

AGREED MINUTES

East of England Aggregates Working Party

Meeting on 7 Feb 2018 starting at 2pm

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

ATTENDEES

Members	
Richard Greaves (RG)	Essex County Council (Chairman)
Roy Romans (RR)	Bedfordshire Authorities
Phil Dash (PD)	Essex County Council
David Hodbod (DH)	Hertfordshire County Council
Chris Stanek (CS)	Peterborough City Council
Richard Drake (RD)	Norfolk County Council
Graham Gunby (GG)	Suffolk County Council
Others	
Kirsten Hannaford-Hill (KH-H)	Aggregate Industries/MPA
Chris Hemmingsley (CH)	Brett/MPA
Shaun Denny (SD)	Cemex / MPA
Peter Dawes (PD1)	Frimstone Ltd/BAA
Mark North (MN)	MPA
Apologies	
Sue Marsh (SM)	EEAWP Secretariat
Jerry Smith (JS)	EEAWP Secretariat
Ann Barnes (AB)	Cambridgeshire County Council
Keith Bird (KB)	Hanson/MPA
Mike Pendock (MP)	Tarmac/MPA
Richard Read (RR1)	SEEAWP, LAWP

Item No.	Subject	Owner
1	Welcome, Introductions & Apologies	RG
	<p>Apologies – as set out on previous sheet. Introductions were made for the benefit of new attendees.</p> <p>RG welcomed Shaun Denny to the group as Cemex’s new representative at the AWP.</p>	
2	Minutes of the last meeting & matters arising	RG/SM
	<ul style="list-style-type: none"> • Wharf Capacity Study <p>GG noted that the study was initially just focussing on aggregate wharves and believes scoping is as far as the project has got. Money has been identified from external sources but GG questioned where the rest of the money would come from – LAs / Industry? Would the project extend to cover links with railheads and extend to C, D & E waste issues or keep narrowly to wharves? MN acknowledged the importance of rail interest but suggested the AWP’s interest is perhaps best linked to aggregate depots. RG said that the London Plan (which is currently being consulted on) includes papers on wharf and railhead capacity. RG asked if SM would contact Richard Hatter to update on progress and move it on.</p> <ul style="list-style-type: none"> • POS Practice Guidance on the Production & Use of LAAs <p>MN had yet to catch up with David Payne to discuss scope to address issue of production capacity in this guidance but would take this forward. Industry representatives raised no issues regarding LAAs which were confirmed as now being all on-line.</p> <ul style="list-style-type: none"> • RG confirmed that, following the last meeting, he had sent a letter to the MPAs confirming that the draft LAAs for the member MPAs had been discussed at the EEAWP meeting on 18th October 2017 and that the EEAWP had not expressed any concerns over any LAA’s content and it was collectively agreed to their publication. It was hoped that this would facilitate any approval process required at the MPAs. • Availability of documents on the web <p>RG reminded the AWP that the Annual Monitoring Report, along with Agendas & Minutes from EEAWP meetings are available to view on Central Bedfordshire Council’s website at the following link EEAWP Dates of Meetings and Minutes</p> <p>The draft minutes of the NCG meeting held in October 2017 were also available to view here.</p> <p>The minutes of the last meeting were approved, seconded and signed as a true and accurate record.</p>	<p>SM</p> <p>MN</p>
3	Update on latest minerals survey	ALL
	<p>With reference to the Annual Monitoring Survey Forms PD confirmed that Essex CC’s deadline for the return of survey forms passed last Friday but understood Gemma Bright is still waiting on a few. RD reported a similar patchy response to Norfolk CC. SD confirmed he would respond on behalf of Cemex in respect of Norfolk and Suffolk sites. MN offered to chase up any late responders. GG commented</p>	

	<p>that it was the companies that were not aligned to the MPA/BAA that were the worst in responding.</p> <p>JS gave an update on the review of the Annual Monitoring Survey Forms. He confirmed that there was little material difference on the EEAWP's forms compared with those used by other AWP's. Consequently only minor amendments were suggested (e.g. inclusion of definitions) which unsurprisingly attracted little comment when circulated in Dec. 2017. Whilst ideally this would have been reported back to this meeting before the updated forms were sent out, it was felt imperative to get the Survey Forms circulated given the minor nature of the changes, the fact that the Secretariat contracts were due to expire at the end of March 2018 and the need to advance the survey as far as possible within that timeframe.</p>	
4	Future funding of AWP Secretariat	ALL
	<p>SM confirmed that a letter dated 23rd January 2018 had been sent from Vicky Engelke at MHCLG to the AWP Chairs which confirmed that it was intended to extend the Secretariat contract on the existing terms until the 31st March 2019 (this was subject to feedback/objections raised in a period up to February 9th). RR confirmed that he had responded to MHCLG and confirmed that there were no objections to Central Beds continuing to manage the East of England contract. VE indicated in her letter that MHCLG was continuing to consider its future role in supporting the sector.</p> <p>Peter Latham is understood to have left MHCLG in January 2018 or at least is no longer involved with Minerals and the AWP contract renewal process leaving Vicky Engelke as the only contact. The letter sent by VE was following correspondence from the Chairs setting out the valuable role of the mineral industry and the need for continuing Government support of the sector and of minerals planning. Anxiety was expressed regarding the lack of clarity concerning the AWP Secretariat contracts. No clarity was forthcoming from MHCLG regarding the longer term approach.</p> <p>MN confirmed that the MPA's Chief Executive met the Construction Sponsor at BIS last week to express dissatisfaction with the lack of resources at MHCLG. A letter had been written to the Secretary of State last August. No response had been received and this was being chased up. Suggestion has been made for a co-ordinated approach by individual AWP and MPA Directors/senior planning chiefs which has scored a minor success with the 12 month contract extension. MN would seek to track down where that's originated from. PD1 confirmed that the foregoing reflected BAA's understanding of the situation.</p> <p>SM noted that at the National Co-ordinating Group meeting (Oct 2017) Peter Latham had given an undertaking to relay the concerns with Ministers and respond by the end of the year. The MPA had provided information to support his case. SM felt the NCG meeting</p>	

	<p>should be held annually even if it fell to the AWP's to organise. RR felt other AWP's should be approached with a view to organising a meeting and RG agreed to progress this with the AWP chairs. In response to the point about contacting other AWP's and setting up another NCG meeting it was agreed that MN would first raise the matter internally and report back.</p> <p>RG noted the review into the NPPF indicating that a revised NPPF for consultation was likely to be published before the end of March with the final version being published in spring. MN commented that the MPA had thrown in some initial comments as a starting point. No response had been received albeit this predates the formal consultation. Thoughts included whether or not to pursue Managed Aggregate Supply System (MASS) which, reflecting a consistent view throughout England, concluded coming down in favour of MASS, ideally with revised guidelines, rather than not having MASS.</p> <p>In response to the question of approaching Directors of individual MPAs, RR commented that it was difficult to know who Officers would feed into given that, post the Regions, there are now more disparate groupings of authorities covering a range of issues such as housing, transport and infrastructure. RD queried whether it was best to ramp up to a higher level within the Govt given letters were not getting responses and emphasising the point that housing needs minerals. MN lamented the fact that the Govt's infrastructure aspirations appeared to operate in silos and quoted the example of the Severn Barrage Scheme which would take 100% of Wales' concrete production.</p> <p>It was noted that the National Figures expire in 2020. PD said that there was a need to vary minerals apportionment depending on projects. RR said that there was also a need to know if sufficient reserve and production capacity existed.</p> <p>MN still presses for Materials Supply Audits to be prepared although PD commented that some applicants are not putting these forward. MN was sympathetic to the positions MPAs find themselves in with a lack of data when trying to look at the NPPF approach and concludes that sole option is to try and make Plans flexible noting that, as of April, there'll be a requirement to do a 5 year plan. MN not convinced all MPA members would necessarily wish to go for high volume sales to serve nationally significant projects as invariably that involves the lowest price and would argue that the minerals planning system, whilst not perfectly, has nevertheless worked.</p>	<p>RG</p> <p>MN</p>
5	London Plan	RG
	<p>PD commented that the consultation period runs up to 5 March 2018 and noted that it was low on safeguarding issues, probably reflective of its traditional reliance on imports. Whilst never going to be self-sufficient, PD highlighted that landbanks were low yet the approach</p>	

	<p>assumes a continuation of supply from surrounding areas based on historic supply patterns. No real attempt has been made to safeguard minerals although the Plan does, as expected, safeguard wharves & rail.</p> <p>GG noted that Peter Heath from the Waste Technical Advisory Board was involved in preparing the London Plan and agreed that it should acknowledge the need to work with regional partners. RR added that there is no duty to co-operate but at least attempts are being made to talk to relevant authorities. MN considered safeguarding of wharves / rail depots now well covered in policies and referred to the MPA meeting the Mayor of London to highlight the issues.</p> <p>MN also made reference to the '<i>Agent of Change Principle</i>' to ensure inappropriate development didn't come close to sensitive properties. This originally evolved in relation to music venues but may help beef up safeguarding and MN suspects it may feature in the NPPF Review. Onus falls on new developer to demonstrate that there won't be a problem through provision of appropriate mitigation in relation to existing non-compatible development as referred to in NPPF para 123. RR added that every Bedfordshire authority was using the '<i>Agent of Change Principle</i>' with noise limits set below threshold where nuisance would be caused.</p> <p>SM was asked to draft a positive response to the London Plan welcoming the safeguarding of rail infrastructure and wharves. MN offered to send links to the relevant policies.</p>	<p>SM MN</p>
6	National Coordinating Group feedback	VE/SM
	Question arises as to whether the Govt is given more time to come to the table. As noted earlier, MN would take this matter away in the first instance and report back.	MN
7	MPA Update	MN
	<p>MN reported the latest Economic and Market Outlook and offered to send the following update for inclusion with the Minutes:</p> <p><i>'Sales volumes of RMC declined by 2.6% in 2017 compared to 2016, whilst asphalt (0.1%) and aggregates (-0.4%) sales remained broadly flat. By contrast, mortar sales enjoyed another year of strong growth, up 11.1% compared to 2016. Quarter on quarter comparisons show nonetheless some improvements in 2017Q4 across all materials: aggregates sales volumes grew by 2.3% in 2017Q4 compared to the previous quarter, 1.6% for RMC and 0.8% for asphalt. Mortar sales continued to grow strongly, up 6% over the quarter.'</i></p> <p><i>ONS estimates that the UK economy grew by 0.5% in the last quarter of 2017 and 1.8% for the year as a whole. A slowdown in activity is still expected this year and economists forecast UK GDP to grow by</i></p>	

	<p>1.5%.</p> <p><i>Construction output grew by 5.1% in 2017 according to ONS, an acceleration from 3.9% in 2016. Yet, this growth is solely due to a strong first quarter of the year, which was then followed by three consecutive quarters of decline.'</i></p> <p>MN commented that the MPA's own figures indicated that it was hard to support that growth figure with the MPA predicting a flat year ahead in terms of demand.</p> <p>Reference was made to the latest leaflet being available which MN had previously circulated. The MPA would be submitting evidence to the National Infrastructure Commission on Rail Freight.</p>	
8	National Planning Issues	VE/SM
	<p>SM reported that despite requesting an update no response had been received from VE but noted that the consultation was due at the end of March in respect of the NPPF Review. RG noted that the consultation period would expire prior to the next AWP meeting and suggested that responses by the AWP in respect of any changes to minerals guidance would need to be agreed by email. It could also be decided whether anything is needed to be done in respect of MASS.</p> <p>5 yearly review of Plans will require partial or full reviews but will need to see detail of Regulations to be issued on 6 April. RR noted that this requirement will need to be borne in mind in preparing the Annual Monitoring Report and LAAs. MN commented that this appeared not so common elsewhere within Mineral Planning Authorities across the country with reviews not being undertaken despite the content of LAAs.</p> <p>RG referred to recent guidance issued by Natural England in respect of Reclaiming Minerals Extraction and Landfill Sites to Agriculture from Mineral Working'. This appeared to be simply a pulling together of existing guidance into one place but was issued without warning. SM confirmed that this had been circulated to AWP members. MN commented that Natural England had earlier uploaded guidance to its website in respect of Ancient Woodlands similarly without any consultation. This was subsequently withdrawn following concerns raised by the MPA that quarrying had been highlighted as a threat whereas the MPA's own research on the topic identified no particular issue.</p> <p>Reference was made to the recent increase in planning fees. It was noted that this increase was to be ring fenced to 'Planning' which the Govt intends to monitor. Section 151 Officers had to provide written confirmation to that effect. RR said that LPAs would be audited and will have to demonstrate that this is the case.</p>	

9	MPA Update on Local Plans	MPAs/ All
	<p>An update had been circulated prior to the meeting using the previously agreed template and was noted.</p> <p>DH reported that plan consultation within Herts had generated 3,000 objections mainly related to one site near to an emerging Local Plan allocation for 10,000 homes across seven garden villages. Cumulative impact and concerns the site will become a landfill site have been cited but an element of scare mongering is at play.</p> <p>GG confirmed that Suffolk CC was reviewing reps received on its Minerals & Waste Local Plan, 90% of which were brief comments, in respect of 11 sites (10 minerals and 1 waste). GG suspected that similar policies would emerge to those in place within the previous version with just some minor area reductions involved. The plan is due to go to Cabinet in April and Full Council in May before consultation in June/July with a view to submission in Sept and Examination in Jan 2019.</p> <p>CS reported that the review of the Cambs and Peterborough Minerals and Waste Local Plan was going out to consultation in May/June and thereafter being reported to Peterborough City Council's Cabinet in March and Cambs CC's Environment & Economic Committee in April before further consultation resumes next year.</p> <p>RD clarified that consultation in respect of Norfolk CC's Minerals & waste Local Plan Review would take place in June/July.</p> <p>RG commented that consultations now have to exclude Bank Holidays. RD confirmed that NCC tend to apply the minimum period plus a couple of days. RG explained that Essex CC's approach has been to invite comments 'within 21 days of the date of this letter (excluding Bank Holidays)'.</p> <p>RG commented that Essex CC is preparing an SPG on Mineral Safeguarding with the aim of filling in the gap prior to the next Plan Review.</p> <p>GG was mindful that Suffolk CC's Examination is coming up and queried whether attendees were aware of any implications (e.g. shortage of Inspectors arising from a backlog of Plans being submitted by March 2018). PD noted that Essex CC had waited 3-4 months for its Minerals & Waste Inspector from the point of Publication, although the appointment was swift post-Submission. RD reported Norfolk CC had incurred much higher costs than anticipated in respect of its Silica Sand Review. RR advised that Central Bedfordshire Council has previously taken out insurance on an Inspector completing their report involving completion of a medical report.</p>	

10	AOB	All
	No issues raised.	
11	Date of Next Meetings	Chair
	13 June 2018 and 24 Oct 2018 both at 14:00 hrs, Essex CC.	All