

**CABINET MEMBER FOR GROWTH AND INFRASTRUCTURE -
25 APRIL 2012**

OXFORDSHIRE MINERALS AND WASTE DEVELOPMENT SCHEME

Report by Deputy Director for Environment & Economy (Growth & Infrastructure)

Introduction

1. The County Council has a statutory duty to prepare a new Oxfordshire Minerals and Waste Plan to provide an effective planning strategy and policies for the supply of minerals and management of waste in the county, consistent with environmental, social and economic needs.
2. The Council must also prepare and maintain a Minerals and Waste Development Scheme, setting out the Council's programme for preparing the Minerals and Waste Plan. The original Oxfordshire Minerals and Waste Development Scheme came into effect in May 2005. Revisions to the Scheme were produced in 2006, 2007 and most recently in May 2009.
3. The Development Scheme has not been updated since then but a revised timetable for preparing the Minerals and Waste Plan was agreed by Cabinet in October 2010. This focused on preparation of the Minerals and Waste Core Strategy, with a target of November 2012 for its adoption. That timetable has slipped due to more time being needed to prepare the waste strategy and then to consult on and consider responses to the draft minerals and waste strategies.
4. The Minerals and Waste Core Strategy (Proposed Submission Document) was approved for publication by the County Council on 3 April 2012 to allow representations to be made on soundness and legal compliance and for submission to the Secretary of state for independent examination. The Minerals and Waste Development Scheme now needs to be revised again to reflect the current programme for the Core Strategy. This report recommends a programme for preparation of the Minerals and Waste Plan, to form the basis of a revised Development Scheme.

Revised Minerals and Waste Development Scheme 2012

5. A revised programme for the preparation of the Minerals and Waste Plan is set out at Annex 1. This focuses on completion of the Core Strategy over the next year to 18 months. The programme includes preparation of separate or a combined Minerals and Waste Site Allocations Document(s) but leaves the timetable for preparation to be determined later, probably when the Core Strategy examination hearings are completed.

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6. Previous versions of the Minerals and Waste Development Scheme have included preparation of supplementary planning documents on a Minerals and Waste Development Code of Practice and on Restoration and After-use of Minerals and Waste Sites. These are not included in the revised programme as they are not priority documents. The need for these documents should be kept under review and they could be re-included in a future revision of the Scheme if required.
7. The principal target dates in the revised programme for the Minerals and Waste Core Strategy are:
 - Publish proposed submission document – May 2012;
 - Submit Core Strategy to Secretary of State – July/August 2012;
 - Examination hearings – October/November 2012;
 - Publish Inspector's report – April 2013;
 - Adopt Core Strategy – September 2013.
8. I consider this revised programme for the Core Strategy to be realistic taking into account: the work required, including preparing the necessary documentation for publication of the proposed submission document; a period of at least six weeks for representations to be made; collation, analysis and consideration of representations received; preparation of necessary documentation for submission to the Secretary of State; preparation for the examination and available resources.
9. The dates for the examination hearings and the Inspector's report will be dependent on the Inspector appointed to carry out the examination; general guidance provided by the Planning Inspectorate has been used in setting these dates. Adoption of the Core Strategy will need to be considered by Cabinet and approved by full Council; the period between receipt of the Inspector's report and adoption takes into account the County Council elections scheduled for May 2013.
10. The programme assumes that the Core Strategy Proposed Submission Document to be published in May 2012 will be submitted for examination without any further changes being made to it. In the event that representations made on the published document raise fundamental issues of soundness or legal compliance, consideration may need to be given to making changes to the Core Strategy, which could affect the programme.
11. This programme should form the basis of a fourth revision of the Minerals and Waste Development Scheme, 2012. A number of detailed amendments will need to be made to the existing Scheme. I am therefore recommending that the programme for the revised Scheme be approved and that authority to finalise the revised Scheme and bring it into effect be delegated to me in consultation with the Cabinet Member for Growth and Infrastructure. The previous requirement for Development Schemes to be submitted to the Secretary of State before they could be brought into effect has been repealed by the Localism Act 2011. Once brought into effect, the revised Development Scheme must be published on the Council's website.

Corporate Policies and Priorities and Sustainability Implications

12. The Minerals and Waste Plan will contribute to the Council's strategic objectives of world class economy, healthy and thriving communities and environment and climate change. Sustainability appraisal (incorporating strategic environmental assessment) is an integral part of preparing the Plan, and has been carried out in the preparation of the Core Strategy.

Financial and Staff Implications

13. The programme of work for the Minerals and Waste Plan is included within the Directorate work priorities and funding for this project is included in the medium term financial plan. This report does not raise any additional financial or staffing implications. The resources required and available to meet the programme in the Development Scheme will be kept under review as part of the management of the project.

Legal Implications

14. The County Council is required to prepare a minerals and waste plan under the Planning and Compulsory Purchase Act 2004 (as amended). The effect of the European Waste Framework Directive, 2008 (2008/98/EC) is to require waste planning authorities to put in place local waste plans. The requirements of the Waste Framework Directive, as clarified in the Waste (England and Wales) Regulations 2011, will be met by the Minerals and Waste Core Strategy and the proposed subsequent site allocations document(s).

Risk Management

15. The complexity of the Minerals and Waste Plan process and the potential implications for major mineral working and waste management proposals emphasise the importance of good project management and regular reporting on risk management.

RECOMMENDATION

16. **The Cabinet Member for Growth and Infrastructure is RECOMMENDED to:**
 - (a) **approve the programme at Annex 1 to this report as the basis for the Oxfordshire Minerals and Waste Development Scheme (Fourth Revision) 2012, to have effect from 8 May 2012;**
 - (b) **authorise the Deputy Director for Environment & Economy (Growth & Infrastructure) to:**
 - (i) **revise the Oxfordshire Minerals and Waste Development Scheme, in consultation with the Cabinet Member for Growth and Infrastructure;**

- (ii) take the necessary steps to bring the revised Scheme into effect from 8 May 2012 and publish the revised Scheme, in accordance with Sections 15 and 16 of the Planning and Compulsory Purchase Act 2004 (as amended).**

Martin Tugwell
Deputy Director for Environment & Economy (Growth & Infrastructure)

Background Papers:

- i. Oxfordshire Minerals and Waste Development Scheme (2005 – 2008), May 2005.
- ii. Oxfordshire Minerals and Waste Development Scheme First Revision (2006 – 2009), March 2006.
- iii. Oxfordshire Minerals and Waste Development Scheme Second Revision (2007 – 2010), March 2007.
- iv. Oxfordshire Minerals and Waste Development Scheme Third Revision (2009 – 2012), May 2009.

All background papers are kept in the Minerals and Waste Policy Team at Speedwell House, Oxford.

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April 2012

**Oxfordshire Minerals and Waste Plan
Schedule and Programme of Proposed Local (Minerals and Waste) Development Documents**

Document Title, Status and Geographic Area	Summary of Subject Matter	Chain of Conformity	Commence Preparation	Community Engagement & Consultation (Reg. 18)	Publish Proposed Submission Document (Reg. 19)	Submit to Secretary of State (Reg. 22)	Independent Examination (Reg. 24)	Inspector's Report (Reg 25)	Adoption (Reg. 26)
Statement of Community Involvement Non - Development Plan Document Covers the whole of Oxfordshire	To set out the Council's policy on community involvement in local (minerals and waste) development documents and planning applications	Must be in conformity with legislative requirements	<i>Commenced March 2005</i>	<i>Issues & options consultation Sept 2005; Preferred options consultation Oct 2005</i>	<i>n/a</i>	<i>Submitted Feb 2006</i>	<i>Hearing held July 2006</i>	<i>Inspector's Report received July 2006</i>	<i>Adopted Nov 2006</i>
Minerals and Waste Core Strategy Development Plan Document Covers the whole of Oxfordshire	To set out the Council's vision, objectives, spatial strategy and core policies for the supply of minerals and management of waste in Oxfordshire over the period to 2030	Must conform with national planning policy and be in general conformity with Regional Spatial Strategy *	<i>Commenced March 2005</i>	<i>Initial issues & options consultation June 2006; Initial preferred options consultation Feb 2007; Further engagement & consultation on issues and options and preferred options Feb 2010 – Jan 2011; Consultation on draft (preferred) minerals & waste strategies Sept – Oct 2011</i>	Publish for representations to be made May 2012	Submit Core Strategy for examination July/Aug 2012	Pre-hearing meeting Sept 2012; Hearings Oct/Nov 2012	Publish Inspector's report April 2013	Adopt Core Strategy Sept 2013

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<p>Minerals and Waste Site Allocations Document(s) Development Plan Document(s) (May be prepared as separate documents or as a single, combined document) Covers the whole of Oxfordshire</p>	<p>To make provision and identify sites for minerals and/or waste management development for Oxfordshire, in accordance with the spatial strategy in the Core Strategy; and provide the detailed policy framework for minerals and/or waste development management decisions</p>	<p>Must be in conformity with the Core Strategy</p>	<p>Programme to be decided after the Minerals and Waste Core Strategy has reached examination</p>
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Regulation (Reg.) numbers refer to The Town and Country Planning (Local Planning) (England) Regulations 2012.

Stages in italics have already been completed.

* National planning policy is contained in the National Planning Policy Framework, March 2012 and Planning Policy Statement 10 (PPS10): Planning for Sustainable Waste Management, July 2005 (as amended); the Government intends to revoke regional spatial strategies under provisions in the Localism Act 2011.

Decisions on the need for supplementary planning documents on Minerals and Waste Development Code of Practice; and Restoration and After-use of Minerals and Waste Sites will be made at a later date; these documents are not included in this Development Scheme.