

## **Divisions Affected - All**

**CABINET - 19 JANUARY 2020**

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

#### **Report by Director for Planning and Place**

#### **RECOMMENDATION**

**The Cabinet is RECOMMENDED to approve the Oxfordshire Minerals and Waste Development Scheme (Eleventh Revision) 2021 at Annex 1, in order to have effect from 19 January 2021 and to delegate final detailed amendment and editing to the Corporate Director of Place and Growth in consultation with the Cabinet Member for Environment.**

#### **Executive Summary**

1. The County Council must prepare and maintain an annual Minerals and Waste Development Scheme (MWDS), which sets out an up to date programme for production of the Oxfordshire Minerals and Waste Local Plan. The most recent revision of the Oxfordshire Minerals and Waste Development Scheme was approved in March 2020. The Cabinet is asked to consider a revised programme following delays to the previously advised timetable and ultimately the proposed timetable for adoption of the Minerals and Waste Local Plan.
2. The Oxfordshire Minerals and Waste Local Plan is in two parts; Part 1 of the Plan, the Core Strategy, was adopted in September 2017. Work on Part 2, the Sites Allocation Plan, commenced in September 2017 and is ongoing. However, the timetable for the preparation of the Sites Allocation Plan in the March 2020 Minerals and Waste Development Scheme is now out of date and needs to be revised.
3. The proposed programme for the Sites Allocations Plan has a revised target for adoption by December 2023 which involves the following key stages: further consultation on Preferred Site Options in August – September 2021; publication of the pre-submission Draft Plan in March – April 2022 and submission to the Planning Inspectorate for independent examination in November 2022.

#### **Introduction**

4. 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.

5. The original Oxfordshire MWDS came into effect in May 2005. Ten revisions of the MWDS have been produced since then, most recently in March 2020.

### **Need for Revision of the Minerals and Waste Development Scheme**

6. The MWDS 2020 was the most recent revision to the Minerals and Waste Development Scheme following the adoption of the Minerals and Waste Local Plan: Part 1 – Core Strategy in September 2017. It focused on preparation of the Minerals and Waste Local Plan: Part 2 – Site Allocations (Sites Plan), which commenced in September 2017 and included a timetable for preparation of the Sites Plan. This set a target for adoption by February 2022. Key stages in the programme are set out in Figure 1:

Consultation on Reg. 18 Issues & Options,	August - October 2018
Consultation on Reg. 18 Draft Site Allocations Plan (Preferred Options)	January - March 2020
Submission of Plan for Examination	January 2021
Adopt Part 2 Plan – Site Allocations	February 2022

Figure 1: Existing Timetable for Plan Production (MWDS 2020)

7. 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.
8. As the last Minerals and Waste Development Scheme was approved in March 2020 and there are significant changes in the Plan preparation timescales, it is necessary to review and update the MWDS 2020.

### **Revised Minerals and Waste Development Scheme 2020**

9. Following issues and options consultation in 2018 and an assessment of the nominated sites, consultation was carried out on the preferred options for sites to be allocated in the Sites Plan. This consultation took place in January – March 2020.
10. The consultation on preferred sites, which set out 4 mineral sites and 9 waste sites, led to over 500 responses, with considerable further information and evidence supplied. It was a very effective consultation and received significant community engagement, and stakeholder responses.
11. The Preferred Options consultation was very successful with a significant number of responses. After reviewing the responses received, we have highlighted a number of areas that require further evidence gathering to ensure a sound plan. Further evidence required relates to:
- (a) Site Deliverability
  - (b) Site Assessment process

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

- (c) Sustainability Appraisal
  - (d) Habitats Regulation Assessment
  - (e) Strategic Flood Risk Assessments
12. Therefore, in light of this further work, it is felt appropriate to undertake an additional Preferred Options (Reg 18) consultation ahead of submission.
13. We have considered how the work programme and timetable for the Sites Plan, including this additional Regulation 18 consultation, could maintain the target for adoption of the Plan by February 2022 but have concluded that it is not possible.
14. A draft revised MWDS 2021 is set out in Annex 1. This includes a timetable for preparation of the Part 2 Site Allocations Plan and has a target for adoption by December 2023. This will complete Part 2 of the Oxfordshire Minerals and Waste Local Plan.
15. The revised principal target dates in the programme for the Sites Plan are set out in Figure 2:

Commence preparation of Part 2 Site Allocations Plan	September 2017
Consultation on R.18 Issues and Options	August - October 2018
Consultation on R.18 Draft Site Allocations (Preferred Options)	January - March 2020
Additional consultation on R.18 Draft Site Allocations (Preferred Options)	August – September 2021
Publish R.19 proposed submission Draft Site Allocations Plan	March – April 2022
Submit to Secretary of State	November 2022
Examination hearings	May/June 2023
Publish Inspector's report	August 2023
Council adopts Part 2 Site Allocations Plan	December 2023

Figure 2: Proposed revised Timetable for Plan Production (MWDS 2021)

16. To assist in achieving this revised timetable, Northamptonshire County Council (NCC) have been appointed to support the production of the Sites Plan and are responsible for the production of a review of the Site Assessments, Sustainability Appraisal/Strategic Environmental Assessment, Strategic Flood Risk Assessment and Habitats Regulations Assessment. They have also been asked to project plan the delivery of the Site Allocations Plan.
17. The revised programme for the Minerals and Waste Local Plan Part 2 – Site Allocations 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.

18. Approval of the revised MWDS 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**

19. The Minerals and Waste Development Scheme sets out the timetable for the delivery of the Minerals and Waste Local Plan, including Part 2: Site Allocations Plan. This Plan will identify the mineral and waste sites needed to deliver the requirements identified within the adopted Core Strategy (2017).
20. This timetable will provide our communities the assurance that a Site Allocations Plan is being delivered and to what timetable along with setting out when communities can get involved in the Plan making process. All of these supports the Councils commitment to Thriving Communities.

### **Financial Implications**

21. 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, and the contract with Northamptonshire County Council mean that the current budget for the preparation and adoption of the Part 2 (Sites Plan) needs to be transferred into the minerals and waste reserve in order to meet this year's costs. There will therefore not be sufficient funds for the anticipated independent public examination. The public examination would not be carried out next year as originally anticipated and the cost of that examination will therefore need to be budgeted for in future fiscal periods

Comments checked by:

Rob Finlayson, Finance BP (Communities and C,OD & CDAI),  
Rob.Finlayson@oxfordshire.gov.uk (Finance)

### **Legal Implications**

22. None have been specifically identified.  
Comments checked by:

Jennifer Crouch , Principal Solicitor (Environment Team),  
[jennifer.crouch@oxfordshire.gov.uk](mailto:jennifer.crouch@oxfordshire.gov.uk) (Legal)

23. 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: Part 2 – Site Allocations takes into account the availability of staff and financial resources relative to the work expected to be required. Whilst there are uncertainties with the plan preparation process, the County Council

considers the programme in this scheme to be realistic, subject to no significant unforeseen circumstances arising.

24. 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.
25. Due to the resources required for the additional evidence gathering and to see the Plan through to adoption, long term external consultant support has been sought and appointed. They will assist with the technical background work required to prepare the Site Allocations Plan, including the Sustainability Appraisal, Site Assessments, HRA and SFRA. The consultants will also be responsible for project planning the delivery of the Site Allocations Plan to ensure future milestones are met and will work in close partnership with the existing Policy Team.

### **Equality & Inclusion Implications**

26. None have been specifically identified.

### **Sustainability Implications**

27. None have been specifically identified.

### **Risk Management**

28. None have been specifically identified.

### **Consultations**

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

### **SUE HALLIWELL**

Director for Planning and Place

Annex: Minerals and Waste Development Scheme (Eleventh Edition)

Contact Officer: Charlotte Simms, Minerals and Waste Principal Planning Officer  
07741607726; [charlotte.simms@oxfordshire.gov.uk](mailto:charlotte.simms@oxfordshire.gov.uk)

November 2020