

## **CABINET - 17 MARCH 2020**

# **OXFORDSHIRE MINERALS & WASTE DEVELOPMENT SCHEME (TENTH REVISION) 2020**

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

## **RECOMMENDATION**

1. The Cabinet is RECOMMENDED to approve the Oxfordshire Minerals and Waste Development Scheme (Tenth Revision) 2020 at Annex 1, in order to have effect from 17 March 2020 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**

2. The County Council must prepare and maintain a Minerals and Waste Development Scheme (MWDS), which sets out the 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 February 2019. 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.
3. 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for the preparation of the Sites Allocation Plan in the February 2019 Minerals and Waste Development Scheme is now out of date and needs to be revised.
4. The proposed programme for the Sites Allocations Plan has a revised target for adoption by February 2022 which involves the following key stages: consultation on Preferred Site Options in January - March 2020; publication of the pre-submission Draft Plan in September 2020; and submission to the Planning Inspectorate for independent examination in January 2021.

## **Background**

5. 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. The original Oxfordshire MWDS came into effect in May 2005. Nine revisions of the MWDS have been produced since then, most recently in February 2019.

## **Key Issues**

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

6. The MWDS 2019 was prepared 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 December 2020. Key stages in the programme were:

Consultation on Reg. 18 Issues & Options,	August - September 2018
Consultation on Reg. 18 Draft Site Allocations Plan (Preferred Options)	June - July 2019
Submission of Plan for Examination	March 2020
Adopt Part 2 Plan – Site Allocations	December 2020

7. Consultation on the Issues and Options was delayed by two to three months, mainly due to staff changes and related resource availability. Consequently, the target for consultation on the Draft Site Allocations Plan (Preferred Options) in June – July 2019 was not met so the timetable for the Sites Plan needs to be revised.

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

8. We have considered how the work programme and timetable for the Sites Plan could be revised whilst maintaining the target for adoption of the Plan by December 2020 but have concluded that it is just not possible.
9. A draft revised MWDS 2020 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 February 2022. This will complete Part 2 of the Oxfordshire Minerals and Waste Local Plan.
10. The principal target dates in the programme for the Sites Plan are set out overleaf:

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
Publish R.19 proposed submission Draft Site Allocations Plan	September 2020

Submit to Secretary of State	January 2021
Examination hearings	May 2021
Publish Inspector's report	November 2021
Council adopts Part 2 Site Allocations Plan	February 2022

11. Earlier versions of the MWDS 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 priority documents and therefore are not included in the revised programme; but the possible future need for them should be kept under review.
12. 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 consultation, publication, submission and examination stages of the process.
13. Approval of the revised MWDS 2020 by the Cabinet is required before it can be brought into effect. The MWDS must then be published on the Council's website.

### **Budgetary Implications**

14. 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 transferred into the minerals and waste reserve in order to meet the anticipated costs of independent public examination. The unanticipated additional consultancy costs in the preparation of the Preferred Options for public consultation have been absorbed into the current budget, there are no other financial or staff implications arising from these changes.

### **Equalities Implications**

15. None have been specifically identified.

### **Legal Implications**

16. Under the Planning and Compulsory Purchase Act 2004 (as amended), the County Council is required to prepare and maintain an MWDS.

## **Risk Management**

17. If a new Minerals and Waste Local Plan, including both a strategy and site allocations, is not adopted (for example, if the Sites Plan was abandoned or found to be “unsound” following examination), the County Council would not have a full, up to date and locally-determined land-use policy framework against which to determine applications for new mineral working and waste management developments in Oxfordshire. Such a diminution of local control over these operations would leave the authority with much less influence over the location of future minerals and waste operations and make it heavily reliant on the National Planning Policy Framework and National Planning Policy for Waste, which are considerably less comprehensive and detailed in their coverage of these matters and lack any local dimension. Having an up to date MWDS in place will help the Council to demonstrate that the Sites Plan is both legally compliant and “sound” when it is independently examined.

## **Communications**

18. There has been no consultation with the public or key stakeholders as these are not required. However, once adopted, it would become a public document on the Council’s website.

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Background papers: None

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February 2020