

CABINET MEMBER FOR ENVIRONMENT – 20 DECEMBER 2018

OXFORDSHIRE MINERALS AND WASTE ANNUAL MONITORING REPORT 2017 (CALENDAR YEAR), DECEMBER 2018

Report by Director for Planning & Place

RECOMMENDATION

1. The Cabinet Member for Environment is **RECOMMENDED**:
 - (a) to approve the Oxfordshire Minerals and Waste Annual Monitoring Report 2017 (Calendar Year) in the Annex to this report;
 - (b) to authorise the Director for Planning & Place to carry out any necessary final editing of the Minerals and Waste Annual Monitoring Report 2017 (Calendar Year) for publication on the County Council website.

Executive Summary

2. The County Council is required to prepare and publish minerals and waste local plan monitoring reports. This procedural and information requirement has been met by the production each year of a Minerals and Waste Annual Monitoring Report. The Annual Monitoring Report must report on implementation of the Minerals and Waste Development Scheme (the programme for preparation of the Minerals and Waste Local Plan) and on the extent to which local plan policies are being achieved. A draft Oxfordshire Minerals and Waste Annual Monitoring Report 2017 (Calendar Year) has been prepared, covering the year 1 January to 31 December 2017.
3. The draft Annual Monitoring Report 2017 reports on how work on preparation of the revised Minerals and Waste Local Plan: Core Strategy was progressed in relation to the programme in the Council's Minerals and Waste Development Scheme, February 2016. It also reports on: production of aggregate minerals; permissions granted for mineral working and landbanks of permitted reserves; production of secondary and recycled aggregates; amounts of waste produced and methods of management; permissions granted for waste management facilities and capacity of facilities. It cross refers to the Council's Local Aggregate Assessment and Waste Needs Assessment, which contain more detailed information and will sit alongside and complement the Annual Monitoring Report. In addition, it reports on work undertaken by the Council to meet the Duty to Cooperate.

Introduction

4. The Planning and Compulsory Purchase Act 2004 (as amended) requires the County Council to prepare and publish minerals and waste local plan (MWLP)

monitoring reports. This requirement has been met by the production each year of a Minerals and Waste Annual Monitoring Report (AMR).

5. The purpose of AMRs is to assess and report on implementation of the Council's local development scheme (the programme for preparation of the MWLP) and the extent to which local plan policies are being achieved. Minerals and Waste AMRs have been produced and published on the Council's website for each year from 2005 to 2016.

Annual Monitoring Report 2016

6. The AMR 2017 (Calendar Year) covers the 12 month period 1 January 2017 to 31 December 2017. Data from 2018 is also included where available. Earlier annual monitoring reports covered the period 1 April to 31 March but from 2016 they have been changed to cover the calendar year. This is because most minerals and waste data is collected on a calendar year basis and policies in the MWLP relate to calendar years and need to be monitored on that basis. A draft Oxfordshire Minerals and Waste AMR 2017 is attached as an Annex.

Implementation of the Local Development Scheme

7. The Oxfordshire Minerals and Waste (Local) Development Scheme (MWDS) came into effect in May 2005. The MWDS should be reviewed and revised when necessary to maintain an up to date programme for preparation of the MWLP. The most recent (eighth) revision – the MWDS December 2017 – was agreed by Cabinet in December 2017 and came into effect on 8 January 2018. However, over the period covered by this AMR the previous MWDS February 2016 applied.
8. As in the current MWDS, the MWDS February 2016 provided for a two-part MWLP to be prepared, covering the period to 2031, and comprising: Part 1 – Core Strategy; and Part 2 – Site Allocations. It included a timetable for preparation of the Core Strategy and stated that this will set out the vision, objectives, spatial strategy and core policies for the supply of minerals and management of waste in Oxfordshire, including strategic locations for minerals and waste developments and criteria based policies for the identification of specific sites and consideration of planning applications. The AMR 2017 reports on the progress that was made towards meeting the Core Strategy timetable.
9. Work during the period covered by this AMR was focused on taking the revised Core Strategy through proposed modifications, following the examination hearing held in September 2016 and the Interim Report issued by the Inspector in October 2016, and then on to adoption. The examination of the Core Strategy had been delayed by the need to prepare and consult on further topic papers in response to issues and questions raised by the Inspector. The Inspector's interim report and requirement for preparation of and consultation on further strategic environmental assessment/sustainability appraisal and proposed modifications increased delay to the Core Strategy, such that the timetable in the MWDS February 2016 for adoption of the Core Strategy in November 2016 was not met.

10. The Proposed Main Modifications were consulted on from 3 February 2017 to 20 March 2017, and all representations on these were considered by the Inspector. The final Inspector's Report was received on 15 June 2017. In this, the Inspector concluded that, with recommended main modifications, the Plan was legally compliant and a sound basis on which to plan for the provision of minerals and waste management in Oxfordshire until 2031. The Council adopted the Core Strategy on 12 September 2017.

11. The MWDS February 2016 also included a timetable for preparation of the Site Allocations Plan, which will identify sites for minerals and waste development for Oxfordshire, in accordance with the Core Strategy, and provide a detailed policy framework for development management decisions. The timetable was revised in the MWDS December 2017, as follows:
 - Commence preparation of plan – September 2017;
 - Consultation on site options – June / July 2018;
 - Consultation on draft plan – January / February 2019;
 - Publish proposed submission plan – September 2019;
 - Submit plan to Secretary of State – December 2019;
 - Independent examination hearings – March 2020;
 - Receive and publish Inspector's report – September 2020;
 - Adoption of Site Allocations Plan – November 2020.

12. Initial work on the Site Allocations Plan, on preparation of a site assessment methodology and sustainability appraisal scoping report, was commenced in September 2017. Consultation on site options was carried out between August and October 2018.

13. A Revised Oxfordshire Statement of Community Involvement (SCI) was adopted by the County Council in March 2015. This updated SCI is still current. There was no need to carry out a further review of it during the period of this AMR but following changes in legislation and national planning policy in 2018 consideration should be given to a review in 2019.

Monitoring Achievement of Policies

14. The Minerals and Waste Core Strategy includes a monitoring framework. This was first published as part of the Proposed Main Modifications to the Plan in February 2017 and, following adoption of the Core Strategy in September 2017, it forms the basis for monitoring the implementation and effectiveness of the policies in the plan. However, as the policies could not be given full weight until the Plan was adopted in September 2017, some indicators cannot be fully monitored for 2017. In addition, the Site Allocations Plan has yet to be produced and therefore policies that cross-relate to this document will not be able to be monitored until it has been adopted.

15. The MWDS lists 46 policies in the adopted Minerals and Waste Local Plan (1996) which are 'saved' until replaced by policies in the new MWLP. Now that the Core Strategy has been adopted, only 16 policies relating to specific areas remain saved pending the adoption of the Site Allocations Plan. These policies are generally not written in a way that enables their achievement to be reported on, but the AMR covers issues relating to their implementation.

16. The AMR 2017 reports on monitoring of the following:
- a) Sales (production) of land-won aggregate minerals (soft sand, sharp sand and gravel, and crushed rock – limestone and ironstone);
 - b) The landbank of permitted reserves of aggregate minerals;
 - c) Permissions granted for aggregate mineral extraction and for secondary and recycled aggregates production;
 - d) Secondary and recycled aggregates production and production capacity;
 - e) Quantities of different wastes arising and methods of waste management;
 - f) Permissions granted for waste management facilities and capacities of different types of facility.
17. The AMR 2017 also reports on the work the County Council has been doing to comply with the 'Duty to Co-operate', as required by the Localism Act 2011, particularly in the preparation of the MWLP. The Council has undertaken engagement with adjoining and other local authorities and with statutory and other specified bodies. Minerals and waste planning strategic issues of common interest have been identified and, as far as possible, an appropriate co-operative approach agreed. In his Report, the Inspector concluded that the Duty to Cooperate had been met in relation to the preparation of the Core Strategy.

Conclusions

18. The main findings of the AMR 2017 are:
- a) The Oxfordshire Minerals and Waste Local Plan: Part 1 – Core Strategy (Core Strategy) was adopted on 12 September 2017. It provides a new framework against which to monitor the policies controlling minerals and waste management development.
 - b) Commencement of preparation of the Oxfordshire Minerals and Waste Local Plan: Part 2 – Site Allocations Plan was put back by the delay to the examination and adoption of the Core Strategy and is now scheduled to be adopted in 2020.
 - c) As the Core Strategy was adopted part way through 2017, the implementation of policies cannot be fully monitored as they could not be given full weight during the whole of the monitoring period.
 - d) The Site Allocations Plan has yet to be prepared and therefore policies that cross-relate to this document will not be able to be monitored until it has been adopted.
 - e) Sales of recycled and secondary aggregates in 2017 were 417,000 tonnes, which was 19% of total sales of aggregate produced in Oxfordshire. Total operational capacity for producing recycled and secondary aggregate in Oxfordshire in 2017 was surveyed as 812,000 tonnes a year but estimated to be 1,149,700 tonnes a year. Two permissions for recycled aggregate facilities, with a total additional capacity of 125,000 tonnes a year, were granted in 2017.

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- f) Sales of sharp sand and gravel in 2017 were 702,809 tonnes, up from 651,418 tonnes in 2016. The 10 year sales average is 576,000 tonnes a year, and the three year sales average is 707,000 tonnes a year.
- g) Sales of soft sand in 2017 were 251,298 tonnes, up from 227,329 tonnes in 2016. The 10 year sales average is 192,000 tonnes a year, and the three year sales average is 237,000 tonnes a year.
- h) Sales of crushed rock in 2017 were 866,849 tonnes, up from 715,407 tonnes in 2016. The 10 year average is 580,000 tonnes a year, and the three year average is 832,000 tonnes a year.
- i) Reserves of sharp sand and gravel at the end of 2017 were 10.805 million tonnes; reserves of soft sand were 3.105 million tonnes; and reserves of crushed rock totalled 9.318 million tonnes.
- j) The landbank for sharp sand and gravel at the end of 2017 was 10.6 years at the LAA requirement rate of 1.015 million tonnes per annum (mtpa). The landbank for soft sand was 16.4 years at the LAA requirement rate of 0.189 mtpa. The landbank for crushed rock was 16.0 years at the LAA requirement rate of 0.584 mtpa. These are all above the minimum requirements in the NPPF (7 years for sand and gravel, and 10 years for crushed rock).
- k) Estimated production capacity for sharp sand and gravel in 2017 totalled 1,244,000 tonnes a year, distributed 58% in 'northern' Oxfordshire (Cherwell and West Oxfordshire Districts) and 42% in 'southern' Oxfordshire (South Oxfordshire and Vale of White Horse Districts).
- l) Two permissions for aggregate mineral working were granted in 2017. These were for the working of soft sand (2,015,000 tonnes) and crushed rock (600,000 tonnes).
- m) No district matter planning applications were permitted or sites allocated in district plans for other types of development in 2017 to which the County Council had objected on the grounds of mineral safeguarding policy.
- n) Five mineral restoration schemes were approved in 2017, all of which will produce a net gain in biodiversity.
- o) Total waste originating in Oxfordshire in 2017 from the principal waste streams was approximately 2.24 million tonnes, of which: 0.315 million tonnes was Municipal Solid Waste (MSW); an estimated 0.533 million tonnes was Commercial and Industrial Waste (C&I); and an estimated 1.393 million tonnes was Construction, Demolition and Excavation (CDE) waste.
- p) Of the 0.315 million tonnes of MSW: 31% was recycled; 27% was composted or food waste treated by anaerobic digestion; 38% went to residual waste treatment; and 4% went to landfill. Total municipal waste diverted from landfill in Oxfordshire has risen from 59% in 2012/13 to 96% in 2017.

- q) Of the 0.533 million tonnes of C&I waste estimated to originate in Oxfordshire: an estimated 24% was recycled; 9% was composted; 15% was treated by other means; and 24% was landfilled. Total landfill diversion was 76%.
- r) Of the 1.393 million tonnes of CDE waste estimated to originate in Oxfordshire: an estimated 42% was recycled; 9% was recovered; and 49% was sent to landfill. Total landfill diversion was 56%.
- s) Landfill diversion targets are generally being met for MSW and C&I waste, but not for CDE waste. This will need to be monitored in future reports.
- t) Total remaining non-hazardous landfill capacity at the end of 2017 was 4.771 million cubic metres; and remaining inert landfill capacity was 6.933 million cubic metres; being enough to last until beyond the current plan period based on 2017 inputs.
- u) Two permissions for additional waste recycling and treatment capacity in Oxfordshire, totalling 125,000 tonnes a year, were granted in 2017, both for inert waste recycling. One permission was granted for inert landfill (quarry restoration), totalling 950,000 cubic metres capacity.
- v) Total capacity for managing the principal waste streams (MSW, C&I and CDE waste) in 2017 was adequate for Oxfordshire to be net self-sufficient in the management of these waste streams.
- w) No safeguarded waste facilities were prevented or prejudiced from operating due to non-waste development being permitted in 2017.

Financial and Staff Implications

- 19. The MWLP is included within the work priorities of the Communities Directorate and is in part being progressed within the existing mainstream budget for the Council's minerals and waste policy function. The budget has been increased by £50,000 this year to fund the abnormal costs of plan preparation (including the commissioning of specialist technical evidence studies). Further increases will be required in 2019/20 and 2020/21, in particular to provide the funding required to take the plan through examination and to adoption. The AMR forms part of this work-stream and it does not raise any additional financial or staff implications.

Legal Implications

- 20. Under the Planning and Compulsory Purchase Act 2004 (as amended), the County Council is required to prepare and publish minerals and waste local plan monitoring reports. This requirement is met by the production each year of a Minerals and Waste AMR.

Risk Management

21. AMRs are required to be prepared alongside and in support of the MWLP. Publishing the AMR 2017 will enable the adopted Minerals and Waste Core Strategy to be monitored and indicate when consideration needs to be given to review of the plan; and will assist preparation of the Site Allocations Plan.

SUSAN HALLIWELL

Director for Planning & Place

Background papers:

- i. Draft Oxfordshire Local Aggregate Assessment 2018, November 2018
- ii. Quarry Sales and Reserves Oxfordshire 2017
- iii. Oxfordshire Waste Needs Assessment, August 2015
- iv. Supplement to Waste Needs Assessment (August 2015), April 2016

All background papers are kept in the Minerals and Waste Policy Team at County Hall, Oxford

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