

**CABINET MEMBER FOR GROWTH AND INFRASTRUCTURE
26 NOVEMBER 2009**

**OXFORDSHIRE MINERALS AND WASTE DEVELOPMENT
FRAMEWORK: ANNUAL MONITORING REPORT 2009**

Report by Head of Sustainable Development

Introduction

1. Under the Planning and Compulsory Purchase Act 2004, the County Council must make an Annual Monitoring Report on the Oxfordshire Minerals and Waste Development Framework (MWDF) to the Secretary of State.
2. The purpose of Annual Monitoring Reports is to assess and report on implementation of the local development scheme (the programme for preparation of the local development framework) and the extent to which policies are being achieved. Previous MWDF Annual Monitoring Reports, for the years 2005 to 2008, are on the Council's website.

Annual Monitoring Report 2009

3. The Annual Monitoring Report for 2009 must be submitted to the Secretary of State by 31 December 2009. It should cover the 12 month period 1 April 2008 to 31 March 2009. A draft report is Annexed.

Implementation of the Minerals and Waste Development Scheme

4. The Oxfordshire Minerals and Waste Development Scheme is the Council's programme for producing the MWDF. The Minerals and Waste Development Scheme should be reviewed and revised when necessary, informed by the Annual Monitoring Report, and rolled forward at least annually to maintain an up to date 3 year programme. The original Scheme came into effect in May 2005. Revised schemes were submitted to the Secretary of State in 2006 and 2007 but were never finalised. A draft further revised scheme was submitted to the Government Office for the South East for informal comment in May 2009. This has not yet been finalised but is being used by the County Council as the current programme for the MWDF. This Annual Monitoring Report reports on progress against this draft 2009 Development Scheme.
5. In line with government policy, the current programme concentrates on preparation of the Minerals and Waste Core Strategy. The draft 2009 revised scheme lists the following main stages in its preparation:
 - April 2009 – consultation on scope of Sustainability Appraisal;
 - to July 2009 – further engagement and consultation on Issues and Options;
 - February 2010 – consultation on Revised Preferred Options;
 - October 2010 – publish Draft Submission Document for representations to be made;

- December 2010 – submit Core Strategy to Secretary of State;
- April 2011 – Independent Examination Hearings;
- November 2011 – Adopt Minerals and Waste Core Strategy.

None of these target dates fall within the reporting period for the 2009 Annual Monitoring Report.

6. This shows that the next main step in the process should be consultation on revised preferred options for the Minerals & Waste Core Strategy. But there has been some slippage in this timetable; engagement and consultation on preparation of options is taking longer than envisaged and we now expect this to extend at least until early in 2010. This means that consultation on revised preferred options will have to be put back from February 2010, with knock-on implications for the rest of the timetable. A revised programme will be drawn up for approval when we are in a clearer position on timescales.
7. We envisage that the Minerals and Waste Core Strategy will set out broad strategic locations for mineral working and waste management. It could also include strategic site allocations but it is more likely that sites will be identified in a separate and subsequent Site Allocations document (or documents); decisions on the need for any further documents will be made when preparation of the Core Strategy is further advanced. A programme for preparation of any further documents is yet to be drawn up.
8. Particular issues that will need to be taken into account in preparation of the Core Strategy include the current review of the sub-regional apportionment of aggregates supply in South East Plan policy M3; and the decisions that are made on procurement of new treatment facilities for the county's municipal waste and on related planning applications.
9. The Statement of Community Involvement was adopted in November 2006. In 2008 changes were made in government policy on local development frameworks and the procedures for preparing documents. There have also been changes in the County Council's policies and procedures on consultation. Consequently there is now a need to review and update the Statement of Community Involvement. A programme for this needs to be drawn up and included in the next revision of the Minerals and Waste Development Scheme.

Monitoring Achievement of Policies

10. The minerals and waste development documents that will make up the MWDF have not yet been prepared and therefore it is not yet possible to report on the extent to which policies in them are being achieved. The Minerals and Waste Development Scheme also includes the 'saved' policies from the Oxfordshire Structure Plan and Minerals and Waste Local Plan. But those policies are generally not written in a way that enables their achievement to be readily reported on; although the monitoring report covers issues which relate to the implementation of policies.
11. The Secretary of State has directed that 46 of the policies in the Minerals and Waste Local Plan are 'saved' beyond 27 September 2007, when they would otherwise have expired. The Oxfordshire Structure Plan 2016 has been

replaced by the South East Plan, May 2009, but three policies continue to be saved including policy M2 on locations for sand and gravel working.

12. In addition to monitoring of individual policies, the Government has specified certain 'Local Development Framework Core Output Indicators' which should be monitored and reported on in the Annual Monitoring Report. For minerals and waste these are:
 - Production of primary land won aggregates;
 - Production of secondary and recycled aggregates;
 - Capacity of new waste management facilities; and
 - Amount of municipal waste arising, and managed by management type.

13. To meet these requirements as far as is practical and meaningful, the draft Annual Monitoring Report 2009 covers the following:
 - (a) Production of land-won aggregate minerals (sand and gravel, soft sand, limestone and ironstone);
 - (b) Permissions granted for aggregate mineral extraction;
 - (c) Landbanks of permitted reserves of aggregate minerals;
 - (d) Site provision for aggregate mineral extraction in the Development Plan;
 - (e) Production of secondary and recycled aggregates;
 - (f) Capacity of aggregates recycling plant;
 - (g) Amounts of waste managed by different methods;
 - (h) Permissions granted for waste management facilities;
 - (i) Capacity of waste management facilities of different types;
 - (j) Site provision for waste management facilities in the Development Plan.

Conclusions

14. The main conclusions of the Annual Monitoring Report 2009 are set out in the Summary section of the draft document (pages 3 – 4) in the attached Annex.

15. From the monitoring results reported in the Annual Monitoring Report 2009 a number of key issues have been identified that need to be addressed in the preparation of the minerals and waste development documents that will make up the MWDF. These are set out in Section 5 of the draft Annual Monitoring Report 2009 in the attached Annex.

Sustainability Implications

16. Each minerals and waste development document forming part of the MWDF must be subject to sustainability appraisal (including strategic environmental assessment) and a sustainability appraisal report must be prepared. Sustainability Appraisal is being carried out as an integral part of preparation of the Core Strategy and this on-going work will be informed by the Annual Monitoring Report.

Corporate Policies and Priorities

17. The Council has a statutory duty to produce the MWDF, to provide a planning strategy, policies and proposals for the supply of minerals and management of waste in Oxfordshire. Preparation of the MWDF can contribute to the Council's objective of providing value for money, although the uncertainties that have been encountered pose a risk to that. It can also contribute towards the Council's priorities for the economy and the environment.

Financial and Staff Implications

18. The resource implications of preparing the MWDF are set out in the Minerals and Waste Development Scheme. The Council's budget makes provision for the resources estimated to be required for preparation of the Core Strategy. The resources required and available to meet the programme in the Development Scheme are kept under review as part of the management of the project. This Annual Monitoring Report does not raise any new financial or staff implications.

Risk Management

19. The MWDF is a high risk project because of the complexity of the process and the potential implications for procurement by the Council of new waste treatment facilities for municipal waste. This will be addressed through project management, including regular reporting on risk management. Decisions on the procurement of waste facilities and related planning applications will need to be taken into account in preparing the waste strategy element of the Minerals and Waste Core Strategy.

RECOMMENDATION

20. **The Cabinet Member for Growth and Infrastructure is RECOMMENDED:**
- (a) **to approve the Oxfordshire Minerals and Waste Development Framework Annual Monitoring Report 2009 in the Annex to this report;**
 - (b) **to authorise the Head of Sustainable Development to carry out any necessary final editing of the Annual Monitoring Report 2009 and to submit it to the Secretary of State and publish it on the County Council website in accordance with Section 35 of the Planning and Compulsory Purchase Act 2004 and Regulation 48 of the Town and Country Planning (Local Development) (England) Regulations 2004.**

CHRIS COUSINS
Head of Sustainable Development
Environment & Economy

Background Papers: Nil
Contact Officer: Raakhee Patel, tel. Oxford 810431
November 2009