

Division(s): N/A
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## **CABINET – 25 NOVEMBER 2014**

- OXFORDSHIRE MINERALS AND WASTE LOCAL PLAN:**
- A. OXFORDSHIRE LOCAL AGGREGATE ASSESSMENT 2014**
  - B. MINERALS AND WASTE LOCAL PLAN, PART 1 – CORE STRATEGY – PROPOSED SUBMISSION DOCUMENT**
  - C. REVIEW OF OXFORDSHIRE STATEMENT OF COMMUNITY INVOLVEMENT**
  - D. OXFORDSHIRE MINERALS & WASTE DEVELOPMENT SCHEME (SIXTH REVISION) 2014**

**Report by Deputy Director Strategy & Infrastructure Planning**

### **Introduction**

1. The County Council has a statutory duty to prepare a new Oxfordshire Minerals and Waste Plan, to provide an effective planning strategy and policies for the supply of minerals and management of waste in the county, consistent with environmental, social and economic needs. The Plan must be prepared in accordance with current government policy in the National Planning Policy Framework (March 2012) and the new National Planning Policy for Waste (October 2014), and having due regard to the recent National Planning Practice Guidance (March 2014).
  2. This report covers four separate but connected documents that relate to the Minerals and Waste Local Plan:
    - A. Oxfordshire Local Aggregate Assessment 2014
    - B. Minerals and Waste Local Plan, Part 1 – Core Strategy – Proposed Submission Document
    - C. Review of Oxfordshire Statement of Community Involvement
    - D. Oxfordshire Minerals & Waste Development Scheme (Sixth Revision) 2014
- A. Oxfordshire Local Aggregate Assessment 2014**
3. Under the Government's National Planning Policy Framework, March 2012 (NPPF), the County Council must prepare a Local Aggregate Assessment (LAA) annually. The LAA is a key part of the evidence base for the Minerals and Waste Local Plan. It establishes the amount of provision for mineral working that should be made in the plan, thereby providing a foundation for the minerals strategy and associated policies. It will also be a material

consideration in the determination of planning applications. This report recommends an LAA for Oxfordshire for 2014.

### **Draft Local Aggregate Assessment**

4. Consultants LUC and Cuesta Consulting have provided technical support in the preparation of the LAA, the final draft of which is attached as Annex 1. Preparation of the LAA has been informed by discussion at meetings of the Minerals and Waste Cabinet Advisory Group on 11 September and 16 October 2014 (with the consultants) as well detailed comments by members of the Group on a draft of the LAA.
5. Government policy in the NPPF is that the starting point for the LAA is the 10-year sales average (of minerals extracted in the county) but that other relevant local information must also be considered.
6. Oxfordshire's aggregate mineral resources – sharp sand and gravel, soft sand and crushed rock (limestone) – are of strategic importance and have served not only local but wider markets. However, over the last 10 years sales of minerals from Oxfordshire's quarries have fallen. In particular, sales of sharp sand and gravel fell 66% from 2004 to 2013. Sales of soft sand declined much less sharply but there was also a significant fall in sales of crushed rock extracted in the county. The 10 years sales figures for sharp sand and gravel, soft sand and crushed rock are set out in Tables 3.1, 3.2 and 3.6 respectively in section 3 of the LAA at Annex 1.
7. The decline in sales over this period in part reflects the situation nationally, whereby there has been a general reduction in demand for construction materials resulting from the recession. But this effect has been compounded in Oxfordshire by temporary commercial decisions to concentrate production at quarries in other locations, particularly Gloucestershire (sharp sand and gravel) and Somerset (crushed rock). Consequently, Oxfordshire moved from being a net exporter of sand and gravel to a net importer; in 2009 the net import of sand and gravel into Oxfordshire was 0.13 million tonnes, 17% of total consumption in the county that year.
8. The LAA at Annex 1 sets out the position of Oxfordshire as a source and producer of aggregate minerals, including secondary and recycled materials; and provides a detailed analysis of the supply of aggregates in and to the county over the previous 10 years. It also considers a number of factors affecting supply and demand, which the consultants have identified as other relevant local information that should be taken into account. It assesses each of these factors in terms of whether they justify deviation from the 10 year sales average figures.
9. In addition to the commercial decisions of quarry operators, the LAA identifies the increased demand for aggregates that is expected to result from economic growth, population growth and housing construction, and major infrastructure projects and key developments as pointing to a need for future provision to be at a higher level than the 10 year sales average. The LAA therefore concludes

that it would be unwise to rely on the 10 year sales average as a guide for future provision in Oxfordshire, notwithstanding that use of this average is intended to overcome the effects of short term variations in sales.

10. The consultants acknowledge that it is difficult to quantify the effect of future increased demand for aggregates on the levels of provision required, but they have calculated upward adjustments of the 2003 – 2012 average sales figures by relating past sales in Oxfordshire to those in England as a whole. (This 10 year period has been used because England figures for 2013 are not yet available.) The resultant figures compared with the 10 year sales averages are shown in the following table.

Mineral type	10 year Sales Average 2003 – 2012 (million tonnes per annum)	Adjusted 10 year Sales Average (million tonnes per annum)
Sharp sand & gravel	0.812	1.015
Soft sand	0.189	0.189
Crushed rock	0.470	0.584

11. The increased demand for aggregates from expected growth in Oxfordshire will at least to some extent be accommodated by these adjustments but it is possible that future demand could exceed these adjusted levels. The LAA therefore recommends that provision for the Minerals and Waste Local Plan period – to 2031 – is initially set at these adjusted levels but that actual sales are monitored annually and that, if new evidence indicates increased demand, these levels of provision be reviewed. This is in line with the NPPF requirement for LAAs to be prepared annually and with requirements for local plans to be monitored regularly and reviewed when necessary.
12. On the basis of these adjusted figures, and taking into account existing permitted reserves of minerals at the end of 2013, the LAA calculates the remaining supply requirement for the period to 2031 that the Minerals and Waste Local Plan needs to make provision for to be:  
 Sharp sand and gravel – 11.651 million tonnes;  
 Soft sand – 1.238 million tonnes;  
 Crushed rock – no requirement.
- (Some of the sharp sand and gravel requirement will be met as a result of decisions on planning applications made in 2014, for extensions to Caversham Quarry – 1.86 million tonnes and Gill Mill Quarry – 5 million tonnes, although not all of the latter will be worked within the period to 2031.)

### **Consultation with Aggregate Working Party and Other Authorities**

13. The NPPF requires mineral planning authorities to participate in an Aggregate Working Party and to take the advice of that Party into account in preparing their LAA. The Council is a member of the South East Aggregate Working Party (SEEAWP), which includes all mineral planning authorities in the South

East and representatives of the minerals industry. SEEAWP considered the draft Oxfordshire LAA at a meeting on 27 October and agreed it.

14. In addition, the duty to co-operate introduced by the Localism Act 2011 applies to the preparation of the LAA since it supports the preparation of the Minerals and Waste Local Plan. Engagement and discussions are taking place with adjoining mineral planning authorities and other, more distant authorities from which Oxfordshire imports significant quantities of aggregate, including engagement with adjoining Aggregate Working Parties. No significant strategic issues have been raised so far but the outcome of this engagement will be reported at the meeting.

### **Conclusion**

15. I consider the approach and methodology used by the consultants in the LAA to be robust and defensible; and that the LAA provides a realistic set of figures for aggregate minerals provision for use in the Minerals and Waste Local Plan and also as the basis for calculating the Oxfordshire landbank, which will be a material consideration in the determination of planning applications.
16. Subject to the consideration of any views received from other mineral planning authorities under the duty to co-operate, I consider that the draft LAA at Annex 1 should be agreed and published as the Oxfordshire LAA for 2014.

### **B. Minerals and Waste Local Plan, Part 1 – Core Strategy – Proposed Submission Document**

17. The Oxfordshire Minerals and Waste Local Plan: Core Strategy – Consultation Draft February 2014 was agreed by Cabinet on 28 January 2014. It was published for a 6 week period of consultation commencing on 24 February. The Consultation Draft Plan is on the Council's website at: <https://www.oxfordshire.gov.uk/cms/content/minerals-and-waste-core-strategy>
18. In the light of comments made on the consultation document and taking into account the Local Aggregate Assessment 2014 and other technical work carried out over the past year, and also having due regard to current national planning policy and guidance, the plan now needs to be amended in certain respects. The amended plan will need to be approved by Full Council before it is published for a further round of consultation early in 2015 and then submitted to the Government for independent examination by a planning inspector.
19. Over the past six months the Minerals and Waste Cabinet Advisory Group has met five times to consider the comments made on the draft plan and the changes that should be made to it. Work on amendments to the plan has not yet been completed but, taking into account the views of the Cabinet Advisory Group, the main changes required have now been established. This report recommends a draft amended version of the plan, as attached at Annex 3,

including key changes to policies and supporting text but with more detailed amendments to be made before the plan goes to Full Council.

### **Responses to Consultation**

20. Responses to the Consultation Draft Plan were received from 155 organisations and individuals. These responses made a total of 644 separate comments on the draft plan. The respondents are listed, grouped by category of organisation, in Annex 2. A summary of issues raised in the consultation responses is also included in Annex 2.
21. A schedule of all the responses received, with a summary of the comments made by each respondent, grouped by section, policy and paragraph of the plan is available in the Members' Resources Centre. The full responses can be seen in the Minerals and Waste Policy Team at Speedwell House, Oxford. County Council responses to these comments are being prepared and will be reported to Full Council with the amended plan.

### **Key Issues and Amendments to the Plan**

#### Structure of Plan

22. The consultation draft plan was prepared on the basis that only strategic 'areas of search' would be identified, within which planning applications for minerals and waste developments would be considered against criteria, and that specific sites for development would not be included in the plan. Consultation responses have criticised this approach as not giving sufficient certainty where new developments will be located, being likely to result in piecemeal development with a risk of over-provision, and not being in accordance with national policy and guidance.
23. New national planning guidance makes it clear that plans should as far as possible identify specific sites for development. It is therefore now proposed to change to a two-part plan (as was proposed in the 2012 version of the plan). The Core Strategy would become Part 1 of the plan, setting out broad strategies for the location of minerals and waste developments; and a Part 2 – Site Allocations would be prepared subsequently, identifying specific sites for development within the parameters set by the Core Strategy.
24. The government's preference is for single local plan documents, but the inclusion of sites in the Core Strategy would significantly delay its progress to adoption (by at least a year) because further technical assessment and consultation would be required. It is considered more important to get the Core Strategy adopted as quickly as possible, to provide an up to date local minerals and waste policy framework for the determination of planning applications. The two-stage plan approach has been endorsed in recently adopted Minerals and Waste Local Plans elsewhere in the country.

#### Plan Period

25. Responses have suggested the plan should cover the period to the end of 2031, rather than 2030. This would tie in with the Oxfordshire Strategic Housing Market Assessment and other forecasting data and with the periods of other emerging new local plans. It will also ensure that the plan will have a life of at least 15 years when it is adopted (scheduled for December 2015), in line with national policy. The amended plan at Annex 3 includes this revised end date for the plan.

#### Minerals Policies

26. The majority of responses on the consultation draft of the plan were made on the minerals section (section 4), particularly on the policy on provision for aggregate mineral working (policy M2) and the policies on locations for aggregate mineral working (policies M3 and M4).

#### Level of Provision for Mineral Supply

27. Consultation responses have included comments that policy M1 on recycled and secondary aggregates should include targets for supply and that policy M2 on provision for working aggregate minerals should include the levels of provision to be planned for.
28. There is no requirement in national policy or guidance for such policies to include targets or levels of provision. To do so would make the policies inflexible and, in the case of recycled and secondary aggregates, could be misconstrued as maximum levels to be achieved. Under the NPPF, levels of provision for aggregate mineral working are to be determined through the annual Local Aggregate Assessment. This means that the provision figures are liable to change throughout the plan period, and their inclusion in policy could result in a need for frequent review of the plan.
29. Policy M1 is proposed to be amended: to state that as far as practicable demand for minerals should be met from recycled and secondary aggregate in preference to primary aggregate; to refer also to secondary aggregates from sources outside Oxfordshire; to state that where practicable aggregates from outside Oxfordshire should be transported by rail; and to state that sites for recycled and secondary aggregate supply will be identified in the Site Allocations document.
30. The only change proposed to policy M2 is to delete the paragraph about enabling a balance of sand and gravel production between western and southern Oxfordshire, as this can more effectively be achieved through policies M3 and M4 of the plan (see below).
31. The levels of provision for aggregate mineral working to be made through the plan have been revised in the Local Aggregate Assessment 2014, as set out in part A of this report. These should now be included in the text of the plan, supporting policy M2, as being the most up to date figures available.

#### Locational Strategy for Mineral Working

32. As referred to above, the amendments that are proposed to the plan in the light of comments on the consultation draft and national policy and guidance include a change from the areas of search for mineral working that were identified in policy M3 and shown on maps in the draft plan. In line with a change to a two-part plan, it is now proposed that policy M3 should identify strategic resource areas as principle locations for working sharp sand and gravel, soft sand and crushed rock (limestone) and that the locations of these areas be indicated on a key diagram. These strategic resource areas broadly cover the locations of the previous areas of search but are less defined, leaving the delineation of working areas to be determined through the identification of specific sites in the Site Allocations document.
33. Following on from this change, policy M4 is proposed to be changed to a set of criteria for the identification of specific sites for mineral working within the strategic resource areas, for inclusion in part 2 of the plan, the Site Allocations document. Currently the majority of Oxfordshire's sharp sand and gravel production and permitted reserves is in the western part of the county, whereas demand is more evenly spread. The proposed criteria in policy M4 include changing the balance of production capacity for sharp sand & gravel between the strategic resource areas in western & southern Oxfordshire over the plan period to one which more closely reflects the distribution of demand within the county. The inclusion of this as one of the criteria for identifying sites for mineral working will be a more effective way of achieving the objective of a more balanced pattern of supply in relation to demand than was the case through policy M2 (in the consultation draft plan).
34. The site criteria in policy M4 would also be used in the determination of planning applications for aggregate mineral working pending preparation of the Site Allocations document. A new policy M5 is proposed stating that permission will be granted within sites identified in accordance with the criteria in policy M4 provided the core policies of the plan (C1 to C11) are also met. This policy also sets out the exceptional circumstances in which permission may be granted for mineral working outside the identified sites, in particular where there is a need that cannot be met from the identified sites or where the mineral would otherwise be sterilised by other development.

#### Other Minerals Policies

35. Relatively few comments were made on the remaining minerals policies. Policies M5 on aggregates rail depots, M6 on non-aggregate minerals, M7 on safeguarding mineral resources and M8 on restoration of mineral workings in the consultation draft plan are renumbered as policies M6, M7, M8 and M10 respectively. Only relatively minor changes are proposed to these policies, made in the light of comments on the consultation draft plan and current national policy and guidance.
36. A new policy M9 on safeguarding mineral infrastructure is proposed to be included. This is in response to a requirement in the NPPF for certain mineral related facilities to be safeguarded. These include quarry processing and

other ancillary plant and facilities; other bulk mineral transport facilities (including aggregate rail depots, as covered by policy M6); and industrial manufacturing plant using minerals, such as roadstone coating, concrete batching and concrete product plants; as well as facilities for the production or supply of recycled or secondary aggregate materials and aggregate rail depots, as already covered by policies M1 and M6. Except where they are located at quarries or aggregate rail depots or involve waste, safeguarding of these types of facilities will rest largely with the district planning authority. This policy relates to safeguarding of sites and infrastructure for which the County Council is the planning authority.

### Waste Policies

37. Fewer comments were made in the consultation responses on the waste section of the plan (section 5) than on the minerals part. On the whole, the issues raised are detailed rather than fundamental but, coupled with an updating of the waste needs assessment for Oxfordshire and recent changes to national policy, with the publication of National Planning Policy for Waste and related planning guidance, extensive amendment of the waste section is required. The main changes proposed to the policies are set out below.
38. Policy W1 – management of Oxfordshire waste is amended to relate only to the three principal waste streams – local authority collected, commercial & industrial and construction, demolition & excavation wastes (the more specialised waste streams are covered in other policies); and also to include the estimated quantities of these wastes that will require management over the plan period to 2031. These estimates have been updated in the light of the more recent waste needs assessment from those included in the supporting text of the consultation draft plan.
39. Policy W2 – management of waste from other areas is deleted as the content of this policy is better covered within other policies with which this policy overlapped, in particular policy W4 on waste management capacity requirements and W7 on landfill.
40. In policy W3 – diversion of waste from landfill, the waste management targets are rolled forward to the new plan end date of 2031 and in some cases amended in the light of further technical work done in connection with the waste needs assessment on realistic levels of diversion of waste from landfill by recycling and other forms of waste treatment.
41. Policy W4 – waste management capacity requirements is extensively amended to make it clearer and more consistent with national policy and guidance; to cross-refer directly to the table of identified waste management needs in the supporting text; to state that sites for waste management facilities will be identified in the Site Allocations document; and to include reference to enabling the management of waste at the nearest appropriate installation (the proximity principle) in respect of any proposals for further capacity for treatment of residual waste.



42. The wording of policy W5 – locations for facilities to manage the principal waste streams is amended only slightly but the policy title is changed to clarify that it relates only to the principal waste streams (as in policy W1), not all waste streams.
43. Policy W6 – siting of waste management facilities is amended to remove duplication and make its meaning clearer, particularly in respect of temporary facilities but more significantly the final part of the policy relating to the green belt is amended to reflect the new National Planning Policy for Waste. Government policy is now clearly that proposals for waste facilities in the green belt should be treated in the same way as any other form of inappropriate development and should not be permitted unless very special circumstances can be demonstrated. This is a change from the previous national policy in PPS10: Planning for Sustainable Waste Management which stated that the particular locational requirements of some waste management facilities and the wider environmental and economic benefits of sustainable waste management should be significant weight. Policy W6 is amended to reflect this stricter policy approach in the new national policy.
44. This change in policy on waste facilities in the green belt is likely to make it more difficult to find suitable sites for new facilities for waste arising in Oxford. However, this should not prevent the plan strategy for the location of facilities being delivered, and policy W5 should continue to require strategic waste management facilities to be located in the core Bicester – Oxford – Abingdon – Didcot area of the county.
45. Policy W7 – landfill is amended to include that part of deleted policy W2 that relates to landfill of waste from outside Oxfordshire. It is also amended to delete reference to husbanding of non-hazardous landfill capacity, as this is now considered undeliverable and unnecessary; and to signal a more cautious approach to any proposal to extend the life of a landfill. Other minor rewording is made to improve the clarity of the policy.
46. Policy W8 – hazardous waste is amended only slightly, to improve clarity, in particular to clarify that the policy covers landfill of hazardous waste as well as other forms of waste management.
47. A new policy WX – agricultural waste is inserted to fill a gap in the consultation draft plan. This policy covers on-farm treatment of agricultural and other organic waste and in principle encourages proposals for energy generation such as through anaerobic digestion.
48. Policy W9 – management of radioactive waste is reordered to make it clearer and more generally applicable and consistent with the policy on hazardous waste. The parts of the policy relating specifically to facilities at Harwell and Culham are amended to refer only to treatment and storage of radioactive waste, not disposal. This leaves any proposal for disposal to be considered against the general part of the policy, which sets a higher test of need.

49. Policy W10 – waste water and sewage sludge is amended to make it more generally applicable to any proposals that may come forward and to state that proposals should meet the core policies of the plan unless there is an overriding need that cannot otherwise be met.
50. Policy W11 – safeguarding of waste management sites is simplified and states that all waste management sites will be safeguarded pending the preparation of the Site Allocations document.

#### Core Policies

51. The core policies section of the plan (section 6) includes 11 general policies to ensure that important environmental, amenity and transport factors are taken into consideration in both the identification of minerals and waste development sites for inclusion in the Site Allocations document and the determination of planning applications.
52. Amendment of this section of the plan is still in progress. It is clear that a number of largely minor changes need to be made to the policies and also the supporting text in the light of comments made on the consultation draft plan, including from statutory bodies such as English Heritage, Natural England and the Environment Agency and to ensure that the plan is consistent with current national planning policy and guidance. These changes will be included in the final amended version of the plan that is reported to Council.

#### Other sections of the Plan

53. The introductory section 1 of the plan has been updated but section 2 – background has not yet been revised. This is largely a matter of factual updating but there are also some comments made on the consultation draft plan which are being considered.
54. Section 3 – vision and objectives has been partially amended in the light of comments made on the consultation draft plan and current national planning policy and guidance. In particular, amendments have been made to make the visions and objectives for minerals and waste more consistent, for example to include the impact of waste management facilities on communities, the environment and the road network in the waste vision. The minerals vision and objectives have been strengthened with regard to achieving biodiversity and other environmental and community benefits through restoration of mineral workings. Amendments have been made to the waste objectives to promote more clearly the provision of sufficient waste management facilities in line with the proximity principle and other aspects of national policy for waste.

#### **Conclusion**

55. I believe that as a result of considering the comments made in the responses to the consultation draft plan, in the light of current national planning policy and guidance, the Core Strategy has been significantly improved and strengthened. Whilst some further amendment is required, I consider that the

Council will be in a position to publish a plan early in 2015 that should be found sound when it is submitted for independent examination later in the year.

56. I consider that the Minerals and Waste Local Plan: Part 1 – Core Strategy as amended at Annex 3 should now be agreed in principle and that, subject to the completion of amendments, it should be recommended to Council for publication early in 2015, for representations to be made on soundness, and subsequent submission to government for independent examination.

### **C. Review of Oxfordshire Statement of Community Involvement**

57. The Statement of Community Involvement (SCI) is a statutory planning document that sets out how Oxfordshire County Council will involve the community (consultees, stakeholders and other interested parties) in:
- i. preparing and reviewing the Minerals and Waste Local Plan;
  - ii. making decisions on planning applications for minerals, waste and County Council developments.

The Council must comply with its SCI in preparing local plan documents.

58. The current SCI was adopted by the Council in November 2006. Since then there have been changes in legislative requirements for consultation and in the way the Council carries out consultation. The procedures for producing and consulting on local plans have been simplified and have been changed to take account of increased use of electronic communications. In addition, a statutory duty to co-operate has been introduced, which links to the SCI.
59. In view of these changes, a draft revised Oxfordshire SCI was agreed by Cabinet on 15 July 2014 for public consultation. The draft revised Oxfordshire SCI was published for public consultation between 1<sup>st</sup> September and 13<sup>th</sup> October 2014.
60. This report outlines the comments received during that consultation and proposes amendments to the revised SCI in the light of these comments. It puts forward an amended revised Oxfordshire Statement of Community Involvement for adoption by the Council.

#### **Consultation and amendments to the revised SCI**

61. 24 responses were received to the consultation draft revised SCI, of which 16 contained specific comments and 8 recorded that the consultee had no comments. The comments are recorded in Annex 4, accompanied by a proposed County Council response to each one, including any proposed amendment to the revised SCI or the reason why no change is considered necessary or appropriate. Annex 5 contains an amended version of the revised SCI, including the changes made in response to the consultation comments shown as insertions and ~~deletions~~.
62. The government's amendments to local plan procedures since 2006 have included changes to the way SCIs are prepared. It is no longer a requirement

to include the SCI in the Minerals and Waste Development Scheme or to submit the SCI to the Secretary of State for independent examination by an inspector. The Council can now adopt a SCI after carrying out consultation on it and considering any responses received.

63. The amended revised SCI at Annex 5 covers:
- i. What the SCI is and why it has been being revised;
  - ii. The Council's principles of community involvement;
  - iii. The Council's planning responsibilities;
  - iv. The Minerals and Waste Local Plan and how consultees and interested parties will be involved in the preparation of plan documents;
  - v. Planning applications and how consultees and interested parties will be involved in the determination of applications for minerals, waste and County Council developments;
  - vi. Monitoring and review of the SCI.
64. The revised SCI complements the Council's corporate policy on communicating and consulting with the public. Where appropriate, it goes beyond the minimum requirements of the relevant regulations in relation to community involvement in the planning processes, and it seeks to promote best practice and effective partnership working with community and other relevant interest groups.
65. I consider that the revised Oxfordshire Statement of Community Involvement as now proposed to be amended at Annex 4 should be adopted by the County Council to replace the SCI adopted in 2006. This will ensure that an up to date SCI is in place before the Minerals and Waste Local Plan: Core Strategy is published for further consultation and submitted to the Secretary of State for examination next year.

#### **D. Oxfordshire Minerals & Waste Development Scheme (Sixth Revision) 2014**

66. The Council must prepare, maintain and publish a Minerals and Waste Development Scheme, setting out the Council's programme for preparing the Minerals and Waste Local Plan. The original Oxfordshire Minerals and Waste Development Scheme came into effect in May 2005 and revisions were produced in 2006, 2007, 2009, 2012 and most recently in December 2013.
67. In line with the December 2013 Development Scheme, the revised Draft Minerals and Waste Local Plan: Core Strategy was published for public consultation in February 2014. In the light of responses received and having regard to current national planning policy and guidance, some changes are proposed to be made to the format of the Minerals and Waste Local Plan. There have also been minor changes to timetable for preparation of the plan. This report therefore puts forward a revised Development Scheme.

#### **Revised Minerals and Waste Development Scheme 2014**

68. A draft revised Minerals and Waste Development Scheme 2014 is set out in Annex 6. This sets out a programme for preparation of the Minerals and Waste Local Plan. The programme focuses on preparation of the Minerals and Waste Local Plan Core Strategy to a timetable that will see a new plan put in place at the earliest opportunity.
69. The 2013 Development Scheme did not include preparation of a Site Allocations document. The Minerals and Waste Local Plan must be prepared in accordance with current government policy in the National Planning Policy Framework (March 2012) and having due regard to the new National Planning Practice Guidance (March 2014). It is now clear that where possible minerals and waste local plans should include specific sites for the minerals and waste developments that will be needed over the period of the plan. I therefore now consider it necessary for the Development Scheme to be revised to include the preparation of a Site Allocations document, to form Part 2 of the Minerals and Waste Local Plan. The Site Allocations part of the Plan would be prepared after the Core Strategy, which would now form Part 1 of the Plan. At this stage, it is not possible to provide a timetable for the Site Allocations document.
70. The principal target dates in the revised programme for the Plan are:
- Publish/consult on proposed submission document – February 2015;
  - Submit Plan to Secretary of State for examination – April 2015;
  - Examination hearings – July 2015;
  - Publish Inspector's report – October 2015;
  - Council adopts Plan – December 2015.
71. Previous versions of the Development Scheme 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.
72. I consider this revised programme for the Minerals and Waste Local Plan – Core Strategy to be realistic taking into account experience with preparing the earlier Minerals and Waste Core Strategy; the work required to prepare the necessary documentation and evidence base for the publication, submission and examination stages of the process; remaining requirements for engagement and consultation with stakeholders and the public, including under the duty to co-operate; sustainability appraisal, strategic environmental assessment and other technical assessment work; and available resources.
73. Approval of the revised Minerals and Waste Development Scheme 2014 by the Cabinet is required before it can be brought into effect. The Scheme must then be published on the Council's website.

## **Financial and Staff Implications**

74. The new Minerals & Waste Plan is included within the work priorities of the Environment and Economy Directorate and is in part being progressed within the existing mainstream budget for the Council's minerals and waste policy function. In addition, a special reserve (£191,000) was created last year to help fund the abnormal costs of plan preparation (including the commissioning of specialist background technical studies) and the independent examination. By the end of this financial year, some £35,000 of that reserve will remain, creating a need for the reserve to be topped up by an estimated £100,000 in 2015/16.

### **Equalities Implications**

75. None specifically identified.

### **Legal Implications**

76. Under the Planning and Compulsory Purchase Act 2004 (as amended), the County Council is required to prepare a minerals and waste local plan and a statement of community involvement and to maintain an up to date minerals and waste development scheme. An annual local aggregate assessment, as required by the NPPF, is essential for the minerals and waste local plan to be "sound". The European Waste Framework Directive, 2008 (2008/98/EC), as transposed through the Waste (England and Wales) Regulations 2011, require waste planning authorities to put in place waste local plans.

### **Risk Management**

77. If a new Minerals and Waste Local Plan is not adopted (for example, if it were abandoned, or found to be "unsound" following examination), the County Council would have no up to date and locally-determined land-use policy framework against which to regulate proposals for new mineral working and waste management 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 NPPF and National Planning Policy for Waste, which are considerably less comprehensive and detailed in their coverage of these matters. Having an up to date Statement of Community Involvement, Minerals and Waste Development Scheme and Local Aggregate Assessment in place will help the Council to demonstrate that the Minerals and Waste Local Plan is both legally compliant and "sound" when it is independently examined.

### **RECOMMENDATION**

78. **The Cabinet is RECOMMENDED to**

**A.**

- i. **approve the Oxfordshire Local Aggregate Assessment 2014 at Annex 1 for use as the basis for provision for mineral**

working in the Oxfordshire Minerals and Waste Local Plan and for calculating the Oxfordshire landbank;

- ii. authorise the Deputy Director Strategy & Infrastructure Planning in consultation with the Cabinet Member for Environment to make any necessary minor corrections and amendments and publish the Oxfordshire Local Aggregate Assessment 2014 on the Council website.

**B.**

- i. agree the amended Minerals and Waste Local Plan: Part 1 – Core Strategy at Annex 3 in principle as the basis of a complete amended version of the Plan for recommendation to Council for publication and submission to the Secretary of State under Regulations 19 and 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012; and
- ii. authorise the Deputy Director Strategy & Infrastructure Planning in consultation with the Cabinet Member for Environment to finalise the Plan for recommendation to Council.

**C. RECOMMEND to Council to**

- i. adopt the Oxfordshire Statement of Community Involvement with the amendments as shown in Annex 5 to replace the existing Oxfordshire Statement of Community Involvement adopted on 7 November 2006; and
- ii. authorise the Deputy Director Strategy & Infrastructure Planning in consultation with the Cabinet Member for Environment to make any further factual corrections or updating required and finalise the adopted Statement of Community Involvement for publication.

**D.**

- i. approve the Oxfordshire Minerals and Waste Development Scheme (Sixth Revision) 2014 at Annex 6, subject to final detailed amendment and editing, to have effect from 23 December 2014;
- ii. authorise the Deputy Director Strategy & Infrastructure Planning to:
  - (a) carry out final detailed amendment and editing of the Oxfordshire Minerals and Waste Development Scheme, in consultation with the Cabinet Member for Environment;

- (b) take the necessary steps to bring the revised Scheme into effect from 23 December 2014 and publish the revised Scheme, in accordance with Sections 15 and 16 of the Planning and Compulsory Purchase Act 2004 (as amended).**

Bev Hindle  
Deputy Director Strategy & Infrastructure Planning

Background papers:

- i. Responses from South East England Aggregate Working Party and other Mineral Planning Authorities on the draft Oxfordshire Local Aggregate Assessment 2014.
- ii. Responses received to the Minerals and Waste Local Plan: Core Strategy, Consultation Draft February 2014
- iii. Responses received to the Revised Oxfordshire Statement of Community Involvement, Consultation Draft September 2014.
- iv. Oxfordshire Minerals and Waste Development Scheme (2005 – 2008), May 2005 and five subsequent revisions dated March 2006, March 2007, May 2009, May 2012 and December 2013.

All background papers are kept in the Minerals and Waste Policy Team at Speedwell House, Oxford.

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