

**TO: THE EXECUTIVE  
9 MAY 2017**

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**JOINT CENTRAL AND EASTERN BERKSHIRE MINERALS AND WASTE LOCAL PLAN  
– ISSUES AND OPTIONS CONSULTATION  
Director of Environment, Culture and Communities**

**1 PURPOSE OF REPORT**

- 1.1 This report seeks approval for the Central and Eastern Berkshire Joint Minerals and Waste Plan, Issues and Options Consultation, which it is intended will be undertaken during June and July 2017. This consultation/community involvement will then feed into the preparation of a draft local plan.
- 1.2 Bracknell Forest Council is preparing the Central and Eastern Berkshire Joint Minerals and Waste Plan jointly with Reading Borough Council, the Royal Borough of Windsor and Maidenhead, and Wokingham Borough Council. The Plan is being prepared by the Hampshire Services of Hampshire County Council. Draft consultation documents are attached at appendix 1. They are at an advanced stage of preparation but will be subject to some further minor changes prior to consultation.
- 1.3 The Issues and Options stage of local plan preparation should involve consulting broadly on what the Joint Minerals and Waste Plan should address and how it should address it.

**2 RECOMMENDATIONS**

- 2.1 **That the Issues and Options for the Central and Eastern Berkshire Joint Minerals and Waste Plan (Appendix 1) be approved for the purposes of public consultation.**
- 2.2 **That the Chief Officer: Planning Transport and Countryside in consultation with the Executive member for Planning and Transport, be authorised to make any minor amendments necessary to the Issues and Options for the Central and Eastern Berkshire Joint Minerals and Waste Plan, prior to public consultation.**

**REASONS FOR RECOMMENDATIONS**

- 3.1 It is important that the Council has an up to date and robust planning framework to guide development which reflects current national policy and guidance. The preparation of Joint Minerals and Waste Plan will ensure that this is in place.
- 3.2 The joint plan must be prepared in consultation with the local community and other stakeholders. This consultation will allow early engagement to help inform the next stage of the Plan. Preparation of the Joint Minerals and Waste Plan will support the priorities as set out in the Council Plan 2015 – 2019, in particular; ‘A clean, green, growing and sustainable place’.

**4 ALTERNATIVE OPTIONS CONSIDERED**

## Unrestricted

- 4.1 The Council could have sought to provide plan coverage for Minerals and Waste in its Comprehensive Local Plan, rather than preparing a separate plan, however due to the strategic nature on Minerals and Waste issues this was ruled out at an early stage. Creating a joint plan creates economies of scale and enables the council to deal with Minerals and Waste issues strategically.
- 4.2 The four authorities could have sought to undertake informal Regulation 18 consultation without a formal Issues and Options stage, however due to the length of time between plans it is felt important to fully engage at an early stage in plan development so all interested parties are aware of the issues and options that are before the four authorities.

## **5 SUPPORTING INFORMATION**

- 5.1 The unitary authorities in Berkshire have responsibility to plan for the future production of minerals and for the management of waste disposal within the Berkshire area. Minerals and Waste is an area of planning which is strategic in nature and as such is better planned for on a larger geography than an individual unitary authority. As such Bracknell Forest, Reading, the Royal Borough and Wokingham Councils are pursuing a Joint Minerals and Waste Local Plan. Slough BC does not wish to take part in this joint arrangement, but will have a watching brief. West Berkshire Council is currently preparing a Minerals and Waste Local Plan for the area of its district.
- 5.2 The plan will cover the area of the four Berkshire authorities and it will guide minerals and waste decision-making in the Plan area up to 2036. The Councils currently rely on a Replacement Minerals Local Plan for Berkshire (Adopted in 1995 but subject to Alterations in 1997 and 2001) and the Waste Local Plan for Berkshire (1998). These were prepared and adopted by the former Berkshire County Council and are now out of date. The policies in the existing minerals and waste plans for Berkshire were designed to guide development until 2006. Although the 'saved' policies are still used, their effectiveness is now limited.
- 5.3 The four authorities are working in collaboration with the Hampshire Services of Hampshire County Council (HCC) to produce the plan with the costs of the work being shared equally between the four authorities. HCC is the Minerals and Waste Authority for Hampshire and has a dedicated in-house team of specialist planners. The team have a track record of successful completion and adoption of minerals and waste local plans on behalf of groups of authorities in Hampshire. They have the capacity to undertake this work in accordance with an agreed programme. The programme accords with the programme for the preparation of the plan set out in this council's Local Development Scheme agreed by the Executive on the 15 November 2017
- 5.4 The preparation of the Joint Minerals & Waste Plan will need to accord with current planning policy and guidance on minerals and waste. These are contained within the National Planning Policy Framework (NPPF) and the accompanying National Planning Practice Guidance along with the Waste Management Plan for England which was published in December 2013, and the National Planning Policy for Waste which was published in October 2014.

*Project progress*

- 5.5 The first stage in the preparation of any local plan involves evidence gathering with analysis, culminating in a consultation on Issues and Options. Hampshire Services are collecting the various evidence for the plan and undertaking various forecasting to be able to plan for future needs for minerals extraction and waste facilities in the plan area. This evidence gathering includes a call for sites under which stakeholders were invited to put forward sites for consideration for future mineral extraction or waste facilities. That exercise is being undertaken between 13<sup>th</sup> March and 5<sup>th</sup> May 2017
- 5.6 As part of the governance for the preparation of the plan, the four authorities have set up a Joint Board with representation from each of the authorities made up of portfolio holders and one additional representative for each authority. The Board acts as an advisory body for the preparation of the plan. The Board met on 7<sup>th</sup> March 2017. It received a presentation on the issues and options and provided comments on the proposed arrangements for the issues and options consultation that is detailed in this report.

*Issues and options documents*

- 5.7 An Issues and Options paper, based on this initial evidence gathering, and various associated documents have now been prepared. These set out factual information relevant to planning for future minerals extraction and waste management in the plan area. They include reference to; national and other relevant policy; set out issues arising; and ask questions about options for resolving those issues going forward with the plan. Subject to the approval of each of the Berkshire authorities, it is intended that consultation on this document and various associated documents will be undertaken between 9 June and 21 July 2017.
- 5.8 The consultation paper identifies the importance to the economy of maintaining an appropriate supply of minerals including recycled aggregates to serve economic growth, particularly construction activity in the area. Where possible such minerals should be supplied from local sources or, where not available locally, from sustainable sources further afield delivered by sustainable transport, where practicable. Berkshire has good local supplies of sharp sand and gravel but does have to import various other aggregate, such as crushed rock. A significant role of the plan will be to ensure that there are appropriate local facilities for the delivery and storage of such products that minimise potential transport issues.
- 5.9 In relation to planning for waste, the document sets out the process for identifying sufficient opportunities to meet the identified needs of the area for waste management for all waste streams. This includes waste produced by households, businesses, industry, construction activities, government and non-government organisations, etc. By its properties, waste can be classified as non-hazardous, inert and hazardous and plans need to deal with each type. The role of the Joint Minerals & Waste Plan will be to meet national policy ambitions locally; to deliver sustainable development through driving waste up the “waste hierarchy”, recognise the need for a mix of types and scale of facilities, and make adequate provision for waste management, including disposal.
- 5.10 The Issues and Options consultation document refers to a separate Minerals Background Study and a Waste: Background Study that go into some detail on each of the areas. The document summarises the issues identified and sets out numerous questions seeking responses on how the plan should address these issues.

- 5.11 The Issues and Options consultation paper is supported by a number of reports which set out the evidence for the contents provided. These reports include:
- *Minerals: Background Study* – sets out the types, availability and movements of minerals in the plan area and what issues may affect future demand.
  - *Waste: Background Study* – sets out the amounts of waste that needs to be managed, how it is currently managed and what the future waste management may be.
  - *Methodologies Report* – sets out the proposed methodologies for assessing sites (including traffic and landscape assessments)
  - *Sustainability Appraisal (incorporating Strategic Environmental Assessment) Scoping Report* – sets out how policies and sites will be assessed to ensure the Plan will not have any significant impacts on the Central & Eastern Berkshire environment, communities and economy.
  - *Habitats Regulations Assessment: Methodology and Baseline* – sets out the European designated habitats that need to be considered during the Plan preparation and the proposed assessment methodology for assessing the potential impact of the Plan.
  - *Consultation Strategy* – sets out how communities and key stakeholders will be consulted during the plan-making process.
  - *Equalities Impact Assessment* – sets out how the Plan will be assessed during preparation stages to ensure it is not having an impact of particular sectors of Central & Eastern Berkshire's communities.

These documents will be made available Council's website as part of the consultation

- 5.12 Consultation will be undertaken jointly by Hampshire Services with the four authorities. The consultation exercise is being designed to meet the policies and practice set in the Statement of Community Involvement adopted by each of the joint authorities. Consultation will be undertaken with a wide range of parties, including those on the Council's Local Plan consultation database, during June and July 2017. The consultation will involve notifying individuals, interest groups, Town and Parish Councils organisations, developers and agents. The details of the consultation will be placed on the council's website, with hard copies of information being provided at locations around the borough. The results of the consultation will inform the preparation of a draft local plan for which approval is programmed to be sought in the early part of 2018.
- 5.13 Approval for the Issues and Options document, is sought by the Executive. As work on this and the associated documents is on-going, delegated authority is sought for the final versions to be agreed by the Chief Officer Planning Transport and Countryside in consultation with the Executive member for Planning and Transport

## **6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS**

### Borough Solicitor

- 6.1 Local Plans documents are produced under the Planning and Compulsory Purchase Act 2004. The process for producing local plans is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012. Regulation 18 states that a

local planning authority should consult on what a local plan should contain. The Issues and Options consultation fulfils this Regulation 18 requirement.

#### Borough Treasurer

- 6.2 The cost preparing the Central and Eastern Berkshire Joint Minerals and Waste Plan is being shared equally amongst the 4 commissioning Joint authorities. The preparation of the plan over its currently programmed 4 year period equates to a figure in the region of £56-70k per authority per annum. This has been agreed by the other 3 authorities. The budget for this project was agreed at Council and an allocation is identified in the 2017/18 budget.

#### Equalities Impact Assessment

- 6.3 No Equality issues arising from this consultation

#### Strategic Risk Management Issues

- 6.4 The Strategic Risk Register (2015) includes Risk 10 which identifies the risk of not working effectively with key partners or residents in the development of services. Such a risk could mean that community needs are not met and a negative impact on community cohesion. The production of an up to date Minerals and Waste Plan will involve extensive engagement with stakeholders and residents in order to identify local needs. Risk 11 identifies the risk of being unable to implement legislative changes. The production of the Minerals and Waste Plan allows recent legislative changes to be reflected.

## **7 CONSULTATION**

#### Principal Groups Consulted

- 7.1 The Consultation will take place between the 9 June and the 21 July 2017. Consultation will be undertaken with a wide range of parties including those on the Council's Local Plan consultation database for a period of at least six weeks. The Consultation will be designed to meet the Council's adopted Statement of Community Involvement for planning consultations. This will involve notifying individuals, interest groups, Town and Parish Councils, external organisations, developers and agents. Advertising and details will be placed on the BFC website, hardcopies will be located at key locations in the borough and appropriate communications of the consultation will be made available through local and social media.

#### Background Papers

These are referenced in paragraph 5.11 above.

#### Contact for further information

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