

DRAFT MINUTES

East of England Aggregates Working Party

Meeting on 18 Oct 2017 starting at 2pm

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

ATTENDEES

| Members | |
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| Richard Greaves (RG) | Essex County Council (Chairman) |
| Ann Barnes (AB) | Cambridgeshire County Council |
| Roy Romans (RR) | Bedfordshire Authorities |
| Gemma Bright (GB) & Phil Dash (PD) | Essex County Council |
| Trish Carter-Lyons (TC-L) | Hertfordshire County Council |
| Richard Drake (RD) | Norfolk County Council |
| Graham Gunby (GG) | Suffolk County Council |
| Richard Hatter (RH) | Thurrock Borough Council |
| Others | |
| Kirsten Hannaford-Hill (KH-H) | Aggregate Industries/MPA |
| Chris Hemmingsley (CH) | Brett/MPA |
| Peter Dawes (PD1) | Frimstone Ltd/BAA |
| Keith Bird (KB) | Hanson/MPA |
| Mark North (MN) | MPA |
| Mike Pendock (MP) | Tarmac/MPA |
| Apologies | |
| Sue Marsh (SM) | EEAWP Secretariat |
| Jerry Smith (JS) | EEAWP Secretariat |
| Chris Stanek (CS) | Peterborough City Council |
| Alethea Evans (AE) | Essex County Council |
| Vicky Engelke (VE) | DCLG |
| Richard Read (RR) | SEEAWP, LAWP |

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| | <ul style="list-style-type: none"> • Noted that SM had contacted Somerset CC seeking assurance that production capacity issues have been taken into account in their LAA in light of construction works at Hinckley Point. • Noted that MN had circulated a report by the Chief Exec at Notts CC relating to the pulling of its Draft Minerals LP shortly prior to examination. • SM had contacted Peter Latham & Vicky Engelke at DCLG regarding a letter written to Eamon Mythen setting out concerns raised at the AWP meeting in June regarding a lack of data on the provision of aggregates. No response had been received, not even a holding reply. <p>The minutes of the last meeting were approved, seconded and signed as a true and accurate record.</p> | MN |
| 3 | National Coordinating Group feedback | RG, SM, MN |
| | <p>SM provided feedback on the recent NCG meeting noting that the previous one had been held as far back as Nov. 2012. Some 29 attended comprising Chairs & Secretariats from the AWP's and industry representatives. Only 3 of those present had also attended the previous NCG meeting illustrating the scale of change. Peter Latham & Vicky Engelke attended on behalf of DCLG and admitted they were on a steep learning curve having little experience of planning & minerals. It was chaired by Tony Cook (Chair of SEAWP).</p> <p>RG noted that PL spoke of a future looking survey rather than a backward looking one and referred to a number of issues that were covered:</p> <ul style="list-style-type: none"> - Time running out for AWP contracts to be renewed in 2018; - Time running out for apportionment figures; - Brexit; - Housing; - Local Plans; - Industry concern re: supply; - Value of AWP's; and - Duty to Co-operate <p>MN felt a top down methodology was needed which placed politics to one side. He understood that PL would be reporting to Ministers in a couple of months regarding the AWP contracts. The MPA Chief Executive had written to the Secretary of State highlighting several issues covering the Managed Aggregate Supply System; Planning; production capacity supply chains; and the time taken to reinstate moth-balled sites.</p> <p>RG expressed the view that MPAs were becoming more inward looking and suggested fragmentation could weaken the valuable role of AWP's. RR noted that the current contract runs until the end of March 2018. By that time the survey could be sent out and info from</p> | |

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| | returns collated but there was not sufficient time to produce the next Annual Monitoring Report. It was anticipated that DCLG will have resolved future AWP funding by the time of the next AWP meeting. | |
| 4 | Presentation of Local Aggregate Assessments | ALL |
| | <p>Drafts of the LAAs for 2016 prepared by the respective MPAs had been previously circulated amongst Members and representatives from individual authorities summarised the key points in turn with reference to the 'dashboards' produced.</p> <p><u>Bedfordshire Authorities</u> RR noted that the LAA prepared on behalf of the Bedfordshire Authorities held no major surprises. With reference to the executive summary and 'dashboard' he reported a reasonable increase in sales compared with 2015. Reserves had fallen but not by so much. This all pointed to a relatively healthy landbank even by the apportionment method.</p> <p>In terms of strategic sites planning permission had been granted for 650,000 tonnes as an extension to Black Cat. Other sites were also coming forward although these would feature in next year's LAA. In response to a question RR confirmed that that the increase in sales was more a general uplift across the board rather than the impact of a specific project.</p> <p>The AWP raised no concerns about the content of the draft LAA.</p> <p><u>Cambs and Peterborough</u> AB reported steady sand and gravel sales over 2016 of 2.56Mt. A typo was highlighted on the 'dashboard' reserve figure which should read 43.92Mt (as set out in report) providing a landbank of 15.09 years based on the rolling 10 year sales average.</p> <p>In terms of crushed rock only 2 limestone operators were active one within both authority areas, although in practice one supplies only a small quantity for non-aggregate uses. Sales in 2016 were 0.34Mt with permitted reserves of 2.83 Mt. The landbank at 9.7 yrs stood slightly below the 10 yr NPPF requirement (and would be even lower of the non-aggregate site were removed). It is a very poor limestone (soft) used for fill. Secondary and recycling figures are to be updated in light of Waste Interrogator figures.</p> <p>Two paras numbered '413' were noted.</p> <p>The AWP raised no concerns about the content of the draft LAA.</p> <p><u>Essex</u> GB reported a slight reduction in sales of sand and gravel. Reserves had reduced overall but had increased compared with figures for 2014/15. The landbank stood above 7 years tested against the 10</p> | |

year average and apportionment.

Secondary and recycled aggregate, based on AMR data last year, pointed to a lack of capacity which needs looking into, compounded by the expiry of a planning permission. No particular issues of concern were identified in respect of marine won sand and gravel.

The AWP raised no concerns about the content of the draft LAA.

Herts

T C-L reported steady sales over the year with a decline in reserves in line with sales. This indicated a landbank of 8.5 years based on HCC's current apportionment. Applying the 10 yr average sales figure gave a landbank of 10.2 yrs whilst a landbank of 9.8 yrs was achieved when applying the 3 yr average sales.

In terms of new sites, one had been granted permission but remained subject to a S106 whilst another had been refused but is subject to appeal. MN highlighted reference to Operators in Table 2 should refer to just 'Tarmac'.

The AWP raised no concerns about the content of the draft LAA.

Norfolk

RD reported annual production of 1.62Mt which was 14% up from 2015. The 10 yr average of annual production was slightly down from 2015 whilst the 3 yr rolling average at 1.47Mt was 14% up from the previous year. 63% of the apportionment figure was being met but this had not been met in 20 years.

No sand and gravel planning permissions had been granted and reserves had therefore fallen giving a land bank of 11.8 yrs. Based on the 10 yr average production figure of 1.41Mt, the remaining allocated sites provided for an additional 13.3 yrs of sand and gravel resource.

With reference to Carstone, RD reported an increase in annual production of 58% compared with 2015. The 10 yr rolling average at 98,000 tonnes continued a downward trend whilst the 3 yr average stood at 77,000 tonnes. Norfolk's apportionment stands at 200,000 tonnes so the 10 yr rolling average is a long way off.

A single permission for new carstone extraction was granted in 2016 relating to an extension at an existing site. As set out in the Local Plan Review, NCC continues to look at 10 yr, 20 yr and 3 yr figures in line with national guidelines so as to take a flexible approach.

The AWP raised no concerns about the content of the draft LAA.

Suffolk

GG reported that sales of sand and gravel averaged over the last 10

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| | <p>years stood at 1.158Mt. The landbank stood at 12.757 Mt providing a landbank of 11 years. A shortfall of 10.44 Mt was identified in provision up to 2036 in the Preferred Options Plan with provision to be made for 16.539 Mt. The average of the last 3 years sand and gravel sales was reported as being about the same as the last 10 years.</p> <p>GG highlighted a 35% shortfall on housebuilding leaving aside further Govt targets. Preferred Options Plan to be published on 30 Oct 2017 for 6 wk consultation.</p> <p>The AWP raised no concerns about the content of the LAA.</p> <p>In response to a question from MP regarding data on housing completions, GG explained his reluctance to pin down preferring a flexible approach. Aspirations had fallen short due to little LA building. RD suggested that housing projection figures were unhelpful as influenced by so many factors e.g. where they are, the construction method etc which made it difficult to assume x number of houses equated to x tonnes of aggregate.</p> <p>It was commented that DCLG had been pressed to accept that major infrastructure projects include a 'Supply Audit' although noted that the EIA process does require that to be done e.g. on the use of natural resources. It was questioned whether the EIA process is being followed e.g. in respect of the A14 extension / improvements. KH-H suggested that this could be looked at through POS although would need to identify the appropriate Officers to do so. AB noted that the Development Consent Order for the A14 works allowed additional clay borrow pits, although it was unclear how that element may be consented as not assessed.</p> <p>RG concluded that the respective LAAs indicate generally healthy figures. Some brief discussion ensued on the approach for inclusion of figures and general consensus agreed with RD's view that if material is not going into the general market, it's a closed circuit and should not be treated as sales. If elements, such as borrow pits, are not included in reserves, they shouldn't be included in sales.</p> <p>Asked for an overview, MN felt all the draft LAAs were good in their own ways but suggested for future it may be helpful to have just key information in the report with other info e.g. geology maps etc in appendices.</p> | |
| 5 | Industrial Sand Update | RR |
| | <p>Whilst not aggregate, RR felt this item to be relevant to those sites which work both and of general interest to the geologists present. The matter arose from a Duty to Co-operate issue with Norfolk and South Downs national Park. RR noted that, prior to the NPPF, there used to be a specific MPG relating to the provision of silica sand. Now this is</p> | |

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| | <p>reduced to the Minerals Year Book which includes a table on silica sand although the figures are mostly confidential. Thus very little national information is available for what is recognised as a nationally important mineral.</p> <p>RR aware that some work has been done by BGS and some MPAs on industrial sand gaining an understanding as to what reserves exist and the breakdown of the variety of uses.</p> <p>An Industrial Sands Report in Beds looked in to production and reserves in order to feed into the Minerals Local Plan. That 2008 version has just been updated and can be viewed at</p> <p>http://www.centralbedfordshire.gov.uk/planning/minerals-waste/framework/report.aspx</p> <p>RR concluded that there was a need for the NCG to ensure this mineral is properly planned for. RD added that no apportionment figures exist nationally for industrial sands.</p> | |
| 6 | MPA Update | MN |
| | <p>MN offered to send the following update for inclusion with the minutes: <i>‘Demand for construction mineral products was lower in 2017Q3 compared to both the previous quarter and 2016Q3 across all materials, except for mortar. Demand for mortar increased by 1.6% in 2017Q3 compared to the previous quarter, but sales volumes were down by 1.1% for aggregates, 1.8% for ready-mixed concrete (RMC) and 2.9% for asphalt. This is the second consecutive quarter of decline for both aggregates and RMC, and the third for asphalt.’</i></p> <p>MN reported that the Annual Mineral Planning Survey indicates only a 60% replenishment of land-won sand and gravel as a 10 year average versus sales, notwithstanding that, in 2015, new reserves amounted to 120% of the material sold that year.</p> <p>It also indicated on average 92% of sand and gravel applications were receiving planning permission. In response to a question as to why applications were not coming forward MN suggested that various factors, economic and otherwise, had an influence. The International Minerals Planning Conference in November was to discuss the issue.</p> | |
| 7 | National Planning Issues | SM |
| | <p>SM requested a DCLG update from Vicky Engelke but nothing has been received in response.</p> <p>RR commented that Central Bedfordshire Council (CBC) is in process of producing a Local Plan and recent changes to the Govt’s methodology indicates a 40% uplift in the number of houses already being planned for. This would mean the evidence base having to be looked at again and involve an 18 month delay. Accordingly CBC opted to accelerate the timetable forward by 3 months to submit to the</p> | |

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| | <p>Secretary of State by the end of March 2018 based on existing projections rather than new housing figures, notwithstanding that this will entail an early review. RH commented that the situation generally was getting messy with Duty to Co-Operate now having to look at different methodologies.</p> <p>RG raised the matter of application fees and the fact that they don't cover the cost of the service and made reference to the 20% uplift afforded for those authorities delivering houses. RR commented that views on fees could feed into a consultation exercise by the TCPA which was underway gathering evidence until the end of October 2017 following the Raynesford Review of the whole planning system. Part of this was looking at the regional issue where it was agreed there was a need for additional guidance to assist in re-establishing some form of regional planning and from a duty to co-operate perspective.</p> <p>With reference to fee income, RR also commented that 850 sites had come forward in response to CBC's call for sites all of which needed to be assessed representing a substantial volume of work for which no fee was chargeable. RR suggested a fee, even if a nominal charge of a couple hundred pounds, could greatly assist in resourcing the work and suspected that many developers would be happy to pay if that sped up the process and helped to weed out the non-starters. It was suggested that other MPAs may wish to make similar points.</p> | MN |
| 8 | Local Plans update | MPAs/ All |
| | <p>An update had been circulated prior to the meeting using the previously agreed template and was noted.</p> <p>In response to a question GG confirmed that the Preferred Options for Suffolk's Minerals & waste Local Plan was subject to a 6 wk consultation period.</p> <p>In an update, RD confirmed that the Silica Sand Review of Minerals Sites was expected to be adopted in Dec 2017 whilst Norfolk's Minerals & Waste Local Plan Review was undergoing its call for sites with a view to commencing consultation on Preferred Options in early 2018.</p> <p>TC-L reported that HCC's Draft Minerals Local Plan was being taken to Members on 1 Nov 2017 with a view to consultation on the Preferred Options in early Dec 2017. On behalf of the Group, RG wished TC-L best wishes for her maternity leave.</p> | |
| 9 | AOB | All |
| | <p>RG raised an issue regarding mineral safeguarding and prior extraction specifically the likely mechanism in two tier authorities for dealing with a prospective application for prior extraction related to, for example, a housing development. He suggested that unless some</p> | |

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| | <p>formal governance agency agreement was in place, it would fall for the County to deal with the minerals application but this gave rise to questions e.g. over linking resolutions such that it was subject to the grant of permission for the subsequent housing development and bonds for restoration etc. RD felt that the quantum of prior extracted mineral was key i.e is it ancillary or full blown commercial operation in its own right whereby it should be dealt with as a minerals application as a saleable resource.</p> <p>RR referred to a situation in Beds prior to CBC becoming a unitary authority whereby permission was granted for silica sand (i.e. high value) mineral extraction with housing following on. A Grampian condition was imposed requiring there to be a permission for housing coming forward. However, lesser value would be attached to small sand and gravel resources in shallow deposits. The mineral extraction had to be acceptable in its own right with a fall back restoration if housing didn't come forward.</p> <p>RR commented that, within Bedfordshire, at the time the MWLP was adopted, general environmental policies were not reviewed and made the point that consequently the general environmental policies contained within the mainstream plan regarding archaeology, ecology etc are taken as applying to minerals & waste developments. Therefore policies within the MWLP are more about supply rather than environmental impact, although specific restoration policies are identified as recognised that this could be applied as a single policy approach. In other words policy within one Local Plan in each authority area is applied, an arrangement which all three unitary authorities in Bedfordshire are on board with. PD warned that there was an element of risk in that it relied on others to include policy coverage for minerals & waste which met requirements for these.</p> <p>RH highlighted that with reference to the Tilbury 2 project, an Environmental Statement is to be worked up including related proposals for an Aggregates Hub, albeit on land safeguarded for us as a wharf and for recycling.</p> | |
| 10 | Date of Next Meeting | Chair |
| | 7 Feb 2018 at 14:00 hrs, Essex CC. | All |