

## **Divisions Affected - All**

### **CABINET 19 October 2021**

## **OXFORDSHIRE MINERALS AND WASTE DEVELOPMENT SCHEME**

### **Report by Corporate Director Environment and Place**

#### **RECOMMENDATION**

1. The Cabinet is RECOMMENDED to:
  - a) Approve the Oxfordshire Minerals and Waste Development Scheme (Twelfth Revision) October 2021 at Annex 1, in order to have effect from 1<sup>st</sup> November 2021.
  - b) Delegate any final detailed amendment and editing to the Corporate Director Environment and Place, in consultation with the Cabinet Member for Climate Change and Environment.

#### **Executive Summary**

2. The County Council must prepare and maintain an annual Minerals and Waste Development Scheme (MWDS) setting out the Council's programme for preparing the Minerals and Waste Local Plan.
3. In light of a decision being made on the Core Strategy Review (previous item on the Cabinet Agenda) the Authority must now update its MWDS as a result to reflect this change to the Plan programme and its revised timetable.
4. These key changes are:
  - Inclusion of a Review of the Minerals and Waste Local Plan: Part 1 - Core Strategy; and
  - Inclusion of a Partial Update to Minerals and Waste Local Plan: Part 1 - Core Strategy; and
  - Delay to Minerals and Waste Local Plan: Part 2 - Site Allocations Document
5. This work will ensure that the Minerals and Waste Local Plan is in conformity with the NPPF and based on a sound evidence base.
6. The Core Strategy Review and the Partial Update to the Core Strategy will result in an eleven-month delay for the Minerals and Waste Local Plan: Part 2 - Site

Allocations Document compared to the January 2021 Minerals and Waste Development Scheme.

7. Cabinet is asked to consider and approve this revised programme and timetable.

## Introduction

8. The Council must prepare, maintain and publish a Minerals and Waste Development Scheme (MWDS), setting out the Council's programme for preparing the Oxfordshire Minerals and Waste Local Plan.
9. The original Oxfordshire MWDS came into effect in May 2005. In line with Governments Plan Making Guidance<sup>1</sup> a Local Development Scheme is expected to be reviewed and updated at least annually, and it also needs updating more frequently if there are any significant changes in the timescales or the Plans being prepared. Eleven revisions of the MWDS have been produced since 2005, most recently in January 2021.

## Previous Plan Preparation Timetable

10. The MWDS January 2021 was the most recent revision to the Minerals and Waste Development Scheme. It focused on preparation of the Minerals and Waste Local Plan: Part 2 – Site Allocations Document, which commenced in September 2017 and included a timetable for its preparation. This set a target for adoption by December 2023. Key stages in the January 2021 MWDS programme are set out in Table 1.

Consultation on Reg. 18 Issues & Options	August - October 2018
Consultation on Reg. 18 Draft Site Allocations Document (Preferred Options)	January - March 2020
Additional Consultation on Reg.18 Draft Site Allocations Document (Preferred Options)	August/Sept 2021
Draft Plan Consultation	March/April 2022
Submission of Plan for Examination	Nov 2022
Adopt Part 2 Plan – Site Allocations	November 2023

Table 1: Timetable for the Minerals and Waste Development Plan Documents (Jan 2021)

## Need for a Revision to the Minerals and Waste Development Scheme

11. In light of recent monitoring and evidence gathering, and with the current timetable for the Site Allocations Document Examination in 2022 and the required Core Strategy review date of 2022, there is a high risk that all the work undertaken on the Site Allocations Document, so far, will be undermined by new evidence for the Core Strategy Review.

<sup>1</sup> [Plan Making Paragraph: 035 Reference ID: 61-035-20190723](#)

12. It is prudent to undertake a Core Strategy Review before the next stage of the Site Allocations Document.
13. This will ensure the Site Allocations Document is based on a sound evidence base and in conformity with the Core Strategy and the NPPF.
14. The initial Core Strategy Review concludes that the Core Strategy is performing well and meeting its targets, except in one policy area where a trigger within our Authority Monitoring Report has been reached and the Plan is no longer in conformity with the NPPF.
15. The policy trigger has been reached in relation to Policy M2 for our crushed rock provision. It is acknowledged that the current level of mineral provision supply over the Plan period will not provide a “steady and adequate supply of Mineral over the Plan Period” as our landbank is below the 10 years required by the NPPF.
16. Therefore, the initial Core Strategy Review has indicated that to ensure full compliance with the NPPF, a Partial Update of the Core Strategy will be necessary to address this issue.
17. The revised MWDS sets out that we will undertake consultation on our initial Review of our Core Strategy to provide our communities and interested parties the opportunity to comment on our findings. This will be accompanied by Scoping for our Partial Update of the Core Strategy to ensure we are including all the areas that need reviewing within the Update.
18. Following this consultation, all responses received will be considered and our final Review of the Core Strategy will be brought before Full Council for their decision.
19. The consultation responses will also provide information and evidence for the Partial Update of the Core Strategy once Full Council has made a decision on the Core Strategy Review.
20. This Partial Update to the Core Strategy will then inform the Site Allocations Document. Therefore, the additional Preferred Options for the Site Allocations Document is delayed allowing the Core Strategy Review to progress to Full Council decision.
21. The revised programme sets out the Core Strategy Review, the Partial Update to the Core Strategy and the Site Allocations Document. This is set out in Table 2.

<b>Development Plan Document and Stage of Plan Preparation</b>	<b>Timescale</b>	<b>Description</b>
<b>Core Strategy Review</b> <b>Scoping for Partial Update of Core Strategy</b> Regulation 18 (Preparation)	May 2021-Nov 2021	Review of Core Strategy Evidence gathering and document preparation.
<b>Core Strategy Review</b> <b>Scoping for Partial Update of Core Strategy</b> Regulation 18 (Consultation)	Nov 2021- Jan 2022	Consultation on Core Strategy Review and initial scoping for Partial Update of Core Strategy. Evidence gathering.
<b>Core Strategy Review</b> <b>Scoping for Partial Update of Core Strategy</b> <b>Site Allocations Document</b> Further Preparation	Jan – June 2022	Review all responses and update evidence base for all documents.
<b>Core Strategy Review to Full Council</b> Council Decision	April 2022	Oxfordshire County Council makes decision the Core Strategy Review
<b>Partial Update of Core Strategy</b> <b>Site Allocations Document</b> Further Consultation (Reg 18)	June- Aug 2022	Consultation on Partial Update to the Core Strategy and Site Allocations Document, and evidence.
<b>Partial Update of Core Strategy</b> <b>Site Allocations Document</b> Draft Plan Preparation	Aug 2022 - Feb 2023	Update evidence base for Partial Update to the Core Strategy revision and Site Allocations Document
<b>Partial Update of Core Strategy</b> <b>Site Allocations Document</b> Draft Plan Consultation (Reg 19)	Feb 2023 - April 2023	Consultation on Partial Update to the Core Strategy and Site Allocations Document to be submitted to Secretary of State.
<b>Partial Update of Core Strategy</b> <b>Site Allocations Document</b> Submission (Reg 22)	Autumn 2023	Submission of Partial Update to the Core Strategy and Site Allocations Document to Secretary of State.
<b>Partial Update of Core Strategy</b> <b>Site Allocations Document</b> Examination	March – April 2024	Planning Inspectorate reviews the Partial Update to the Core Strategy and Site Allocations Document.
<b>Partial Update of Core Strategy</b> <b>Site Allocations Document</b> Adoption	Nov 2024	Oxfordshire County Council adopts the Partial Update to the Core Strategy Minerals and Waste Local Plan: Part 2 Site Allocations Document.

Table 2 Proposed timetable for the Minerals and Waste Development Scheme (Oct 2021)

22. This revised programme for the Minerals and Waste Local Plan is considered to be realistic taking account of experience to date, the outstanding work required, and the evidence base needed for the additional consultation, publication, submission and examination stages of the process.
23. Approval of the revised MWDS October 2021 by the Cabinet is required before it can be brought into effect. The MWDS must then be published on the Council's website and sent to the Planning Inspectorate.

## **Corporate Policies and Priorities**

24. The Minerals and Waste Development Scheme sets out the timetable for the delivery of the Minerals and Waste Local Plan.
25. This timetable will provide our communities the assurance that work on the Minerals and Waste Local Plan is progressing and that it is being prepared on a sound evidence base. It also sets out how the Site Allocations Document is being delivered and to what timetable along with setting out when communities can get involved in the Plan making process.
26. All of these supports the Councils commitment to Thriving Communities.

## **Financial Implications**

27. The Minerals & Waste Local Plan 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 delay to the programme requires that the current budget for the preparation and adoption of the Part 2 (Sites Plan) needs to be kept in reserve or budgeted for in 2024 to meet the anticipated costs of independent public examination. The unanticipated additional consultancy costs in the preparation of the Core Strategy Review will be absorbed into the current budget, there are no other financial or staff implications arising from these changes

Comments checked by:

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## **Legal Implications**

28. None have been specifically identified.

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## **Staff Implications**

29. The Minerals & Waste Local Plan is included within the work priorities of the Communities Directorate. The programme for preparation of the Minerals and Waste Local Plan Documents takes into account the availability of staff and financial resources relative to the work expected to be required. The County Council considers the programme in this scheme to be realistic, subject to no significant unforeseen circumstances arising.
30. The plan will be prepared in-house by the Council's Minerals and Waste Policy Team of three officers (Minerals and Waste Local Plan Manager, Principal and Planning Policy Officer), under the direction of the Assistant Director Strategic Infrastructure and Planning and the Director for Planning & Place. The team will, as required, draw on: administrative and technical support from within the wider Service; specialist input, particularly on transport, landscape, ecology and archaeology, from elsewhere within the Council; and input on communications from within the Council.
31. Due to the resources required for the additional evidence gathering and to see the Plan through to adoption, external consultant support has been sought and appointed. Consultants will assist with the technical background work required to prepare the Site Allocations Document, including the Sustainability Appraisal, Site Assessments, HRA and SFRA.
32. Additional external consultants and temporary staff will be used where necessary, in particular if required to provide specialist input that is not available within the Council. This may include support on: Local Aggregate Assessment; Waste Needs Assessment; Aggregates Monitoring Report and facilitation of stakeholder meetings.

## **Equality & Inclusion Implications**

33. None have been specifically identified.

## **Sustainability Implications**

34. None have been specifically identified.

## **Risk Management**

35. None have been specifically identified.

## **Consultations**

36. No consultation is required in the preparation of the Minerals and Waste Development Scheme.

Bill Cotton, Corporate Director Environment and Place

Annex: Annex 1 Minerals and Waste Development Scheme  
(Twelfth Edition) October 2021.

Background papers: None

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