

DRAFT MINUTES

East of England Aggregates Working Party

Meeting on 24 Oct 2018 starting at 2pm

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

ATTENDEES

| Members | |
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| Richard Greaves (RG) | Essex County Council (Chairman) |
| Roy Romans (RR) | Bedfordshire Authorities |
| Phil Dash (PD) | Essex County Council |
| Emma Chapman (EC) | Hertfordshire County Council |
| Chris Stanek (CS) | Peterborough City Council |
| Richard Drake (RD) | Norfolk County Council |
| Cameron Clow (CC) | Suffolk County Council |
| Others | |
| Kirsten Hannaford-Hill (KH-H) | Aggregate Industries/MPA |
| Angela Watts (AW) | Brett/MPA |
| Trefor Evans (TE) | British Aggregates Association |
| Keith Bird (KB) | Hanson/MPA |
| David Payne (DP) | MPA |
| Mike Pendock (MP) | Tarmac/MPA |
| Apologies | |
| Sue Marsh (SM) | EEAWP Secretariat |
| Jerry Smith (JS) | EEAWP Secretariat |
| Ann Barnes (AB) | Cambridgeshire County Council |
| Emma Fitch (EF) | Cambridgeshire County Council |
| Shaun Denny (SD) | Cemex / MPA |
| Peter Dawes (PD1) | Frimstone Ltd/BAA |
| Julie Greaves (JG) | Hertfordshire County Council |
| Amy Balding (AB) | Marine Management Organisation |
| Eleanor Johnston (EJ) | Marine Management Organisation |
| Mark North (MN) | MPA |
| Graham Gunby (GG) | Suffolk County Council |
| Richard Read (RR1) | SEEAWP, LAWP |
| Richard Hatter (RH) | Thurrock Borough Council |

| Item No. | Subject | Owner |
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| 1 | Welcome, Introductions & Apologies | RG |
| | <p>RG welcomed everyone to the group and introductions were made for the benefit of new attendees. An attempt was made to invite EF to the meeting via Skype.</p> <p>Apologies – as set out on previous sheet.</p> | |
| 2 | Minutes of the last meeting & matters arising | RG/SM |
| | <ul style="list-style-type: none"> • Wharf Capacity Study <p>SM gave an update reminding the Group that the East of England LGA had funding available for a wharf capacity study potentially including railheads. SM explained that James Cutting (Suffolk CC) had taken the project on in place of Richard Hatter (Thurrock BC) due to RH's other commitments. JC had confirmed that resources remained for consultancy work on current & likely throughput of aggregate through wharves, although the geographical scope would depend on who is willing to participate. RG felt it valuable for MPAs to look at this work, especially with Plans coming up for review, although the level of available resource remains unknown. It was noted that the wider the project's scope, the higher the costs would be and costs wouldn't be clear until the scope was prepared. Queried whether any other high level study had been done e.g. by the MPA. DP recalled the most recent was a Study for West Sussex by Land Use Consultants and Cuesta which looked at the capacity of existing sites, throughputs, forecasts & theoretical capacity, although this was also in the context of the Shoreham Harbour joint Area Action Plan that included loss and relocation of some existing wharves. A link to this study was included in JC's update email which it was agreed SM would circulate and invite key questions for SM/SG to consolidate & respond to JC.</p> <ul style="list-style-type: none"> • Lack of information regarding production capacity. <p>The Group had felt it helpful to have some data on this to understand how industry could supply major construction projects and the question of whether LAAs need to look at production capacity to understand how quickly industry can respond to significant demand from major projects. RD highlighted a confidentiality issue when recording productive capacity – some data may be in the public domain (e.g. planning conditions/S106) but Norfolk CC had to withdraw references to production capacity when previously recorded in its LAA because even though the information was available elsewhere, industry felt that it was made too readily accessible when set out in the LAA. DP noted that SEEAWP was also looking at this & publishes production capacity. PD suggested capacity could be aggregated to overcome commercial sensitivities although RR felt that once put forward it needed the</p> | SM/All |

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| <p>supporting information behind it to be produced to stand up to scrutiny. RR suggested SM contact RR1 and see what question the SEEAWP survey form asks and include in the forms going out in Jan 2019. KH-H felt capturing production capacity is vital as whilst the landbank may be there, supply problems arise if mineral cannot get out of the gate in time. SM suggested an appropriate definition of production capacity is needed so operators are clear as to what's required. DP noted that RR1 had reported on this in his conclusions indicating that in London and the SE sales are at about 60% of production capacity. KB agreed care was needed in framing the question as whilst production capacity may be 0.5mtpa but may be lowered due to variables of operating hours, age of plant, current site configuration, planned maintenance down-time etc. RG wondered whether it had caused issues from different operators responding in different ways. The bottom line was whether production capacity was a limiting factor in getting material to market at the sub-national level. Agreed that an appropriate question is added to next year's form to see the %tage and see trends going forward.</p> <ul style="list-style-type: none">• RG had signed off the response on behalf the group in respect of Suffolk's LAA.• MN had circulated the HSE comments on crystallite silica dust and DP commented that available evidence indicated that this posed an occupational health hazard rather than any environmental issue beyond a site boundary. X-rays of staff were being undertaken by operators. This related to Health Impact Assessments (HIA) which, since the EIA Regs changed, could now form part of an EIA. In response to a question regarding the submission of HIAs, RR reported that one had been prepared in support of Covanta's incinerator proposal. MP queried whether there was any guidance available for compiling a HIA to which RG considered it was more of a local decision and that Essex CC was preparing some guidance with public health agencies and the districts.• Presentation by the Marine Management Organisation was postponed until the next meeting with SM reporting that the representatives had needed to attend an internal meeting.• The EoEAWP Annual Monitoring Report had been sent to MHCLG as required along with a letter to Simon Gallagher reiterating concerns regarding the lack of central support for minerals planning. No response or acknowledgement had been received. SM not aware MHCLG has published the AMR on line but it is on Central Bedfordshire website under the EoEAWP webpages. SM had circulated the letter to AWP members for their information. | <p>SM</p> <p>AB/EJ</p> |
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| | <ul style="list-style-type: none"> RD highlighted an error in the previous Minutes which incorrectly referred to James Cutting as 'Surrey' rather than 'Suffolk' CC. With that amendment the Minutes were approved, seconded and signed as a true and accurate record. | |
| 3 | Consideration of Draft Local Aggregate Assessments (LAAs) | ALL |
| | <p>Draft LAAs had been circulated prior to the meeting on behalf of all the MPAs except Suffolk CC which was discussed at the June meeting. RG noted that MPAs would be fine-tuning these but invited individual MPAs to report headlines.</p> <p><u>Norfolk LAA</u> – RD highlighted that references to the years in Tables 6 & 13 needed changing from 2016 to 2017 although the figures had been updated. Sand & gravel production had been steady with annual production at 1.60 Mt down just 1% from the previous year (1.62 Mt) and representing just over 60% of the apportionment target. The 10 year average production stood at 1.37 Mt (3% down from 1.41Mt recorded up to the end of 2016). No new planning permissions had been issued in 2017. Reserves stood at 14.7 Mt, down 11% from 2016. The landbank from remaining allocated sites based on 10 years' average sales stood at 13.7 years at the end of 2017.</p> <p>Carstone was excavated at a limited number of sites. Production was down in 2017 at around 97.5 thousand tonnes representing only half of the apportionment (4% down from 2016) but limited demand led to limited working. Reserves stood at 1.95 Mt (down 5% from 2016). The landbank based on the 10 year rolling average sales was some 20 years.</p> <p>RD reported that the 5 year review of the Minerals & Waste Local Plan had been through its initial consultation (ended Aug 2018) and NCC was preparing to go out to its Preferred Options consultation in Q1 of 2019. RD invited comments within 2 weeks to enable progress towards publishing the LAA but, in line with a suggestion from RR, agreed to add data on the capacity for recycled aggregate to compare with production. No further comments were raised at this stage.</p> <p><u>Herts LAA</u> – EC confirmed that some minor changes were to be made for clarity and would refer to production capacity for secondary aggregate. Sand and gravel extraction had ceased at two sites over 2017. Two planning permissions were subject to S106 agreements and would feed into the next LAA for 2018.</p> <p>Sales in 2017 had seen a small increase (to 1.17 Mt) and the 10 year average sales stood at 1.16Mt. The apportionment target is 1.39 Mt. Reserves had fallen to 10.45 Mt due to a recalculation based on the annual survey returns. No planning permissions had been granted for additional reserves. The landbank stood at 7.5 years, down 1 year from the end of 2016.</p> | RD |

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| <p>In terms of secondary & recycled aggregate, 2017 saw some 246,000 tonnes processed, roughly 11,000 tonnes more than in 2016. Herts had 7 secondary & recycled aggregate sites and 5 rail aggregate depots including the reopened Hitchin Rail Aggregate Depot. EC similarly invited comments by 14 Nov as proposed to report the LAA to Panel seeking approval to publish but would circulate an updated version. RR observed that the LAA included information on chalk & clay and noted that other LAAs included non-aggregate minerals (e.g. ECC includes a silica sand paragraph) whilst others didn't and suggested there should be a consistency of approach. RD commented that NCC had included its silica sand assessment on the back of its LAA so as to have a single document for ease of search. After discussion, it was agreed that for 2019 it would be acceptable for non-aggregate minerals to be included albeit as an appendix so that it's clearly separate from the aggregate assessment. Discussion on consistency also included cover sheets and it was noted that it had been previously agreed to include a dashboard and executive summary. Following debate as to whether LAAs should be badged with the year the data related to or year of publication, it was agreed that the date of publication could be used provided it makes clear the year it relates to.</p> <p><u>Bedfordshire Authorities LAA</u> - RR reported a slight reduction in sand and gravel sales of around 3% to 1.64 Mt although the 10 years average sales, at 1.28 Mt, had not changed significantly. Permitted reserves amounted to nearly 16 Mt. The landbank stood at 8.6 years based on the apportionment figure of 1.84 Mt or 12.4 years based on 10 years average sales.</p> <p>Several sites have been allocated in the 'Minerals and Waste Local Plan: Strategic Sites & Policies' to allow future reserves to come forward over the plan period. No planning permissions had been granted but 1 application had been received for an additional 1Mt which is currently subject to a S106.</p> <p>In terms of recycled aggregates, the LAA has looked at capacity and compared this with throughput using data from the Waste Interrogator. This indicated that throughput was some 30% of available capacity which, whilst recognised as not being completely accurate, nevertheless, this would indicate no over-riding need for additional capacity. Comments were similarly invited by 14 Nov. DP considered Figure 4 usefully highlighted problems of using a declining 10 year average of sales as a basis of future provision when sales have been increasing in recent years.</p> <p><u>Cambs & Peterborough LAA</u> – CS reported sales at 3.56 Mt as being the highest for the last 15 years notably due to the impact of the A14 upgrade. This increased the 10 year average sales to 2.36 Mt with the Plan making provision for an annual apportionment of 3 Mt. Reserves as at the end of Cs2017 stood at 41.4 Mt. Some corrections were required to the landbank figures which should read 13.81 years not</p> | <p>EC</p> |
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| <p>18.09 years. CS reported sales as generally trending upwards although the A14 upgrading skewed the 3 year average.</p> <p>Sales of crushed rock stood at 0.25 Mt giving a 10 year average of 0.3 Mt and a landbank of 8.4 years, down from the previous year. No new permissions had been issued.</p> <p>Recycled and secondary aggregates contributed some 0.42 Mt in 2017 Mt with a 10 year average of 0.58 Mt. CS will re-circulate with all corrections and invited comments by 14 Nov. Peterborough has no formal sign-off process to go through for its LAA.</p> <p><u>Greater Essex LAA</u> – PD reported a negligible increase in sales during 2017 to 3.41 Mt, although highlighted figures were prone to swing with the highest had been 4.37 Mt (2014) and the lowest at 2.3 Mt (2012). The 10 year average sales stood at 3.2 Mt (down 2%) whilst the 3 year average stood at 3.42 Mt (down 9%). The apportionment target was 4.45 Mt.</p> <p>Reserves stood at 32 Mt giving a landbank of 7.18 years based on the apportionment figure (down from 7.9 years as at the end of 2016) but 9.99 years based on 10 years average sales (down from 10.8 years to the end of 2016).</p> <p>Two applications were subject to S106 suggesting some 4 Mt in the pipeline. PD referred to an extensive growth agenda for Greater Essex with some 140,000 new homes needing to be delivered, new garden communities, Crossrail, Lower Thames River Crossing, Bradwell Nuclear Power Station, Harwich International Port and development at Stansted.</p> <p>PD reported a 24% decrease in the removal aggregate from the seabed. A comment was made that this decrease may have contributed to the uplift in land-won sales.</p> <p>MP suggested reference be made to the significant development projects under demand forecasting and queried whether data on housing completions could be captured. CC confirmed that district councils would compile such data although PD questioned the merit in doing so as it would be difficult to identify an accurate figure given aggregate serves a wider market than housing and problems arise with cross-boundary sites as to where the mineral has come from. RD confirmed that Norfolk CC had looked at this but didn't find a correlation between housing completions and mineral demand. Figures for housing completions also don't reveal what type of houses have been delivered with variants having very different aggregate profiles.</p> <p>DP noted that the NPPF now requires forecast of demand. RR regards the 10 year average as the starting point and then adjust based on infrastructure projects although the A14 upgrade would skew figures</p> | <p>CS</p> |
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| | <p>for Cambs & Peterborough, albeit much material used in construction was imported rock.</p> <p>It was noted that <u>Suffolk CC's</u> LAA had been considered at the previous meeting with a co-ordinated response subsequently sent by RG on behalf of the group.</p> <p>RG referred to Q39 of the NPPF consultation document which had invited views on the use of national and sub-national guidelines on future aggregates provision with a view to revitalising MASS in a new digital formula. RG wondered whether the MPA may be best placed to comment through conversation with the AWP's as to how that may best come about. RG had set up a new National Co-ordinating Group meeting (see <i>Item 6</i>) having warned of a weakened position if nothing comes forward for post-2020. RD explained that Norfolk CC takes a 20 year approach on the basis this includes a whole economic cycle whereas the 10 year period is skewed by the 2008 recession. He argued a 20 year approach builds in flexibility notwithstanding that objectors argue that 10 year average sales data should be used.</p> <p>RG asked that comments and feedback be directed to individual authorities by 14 Nov. 2018.</p> | <p>All</p> |
| <p>4</p> | <p>Statements of Common Ground (SoCG)</p> | <p>All</p> |
| | <p>Item was added to the agenda now the NPPF expects AWP's to be signatories for minerals and waste local plans. There was some discussion as to whether each AWP needed to produce its own SoCG but consensus was that the AWP is just an additional signatory to the SoCG which each authority has to produce. RR noted however that certain MPAs may need to also seek agreement of other AWP's (e.g. SEEAWP) with which they border.</p> <p>DP commented that this requirement goes above the duty to cooperate and seeks to overcome instances where there is an identified supply issue yet an assumption is made it would be met by another MPA. RR highlighted how potentially onerous this could be as in the case of industrial sands MPAs would be supposed to co-operate with authorities on the other side of the country and the picture on waste was similarly complicated.</p> <p>RG suggested there would be merit in trying to keep this at a strategic level between respective AWP's but this would need a consistent approach by all AWP's. CS noted that Cambs & Peterborough may need to bring something back to the group prior to its MWLP going to its Preferred Approach Consultation in March 2019. RG suggested that the frequency of meetings may not assist where the AWP may be consulted as part of an authority's SoCG and therefore may need to circulate electronically to try and agree a high-level response. RR commented that there was nothing to stop a SoCG being prepared before a plan is published as MPAs need to be speaking to relevant</p> | |

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| | <p>parties at an early stage. The question was raised as to what if other MPAs approach the EoEAWP although it was pointed out that it is not a duty to agree. RG could see the need for a standard approach nationally. CS would circulate a draft SoCG on behalf of Cambs & Peterborough in advance of the next meeting and RD added that Norfolk CC would need to do the same. RR reminded colleagues that they would also need to consider adjacent AWP.</p> | <p>CS RD</p> |
| 5 | MPA Update | DP |
| | <p>DP reported that the MPA were in discussion with the RTPI regarding the next Mineral Planning Conference. The RTPI were organising this in-house rather than through an external event organiser which was proving beneficial. The RTPI are keen to hold this in the north (Manchester?) to tie in with an agenda likely to include the Northern Powerhouse and issues around the supply of mineral to a major urban area to meet its economic growth agenda.</p> <p>The MPA had produced and circulated the UK Minerals Strategy (July 2018). DP was pleased to note that the MPA's pressing for minerals to be retained as a separate chapter in the NPPF had been heeded and the MPA continued to help government to recognise the need for mineral to be produced in the UK.</p> <p>The national picture showed a level forecast of potential demand and potential supply. DP felt the MPA could do something on a more regional level which would be helpful to have. This would need to be discussed with other AWP and won't replace national figures but nevertheless helpful to have a view.</p> <p>DP also involved in some work for the POS having volunteered to draft some guidance in respect of the safeguarding process and mineral assessments. This would be aimed at districts and set out when such assessments are needed, how they should be undertaken, and when different planning permissions may be required etc in order to prevent abuse of safeguarding. A draft would be circulated once DP had considered the comments received to date.</p> | |
| 6 | National Planning Issues | VE/SM |
| | <p>RG reported that he had lined up a national meeting of the AWP Chairs if the NPPF had gone along with the consultation draft but RG was pleased to note that the final version showed government having listened to the combined comments submitted on minerals. He had therefore postponed/cancelled the meeting. Still a question mark over what replaces national guidelines post MASS.</p> <p>Noted that the AWP contracts are due to expire in March 2019 and no communication received on this matter. TE had been party to some conversation with an MP on this and whilst unable to share at this stage suggested some positivity.</p> | |

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| | <p>RG noted that Hants CC were undertaking a survey regarding the call for sites to ascertain whether sites were coming forward or falling foul from failure to secure options etc. True that investors were taking a cautious approach at present given current uncertainties. Essex CC to respond to the survey which may help identify trends e.g. on the lack of sites coming forward.</p> <p>SM reported that no feedback had been received from Vicky Engelke / other MHCLG contacts.</p> | |
| 7 | MPA Update on local plans | MPAs/ All |
| | <p>An update had been circulated prior to the meeting using the agreed template and was noted. MP highlighted concern at the widespread number of vacant posts within the MPAs. RR indicated that adverts were not attracting applicants. It was suggested that this is partly down to the decline in the number of Planning Schools and an omission of minerals as a module on planning courses, principally because the subject is not familiar to many Planning lecturers. The position was exacerbated by the early retirement of experienced minerals planners. RG revealed that Essex CC was undertaking some work on recruitment and retention which pointed to a 'grow your own' approach and noted the RTPPI was trying to do more to spark interest in planning as a career choice in schools. DP added that the MPA, in recognising the need to promote, had recently participated with the RTPPI in an 'Introduction to Minerals and Waste Planning' in London and the SE which had attracted around 50 attendees.</p> | |
| 8 | Any other business | All |
| | None raised. | |
| 9 | Change of day of meeting | All |
| | <p>Discussed scope to switch future meetings to a Monday or Tuesday to accommodate reps from Cambs CC who struggle with Wednesdays due to a combination of working patterns and Committee commitments. However, the alternative days suggested proved difficult for other attendees so agreed to keep with Weds and CS offered to cover / report back to Cambs colleagues.</p> | |
| 10 | Date of Next Meeting | Chair |
| | Next meeting set for 6 Feb 2019 at 14:00 hrs, Essex CC. | All |