill (KHH)	Aggregate Industries / MPA
Shaun Denny (SD)	Breedon Aggregates / MPA / BAA
Angela Watts (AW)	Brett Group
Pawel Zlocki (PZ)	Hanson
Tom Forbes-Cox (TF-C)	Cemex
Others	
Julia Webberley (JW)	EEAWP Secretariat
Dave Pitt (DP)	EEAWP Secretariat
Christina Davey (CD)	DLUHC
Nick Everington (NE)	The Crown Estate
Apologies	
Roy Romans (RR)	Bedfordshire Authorities
Richard Drake	Norfolk County Council
Claire Victory	Southend Borough Council
Emma Fitch	Cambridgeshire County Council
Lauren Keeling	Essex County Council
Peter Huxtable	British Aggregates Association (BAA)
Alan Everard	Tarmac / MPA
Peter Lemon	Midd Aggs / BAA
Mark Page	Hansons / MPA
Simon Smith	Longwater
Maria Cotton	Breedon Group

Item No.	Subject	Owner
1	Welcome, Introductions and apologies	RG / JW
	RG welcomed everyone to the meeting and each attendee introduced him or herself. JW ran through a list of apologies. Apologies are as set out above.	
2	Minutes of the last meeting and matters arising	RG / JW
	<p>RG ran through the list of action points which had arisen from the last meeting held on 25 January 2022. The various action points listed had been completed but three generated further discussion, as detailed below:</p> <p>a) DLUHC is asked to look into the worsening situation relating to the EA which is considered to be a national issue that needs to be urgently addressed. KHH had received an email from a user researcher who is part of a team working with DEFRA to ‘consider the development of an online customer portal which would support individuals/businesses/representatives in the application and management of permits which the Environment Agency currently supports’ with the aim of improving the process. A copy of the email will be circulated with the draft minutes.</p> <p>b) Guidance is sought as to what constitutes a ‘major construction project’ for the purposes of the AMR. JW to liaise with DLUHC on this. JW advised that she had discussed this with CD and the AMR template now indicates that major constructions projects are those developments which are anticipated to have greater than local influence on aggregate demand. Clearly, there is still an element of subjectiveness in this assessment and CD will continue to give this some thought.</p> <p>c) JW to seek clarification both as to what constitutes an ‘LAA rate’ and on the order in which LAAs should be produced in relation to the AMR. JW had discussed this with CD and their conclusion was that the LAA rate should be as defined in the POS and MPA practice guide on the production and use of LAAs which specifically refers to the LAA rate as follows: ‘LAA Rate is the LAA Provision Rate as determined by the mineral planning authority as the suitable measure for estimating the landbank for land-won aggregates - see Planning Practice Guidance (PPG). The default for mineral planning authorities is the ten year average sales, but this must be informed by the three year average sales, MLP apportionment and other factors’. ‘The landbank calculation is the reserve divided by the LAA Rate to</p>	

indicate life in years of the mineral planning authority reserve'. JW confirmed that ultimately, LAA rates should be revisited each year and that the LAA should be a tool to forecast when the landbank is going to run out. PD noted that it is a requirement of inspectors for a plan provision rate to be included in a plan policy. He added that this provides a fixed number and therefore it is uncertain how an annually changing rate presented through an LAA can be used to calculate the 'official' landbank for a mineral planning area for monitoring purposes. CS queried whether the LAA rate and APR were the same and JW agreed but considered that there would be variance between the LAA rate and any provision rate specified in a mineral plan as clearly the plan rate is fixed at the time of adoption. CS queried whether it was therefore inappropriate to set a fixed rate in the plan and wondered whether flexibility should be built into any policy to take account of annual changes in LAA rates. MN stated that the point of an LAA is to forecast demand and this should not be left to development plans. The findings of an LAA could trigger a plan review if the LAA rate is found to be very different from the provision rate in the plan. However, the value of an LAA does assume that forecasts are being accurately calculated and this is very difficult for mineral planning authorities to achieve. MB suggested that the AMR template could be adapted to include a 10 year sales average, a 3 year average, the LAA rate and the local plan rate to ascertain whether the plan is underperforming. RG queried whether a single method could be adopted to address forecasting. He highlighted the fact that LAAs are not necessarily subject to scrutiny despite being a material consideration in planning applications. CS noted that Herts CC does submit its LAA to members but this is not the case for all authorities. PD highlighted the danger of DLUHC comparing LAA rates across the country given that there is no consistent methodology for determining the rate and care is required over its interpretation as these figures are not necessarily going to be the amount of mineral actually being provided for in MLPs. AR suggested that each authority should provide their LAA rate and local plan figure in advance of the next meeting for comparison. **PD suggested that authorities should provide a) the individual adopted figures to show the actual mineral provision across the AWP, b) a straight 10 year rolling average so everyone is providing a comparable figure, and then c) any % uplift that would/ is being applied for additional flexibility such that you can see where MPAs are 'forecasting'/ adding flexibility.**

MN asked that there should be one edit to the draft minutes of the last meeting, namely that a footnote should be added at the end of item 3 to the effect that the statement in the last paragraph of item 3 that

	<p>'forecasts should be left to development plans' is incorrect as LAAs <i>are</i> required to forecast demand, as per paragraph 213(a) of the NPPF.</p> <p>This edit will be made to the minutes which are otherwise deemed agreed. A copy will then be uploaded on to the David Jarvis Associates website, available here: https://davidjarvis.biz/east-of-england-awp/</p>	
3	Update from DLUHC	CD
	<p>CD gave an update on matters as follows:</p> <ul style="list-style-type: none"> • The Levelling Up and Regeneration Bill ('LURB') was introduced into Parliament and given its first reading in May. It has entered the committee stage today. There are notable changes from the Planning White Paper published in 2020, in particular the proposal for zoning has gone, as has the idea of introducing permission in principle. The aim is to make plan making simpler, faster and easier to navigate. There is a proposal to introduce national DM policies which must not be repeated in minerals plans. The LURB also includes reforms to make planning decision making more efficient. Digital transformation is a key focus. The NPPF will be updated in due course. DLUHC is aiming to publish a prospectus next month which will provide further detail and a full consultation on an updated version of the NPPF will take place once the LURB receives royal assent. Secondary legislation will be required to implement proposed changes. There are currently no proposals to reform MASS. Any observations or comments on the LURB would be welcomed. A policy paper with more detail on the LURB has been published and is available to view via this link: https://www.gov.uk/government/publications/levelling-up-and-regeneration-further-information/levelling-up-and-regeneration-further-information Additional information including a link to sign up to future stakeholder events can be found here: https://linktr.ee/lurbplanning • A meeting of the National Aggregate Coordinating Group is due to take place at the start of July, to which industry will be invited; • The AMR template is a living document which has been prepared with a view to achieving an overall picture of the aggregate supply position across the country; comments on the template (such as MB's above) continue to be welcomed. <p>MN commented that there was a good opportunity to comment on proposed changes or additions to the NPPF now, <i>before</i> it becomes</p>	

	<p>subject to formal consultation, so that any proposed changes can themselves form part of the consultation process.</p> <p>CJ queried whether development management policies would be formally split from the NPPF; CD advised that the structure had not yet been decided but DLUHC is taking legal advice on this as well as the question of whether the NPPF would be subject to its own SEA (as queried by MB). RG commented that, overall, the weight to be attributed to the NPPF in development management decisions was increasing.</p>	
4	EEAWP Report 2021 – update on data received so far	JW
	<p>JW provided a brief update to the effect that she had now received data for inclusion in the AMR from 5 out of 6 mineral planning authorities; however, as 3 of these had been received in the last day or so, JW had not yet had the chance to enter this into the spreadsheet and obviously could not comment substantively on the data received.</p> <p>Suffolk was asked to provide its data when possible. Mineral planning authorities were also asked to confirm when their figures could be considered to be final rather than provisional and to clarify to JW the basis of the LAA rate which they were proposing to use in their 2021 LAAs so that JW can report this in the AMR. JW will now start to review the data and will commence drafting of the AMR.</p>	
5	Update on Recycled Aggregates Issue	RR
	<p>In RR's absence, JW gave an update as follows:</p> <p>The recycled aggregates paper which RR had been involved in drafting together with Ellie Inglis-Woolcock of Cornwall Council was now in final draft format and is with DLUHC for sign off. It will be discussed once more at the forthcoming NACG meeting, after which it should be available for mineral planning authorities to use as guidance in assessing local quantities of recycled aggregates. The paper does not impose a single method for this calculation; mineral planning authorities will still have the option of relying on survey data or using figures in the WDI. If using the latter, the paper sets out a clear method for extracting the relevant data. Copies of the paper, once formally signed off by DLUHC, will be circulated to members by the AWP and/or by regional waste TABs.</p>	
6	Mineral Products Association Update	MN
	<p>MN gave an update as follows:</p> <ol style="list-style-type: none"> 1) The publication entitled 'A 50 year success story Quarries & Nature' had recently won a national planning award of which the MPA was justly proud. 2) JW had circulated a press release issued by the MPA concerning the 2042 end date imposed on many mineral planning permissions – accessible here: new briefing. This highlights the 	

	<p>need for early action to ensure a continued steady and adequate supply of aggregate as the implications of the 2042 deadline will start to become significant in around 5 years' time given the length of time it takes between identifying viable resources and achieving planning permission. Whilst the EEAWP area is unlikely to be directly impacted, it will be affected because of its total reliance on imported crushed rock. In this regard, the briefing notes that for crushed rock, the planning permission for 152 sites ends in advance of 2042 with a further 115 sites expiring in 2042. Collectively, these permissions represent 68% of the 3.696 billion tonnes (Bnt) of crushed rock reserves permitted across England and Wales at the end of 2019. Significantly, the 115 sites that expire in 2042 are responsible for 48% of these reserves (1.759 Bnt). Mineral planning authorities need to be mindful of the increased workload that they are likely to face going forwards.</p> <p>3) JW had circulated an email prior to the meeting with an MPA Mineral Products Markets Forecast (2022-24, GB) which provided as follows: 'Current construction demand for mineral products remains strong, despite significant cost increases due to energy, raw materials and labour. Construction work already on the ground and a healthy pipeline of new projects should support further growth in mineral products sales in each year of the forecast period (2022-24). By the end of 2024, asphalt sales are forecast to be 7% higher than in 2021, 8% higher for primary aggregates and mortar, and 9% higher for ready-mixed concrete. However, growth momentum is expected to slow, particularly toward the end of 2022, as surging inflation and cost pressures are expected to drag on construction demand'.</p> <p>4) JW had also recently circulated an MPA report entitled 'Regional overview and forecasts of construction and mineral products markets in Great Britain' – copy available here: new report The East of England has its own section within the report which is worth reviewing.</p> <p>RG queried whether the 2042 end date for many permissions would mean that ROMPs were not permitted to be deferred beyond then. MN indicated that the MPA would be taking legal advice on this point. CD questioned the steps that industry was taking in terms of looking for alternative sites, especially where extensions may not be permitted. MN commented that continuing to allow crushed rock supply from within National Parks was essential if the industry was not to face a perfect storm of increased demand and lack of supply. CS queried whether mineral plans should start to plan ahead for 30 years rather than the current 15 given the increasingly strategic nature of the issues involved.</p>	
7	British Aggregates Association Update	PH
	In PH's absence from the meeting, no report was adduced.	
8	Mineral Local Plans Update	MPAs / All

	The Minerals Local Plan Update had been circulated prior to the meeting.	
9	RTPI/MPA Conference	MN
	<p>This took place on 15 June 2022 and was attended both online (approximately 160 attendees) and in person (approximately 80). It was considered to be an extremely successful and well organised event! MN took the opportunity to thank CD for her contribution as a speaker and RG did the same for NE who had also delivered a talk. Both were considered to be excellent presentations.</p> <p>It was noted that those attending in person could not see the online chat whilst those attending online generally had no issues other than not knowing exactly when presentations had commenced. MN advised that he would feed this back to the event organisers.</p> <p>JS commented that ROMPs could be a potential topic of discussion for future conferences, particularly the question as to whether it would be possible to defer ROMPs beyond 2042 (presumably not!).</p> <p>MN advised that Nigel Jackson was due to step down as CE at the end of September and John Pritchard would start as CE at the start of October. John is currently chief executive of the Institute of Chemists. He does not have a minerals background.</p>	
9	Any other business	All
	<p>NE provided an update on marine matters as follows:</p> <ol style="list-style-type: none"> 1. <u>Marine Aggregates Tender</u> <ol style="list-style-type: none"> a. The current marine aggregate tender closed to bids in January. There has been an exceptionally strong level of interest. b. The Crown Estate is nearing completion of the assessment and moderation process and anticipates making a recommendation on which bids should be taken forward into the Habitats Regulations Assessment process in July. c. The HRA will take around 6 months to complete. Awards of Exploration and Option Agreements are expected during Q1 2023. 2. <u>Publications</u> <ol style="list-style-type: none"> a. The 2021 marine aggregate landing statistics are available on the Crown Estate website; b. Work continues with the BMAPA to get the 24th Annual Area Involved Report published by the end of July (detailing dredging intensity in 2021); c. The Crown Estate 2022 Capability and Portfolio brochure (giving reserve data) will be published later in 2022. 3. <u>Key Resource Assessment</u> 	

- a. In March, the Crown Estate commissioned dedicated geophysical survey work to enhance knowledge of the quality and distribution of marine sand and gravel resources. This work is being undertaken to support a refinement of the key resource work undertaken by BGS. It will help preserve the best mineral resources to meet future market demand, whilst releasing other seabed for alternative uses. The survey covered seabed in the English Channel and Southern North Sea.

4. Electronic Monitoring System

- a. In 2021, the Crown Estate launched an upgraded version of its Electronic Monitoring System (EMS) that tracks and logs all dredging activity. Originally, this was introduced to be permanently fitted to all ships regularly dredging for aggregate. The new version has wireless capability and can be easily deployed on ships visiting the UK to carry out temporary, one-off projects, such as beach-replenishment contracts. It has already been deployed on four contracts – including the Liverpool dock infill for the new Everton football stadium (700,000 tonnes) in late 2021 and the annual “Lincshore” replenishment project (600,000 tonnes) which has just started.

JS advised that this would be his last AWP meeting for a while as his family is relocating to Jordan for 3 years. RG wished him well and, on behalf of all EEAWP members, thanked him for his valuable contribution towards AWP matters over the years.

AR advised that Graham Gunby had left the minerals planning department of Suffolk County Council for the national infrastructure department. Minerals related matters at Suffolk would now be dealt with by AR and RW with RW acting as the main contact.

CS raised the issue of increasing pressure on food security and wondered if this was something that should now be under consideration either in terms of safeguarding agricultural land or providing biodiversity gains offsite. SD endorsed this and wondered if agricultural land should be considered as a preferred option for restoration. RG commented that the question should be whether land is capable of future conversion to agriculture (such that restoration to a lake is inappropriate). MN noted that it used to be the case that agriculture was a top level restoration requirement but this is no longer so. PD noted that guidance continues to state that land needs to be ‘capable of being restored to agricultural use’ and MB added that the ALC still exists but that this tends to be used to steer development away from best and most versatile agricultural land rather than encouraging restoration to it. RG suggested that this may be something that needs a strategic approach from government. **CS will continue to mull and revert to future meetings with any updates.**

10	Dates and times of next meetings	RG
	It was agreed that the next meeting will take place in November and will be scheduled for 2 hours rather than 3! JW will liaise with RG regarding specific dates in November and will circulate an invitation in due course.	ALL TO NOTE
	The meeting finished at 11.40am.	

Action points

- a) JW to circulate a copy of the email in relation to the EA.
- b) CD to continue to give some thought to the definition of major construction projects.
- c) Each authority to provide to JW a) its individual adopted figures to show the actual mineral provision across the AWP, b) a straight 10 year rolling average so everyone is providing a comparable figure, and then c) any % uplift that would/ is being applied for additional flexibility such that you can see where MPAs are 'forecasting'/ adding flexibility.
- d) JW to make single edit to the minutes and then upload them on to the David Jarvis Associates website.
- e) All to consider commenting on proposed changes or additions to the NPPF now, before it becomes subject to formal consultation.
- f) Suffolk to provide its data when possible.
- g) Mineral planning authorities to confirm when their figures can be considered to be final rather than provisional and to clarify to JW the basis of the LAA rate which they are proposing to use in their 2021 LAAs.
- h) JW will now start to review the data and will commence drafting of the AMR.
- i) JW will circulate a copy of the recycled aggregates paper, once formally signed off by DLUHC.
- j) MN will feed back comments on the online experience of the MPA/RTPI conference to the event organisers.
- k) CS will continue to mull the issue of increasing pressure on food security and will revert to future meetings with any updates.
- l) JW will liaise with RG regarding specific dates in November and will circulate an invitation in due course.