

CABINET MEMBER FOR THE ENVIRONMENT – 8 OCTOBER 2020

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

Report by Director for Planning and Place

RECOMMENDATION

1. The Cabinet Member for Environment is RECOMMENDED to:
 - (a) approve the Oxfordshire Minerals and Waste Annual Monitoring Report 2018 (Calendar Year) annexed to this report;
 - (b) authorise the Director for Planning & Place to carry out any necessary final editing of the Minerals and Waste Annual Monitoring Report 2018 (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. 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. This is a procedural and information requirement of the Planning & Compulsory Purchase Act 2004 (as amended by the Localism Act 2011).
3. A draft Oxfordshire Minerals and Waste Annual Monitoring Report 2018 covering the year 1 January to 31 December 2018 is appended for approval. Ordinarily this report would have been prepared in December 2019 however, as this is the first monitoring report of the MWLP Part 1 - Core Strategy which was adopted in September 2017, which required new evidence and monitoring to assess the newly adopted policies this process has taken longer to assimilate than usual.
4. It cross refers to the Council's Local Aggregate Assessment 2019 and Waste Needs Assessments 2020 and 2015, which contain more detailed information and will sit alongside this Annual Monitoring Report.
5. The AMR reports on the implementation of the 33 policies in the Oxfordshire Minerals and Waste Core Strategy (OMWCS). This is done in accordance with the monitoring framework set out in the OMWCS. It sets out whether the relative targets have been achieved in accordance with the policies. There are also triggers defined which, if invoked, would require a review of the OMWLP. As we are still preparing the OMWLP Part 2 – Site Allocations this would mean a review of the OMWCS. It is important to note that all targets were met

bar one which invoked a trigger to review the landbank policy for crushed rock reserves. This is being taken forward through the preparation of the OMWLP Part 2 – Site Allocations work.

6. A summary of the 2018 position reported by the Annual Monitoring Report (AMR) is set out below:
 - a) Achievement of the targets for recycled and secondary aggregate facilities in 2018.
 - b) Achievement of the targets for production capacity for sharp sand and gravel, soft sand and crushed rock in 2018.
 - c) Achievement of 7 year landbanks for sharp sand and gravel and soft sand in 2018.
 - d) Reserves of crushed rock fell below the NPPF 10 year landbank requirement, at 9.9 years in 2018 activating the trigger for review of this policy. We are addressing this through an identification of sites to deliver sufficient crushed rock over the Plan period as part of the preparation of the OMWLP Part 2 – Site Allocations work.
 - e) Achievement of targets for the working of aggregate minerals.
 - f) Achievement of targets for safeguarding land for mineral working – no applications were permitted by the County Council in 2018 that would result in the sterilization of mineral resources and no District allocations were made in 2018 where there was an objection from the County Council on grounds of minerals safeguarding.
 - g) A delay in the preparation of the OMWLP Part 2 – Site Allocations leading to a delay in the publication of the pre-submission draft. The 2018 AMR reports that currently the timetable for examination and adoption of the OMWLP Part 2 – Site Allocations is under review.
 - h) Progress in the restoration of mineral workings; there were six mineral restoration schemes approved in 2018, including two new sites and four revisions to previously approved schemes, achieving net gain in biodiversity.
 - i) Achievement of targets for waste management capacity sufficient to meet the amount required for the specified waste streams except for construction, demolition and excavation waste in Oxfordshire.
 - j) Achievement of targets for the diversion of waste from landfill and targets for the use of inert waste for infill as part of site restoration.
 - k) Target achieved for the management of agricultural waste.

- l) Target achieved for the storage of low level and intermediate level radioactive waste.
- m) Achievement of targets for the approval of applications taking into account the relevant Core Strategy policies.

Introduction

- 7. Oxfordshire County Council has prepared the new Minerals and Waste Local Plan: Part 1 – Core Strategy (Core Strategy), which was adopted on 12 September 2017 and is now preparing Part 2: Site Allocations Plan. Under section 35 of the Planning and Compulsory Purchase Act 2004 (as amended by The Localism Act 2011) the County Council is required to monitor the progress of the plan and the implementation of policy. In addition, the EU Waste Framework Directive, 2008 (2009/98/EC) (transposed through the Waste (England and Wales) Regulations 2011) requires waste planning authorities to report on details of existing, newly granted and recently closed waste facilities.
- 8. The Annual Monitoring Report (AMR)
 - Covers the period 1 January 2018 to 31 December 2018;
 - Details the progress on preparation of the new Oxfordshire Minerals and Waste Local Plan against the Local Development Scheme;
 - Reports on the implementation of policies in the Core Strategy.
- 9. The AMR also has regard to the Duty to Cooperate as set out in Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended), section 110 of the Localism Act 2011 and paragraphs 24 to 27 of the National Planning Policy Framework (NPPF) revised 2019. However, it should be noted that the requirement for Statements of Common Ground was not brought in until the 2019 revision of the NPPF, after the 2018 calendar period of this AMR.
- 10. Annual Monitoring Reports (AMRs) are published on the County Council's website following approval by the Cabinet Member for the Environment. AMRs are an important evidence base in assessing the effectiveness of the Minerals and Waste Local Plan policies.

Local Development Scheme

- 11. The Minerals and Waste Development Scheme (MWDS) is a statutory document setting out the planning policy documents (local development documents) that will make up the Oxfordshire Minerals and Waste Local Plan and the programme for the preparation of the plan. The first Oxfordshire MWDS came into effect in May 2005 and it has since been reviewed and revised as necessary to maintain an up to date programme for the preparation of the plan. The most recent was in March 2020 (10th Revision). However, for the period that this Annual Monitoring Report covers (2018), the Local Development Scheme 2017 (8th Revision) was applicable.

12. The MWDS provides for a two-part Minerals and Waste Local Plan to be prepared, covering the period to 2031, and comprising: Part 1 – Core Strategy; and Part 2 – Site Allocations.

Progress of Minerals and Waste Local Plan: Part 1 Core Strategy

13. In the MWDS December 2017, it highlights that the Oxfordshire Minerals and Waste Local Plan: Part 1 – Core Strategy was adopted in September 2017. Therefore, it now forms part of the Development Plan and replaces the majority of the policies in the Oxfordshire Minerals & Waste Local Plan 1996. The National Planning Policy Framework (NPPF) states policies in local plans and spatial development strategies, should be reviewed to assess whether they need updating at least once every 5 years, and should then be updated as necessary. This will apply to the Core Strategy and the policies contained within it.

Progress of the Minerals and Waste Local Plan: Part 2 Site Allocations Plan

14. In 2018, the MWDS December 2017 (8th Revision) was in place, but at the time of the publication of the AMR 2018 the MWDS (10th Revision) has been approved. So, it is against the MWDS 10th revision that progress is measured in the AMR 2018.
15. The AMR reports progress on community engagement and consultation however, responding to the consultation responses from the very successful round of community engagement has led to a delay in the next stage of the OMWLP Part 2 – Site Allocations Plan, caused by a need to respond to the points raised in the public consultation. There is also uncertainty over the Planning Inspectorates timetables following the effects of Covid 19, and so the likely date of the examination, and later stages of the MWDS will need to be reviewed.
16. For full details of the 2020 revised timetable and progress to date, alongside the 2017 and 2019 MWDS revisions, please see Appendix 1 of Annex 1.

Statement of Community Involvement

17. The first Oxfordshire Statement of Community Involvement (SCI) was adopted in November 2006 and revised in 2015. There was no need to undertake a review of the Statement of Community Involvement during 2018.
18. Having regard to changes in national procedures and policy on plan making since 2018, a Revised Oxfordshire Statement of Community Involvement was adopted by the County Council in May 2020.

Duty to Cooperate

19. The AMR has regard to the Duty to Cooperate as set out in Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended), section 110 of

the Localism Act 2011, and paragraphs 24 to 27 of the National Planning Policy Framework (NPPF) revised 2019. This places a duty on Local Planning Authorities that “Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy.” It further states that “in order to demonstrate effective and on-going joint working, strategic policymaking authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these.” However, it should be noted that the requirement for Statements of Common Ground was not brought in until the 2019 revision of the NPPF, after the 2018 calendar period of this AMR.

20. The County Council responds to Duty to Cooperate consultations from other minerals and waste planning authorities and attends meetings as and when required, to maintain and ensure effective engagement.
21. During 2018 there was engagement with the following authorities:
 - a. Buckinghamshire County Council,
 - b. Cambridgeshire & Peterborough Combined Authority,
 - c. Central and Eastern Berkshire Authorities,
 - d. Gloucestershire County Council/Swindon Borough Council/Wiltshire Council,
 - e. North Lincolnshire Council,
 - f. South Gloucestershire Council,
 - g. Surrey County Council,
 - h. Wakefield Council,
 - i. West Berkshire Council

Monitoring Achievements of Policies

22. The Minerals and Waste Core Strategy includes a monitoring framework, which forms the basis for monitoring the implementation and effectiveness of the policies in the plan. As the Plan was not adopted until September 2017, 2018 is the first full year the Policies can be monitored.
23. 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.
24. 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.
25. The AMR 2018 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.
- g) The use of the adopted Core Policies (C1-C11) within the County Development Management decisions.

Summary of Findings

26. Findings within the 2018 AMR indicate that the policies contained in the Oxfordshire Minerals and Waste Local Plan were effective in 2018, summarised as follows:.
- a. The 2018 reserves for sharp sand and gravel were shown to be above the 7-year requirement. The NPPF requires a 7-year land bank to be maintained for soft sand, which based on 2018 reserves, we had.
 - b. The NPPF requires a 10-year land bank for crushed rock, based on the figures for 2018 the landbank in Oxfordshire for crushed rock was just below the ten year requirement at 9.9 years. This is a trigger within the policy monitoring and will be addressed thorough the preparation of the Site Allocations Plan.
 - c. Landfill diversion targets were generally being met by MSW (Municipal Solid Waste) and C&I (Commercial & Industrial) waste streams, but not for CDE (Construction, Demolition and Excavation) waste streams. Particular attention will need to be given to the monitoring of CDE waste streams in future reports.
 - d. Safeguarding policies within the OMWLP were also shown to be effective.

Monitoring of Policy Implementation – Minerals

Sharp Sand and Gravel

27. Sales of sharp sand and gravel in 2018 were 796,197 tonnes, up from 702,809 tonnes in 2017. The 10-year sales average (2009 – 2018) is 592,000 tonnes a year, and the three-year sales average (2016 – 2018) is 717,000 tonnes a year.
28. Permitted reserves of sharp sand and gravel at the end of 2018 were 12.925 million tonnes. The landbank for sharp sand and gravel at the end of 2018 was 12.7 years at the LAA requirement rate of 1.015 million tonnes per annum (mtpa). The NPPF requires a 7-year land bank to be maintained for sharp sand and gravel. With current reserves the sharp sand and gravel landbank is above the 10-year requirement.
29. Annual production capacity for sharp sand and gravel in 2018 totalled 1,624,000 tonnes.

30. One new permission for sharp sand and gravel extraction was permitted in 2018 (2.5million tonnes).

North/South Production Split

31. Production capacity for sharp sand and gravel in 2017 totalled 1,624,000 tonnes, distributed 58% in 'northern' Oxfordshire (Cherwell and West Oxfordshire Districts) and 42% in 'southern' Oxfordshire (South Oxfordshire and Vale of White Horse Districts).

Soft Sand

32. Sales of soft sand in 2018 were 252,150 tonnes, compared to 251, 298 tonnes in 2017. The 10-year sales average is 202,000 tonnes a year, and the three year sales average is 243,000 tonnes a year. Permitted reserves of soft sand at the end of 2018 were 3.091 million tonnes. The landbank for soft sand was 12.7 years at the LAA requirement rate of 0.243 mtpa. The NPPF requires a 7-year land bank to be maintained for soft sand, which based on current reserves, we have.
33. Annual production capacity for soft sand in 2018 totalled 390,200 tonnes.
34. One permission for soft sand extraction was permitted (0.5mt).

Crushed Rock

35. Sales of crushed rock in 2018 were 751,059 tonnes, down from 866,849 tonnes in 2017. The 10-year average is 601,000 tonnes a year, and the three-year average is 788,000 tonnes a year. Reserves of crushed rock at the end of 2018 totalled 7.718 million tonnes. The landbank for crushed rock was 9.9 years at the LAA requirement rate of 0.788 mtpa. The NPPF requires a 10-year land bank for crushed rock, and with a landbank of 9.9 years, Oxfordshire are just below the 10-year requirement. This is a trigger within Policy monitoring and will be addressed through work on the preparation of the Site Allocations Plan.
36. Annual production capacity for crushed rock in 2018 was 1,700,000 tonnes for crushed rock.
37. There were no new permissions for crushed rock extraction given in 2018.

Secondary and Recycled Aggregate

38. Sales of recycled and secondary aggregates in 2018 were 406,000 tonnes, which was 23% of total sales of aggregate produced in Oxfordshire.
39. Total operational capacity for producing recycled and secondary aggregate in Oxfordshire in 2018 was recorded as 860,680 tonnes a year but it is estimated to be nearer to 1,300,2000 tonnes a year.

40. One permission for recycled aggregate facilities, with a total capacity of 50,000tpa, was granted in 2018.

Safeguarding

41. No district matter planning applications were permitted or sites allocated in district local plans for other types of development in 2018 to which the County Council had objected on the basis of mineral safeguarding policy.

Restoration

42. There were six mineral restoration schemes approved in 2018, including two new sites and four revisions to previously approved schemes.

Monitoring of Policy Implementation – Waste

Waste Arisings

43. Total waste originating in Oxfordshire in 2018 from the principal waste streams was approximately 2.109 million tonnes, of which: 0.281 million tonnes was Municipal Solid Waste (MSW); an estimated 0.540 million tonnes was Commercial and Industrial (C&I) Waste; and an estimated 1.288 million tonnes was Construction, Demolition and Excavation (CDE) waste.
44. Of the 0.281 million tonnes of MSW: 30% was recycled; 28% was composted or treated food waste; 39% went to residual waste treatment; and 3% went to landfill. Total municipal waste diverted from landfill in Oxfordshire has risen from 59% in 2012/13 to 97% in 2018.
45. Of the 0.540million tonnes of C&I waste estimated to originate in Oxfordshire: an estimated 61% was recycled; 8% was composted; 17% was treated by other means; and 14% was landfilled. Total diversion from landfill was 86%.
46. Of the 1.288 million tonnes of CDE waste estimated to originate in Oxfordshire: an estimated 33% was recycled; 64% was recovered; and 3% was disposed of.
47. Landfill diversion targets are generally being met by MSW and C&I waste, but not for CDE waste. This will need to be monitored in future reports.
48. Total remaining non-hazardous landfill capacity at the end of 2018 was 4.359 million cubic metres and remaining inert landfill capacity was 7.881 million cubic metres; being enough to last until beyond the current plan period based on 2018 inputs.
49. Three permissions for additional waste recycling and treatment capacity in Oxfordshire, totalling 68,800 tonnes a year, were granted in 2018, two were for Composting/Biological treatment and one was for residual treatment. One

permission was granted for inert landfill (quarry restoration), totalling 11,900 cubic metres capacity.

50. Total capacity for managing the principal waste streams (MSW, C&I and CDE waste) in 2018 was adequate for Oxfordshire to be net self-sufficient in management of these waste streams.
51. No safeguarded waste facilities were prevented or prejudiced from operating due to non-waste development being permitted in 2018.

Financial and Staff Implications

50. The AMR is a factual report based on information from other reports within the MWLP such as the Core Strategy 2017, Local Development Scheme 2020 and Local Aggregate Assessment 2019 and therefore forms the normal part of evidence base and does not raise any additional financial or staff implications.

Equalities Implications

51. The Annual Monitoring Report 2018 is not expected to create any negative equality implications. The AMR is a factual document providing information on sales and production of minerals and the arisings and management of waste. It also is a factual account of the Councils requirements through Duty to Cooperate and progress in the Plan Making process.

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Director for Planning and Place

September 2020

Background papers:

- i. Oxfordshire Local Aggregate Assessment 2019, October 2019
- ii. Oxfordshire Waste Needs Assessment, Update August 2020
- iii. Oxfordshire Waste Needs Assessment, August 2015
- iv. Minerals and Waste Development Scheme, March 2020
- v. Minerals and Waste Core Strategy, Sept 2017

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