

## **Cabinet Member Decision – Economy, Skills and Infrastructure Friday, 24 April 2015**

### **Agenda**

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## Cabinet Member Decision

### 24 April 2015

# APPROVAL OF PROPOSED REVISED MINERAL AND WASTE LOCAL DEVELOPMENT SCHEME FOR WORCESTERSHIRE

#### Relevant Cabinet Member

Mr S E Geraghty

#### Relevant Officer

Director of Business, Environment and Community

#### Recommendation

1. **The Director of Business, Environment and Community recommends that the Cabinet Member with Responsibility for Economy, Skills and Infrastructure:**
  - (a) **approves the revised Minerals and Waste Local Development Scheme for Worcestershire (April 2015); and**
  - (b) **delegates authority to the Director in consultation with the Cabinet Member to approve the preparation of the Minerals Local Plan and the necessary consultations in accordance with the Local Development Scheme and any amendments to it, without the need for further formal approval by Cabinet; and**
  - (c) **confirms that the final version of the Minerals Local Plan and supporting and background documents will be returned to Cabinet and Council for approval before they are formally published for public comment and submitted to the Secretary of State for Examination in line with statutory regulations.**

#### Background Information

2. The Planning and Compulsory Purchase Act 2004, as amended by the Localism Act 2011, requires the Council to produce, monitor and publish a Minerals and Waste Local Development Scheme (LDS) setting out the Development Plan Documents ("Local Plans") it intends to produce and the timetable for their adoption. It is one of the tests of legislative compliance that in order to be capable of being found "sound" all new plans must be included in an up to date LDS.
3. The current LDS sets out how the Minerals Local Plan will be developed, but now needs to be revised to reflect changes in national policy and the additional work necessary to produce the Plan. It is now proposed that a new LDS setting out the revised timetable to develop the Minerals Local Plan should be adopted.

## **Current National and Local Planning Policy**

4. The National Planning Policy Framework (NPPF) states that; 'Minerals are essential to support sustainable economic growth and our quality of life. It is therefore important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs'. In Worcestershire, sand and gravel (of several kinds), limestone, sandstone and granite, silica sand, building stone, brick clay, coal, and brine have all been worked in the past. Construction and demolition waste has also been and continues to be recycled into aggregates at large scale in the county. There is little evidence that oil and gas resources exist in the county and by implication, no evidence that unconventional hydrocarbons, such as coal gas methane or shale gas, exist. It is national policy however that all potential mineral resources, including hydrocarbons should be considered in Minerals Local Plans and the Plan will include policies to address them.

5. Defra estimates that at 2012 prices the "other mining and quarrying" sector (excluding brick clay) adds a Gross Value Added of £16 for each tonne it produces. In Worcestershire this would realise about £12m p.a. The real value of the industry is however that it provides the primary materials on which all construction and building depends.

6. National minerals planning policy is currently set out in the National Planning Policy Framework. It is supported by National Planning Policy Guidance. The Council's current planning policies for mineral development are currently set out in the saved policies of the Hereford and Worcester Minerals Local Plan (1997). These policies will be superceded when the new Minerals Local Plan is adopted.

7. It is national policy that minerals planning authorities should plan for a steady and adequate supply of aggregates (building materials) by making provision for landbanks (sufficient reserves with planning permission for extraction) of at least 7 years for sand and gravel and at least 10 years for crushed rock production. The county does not meet these minimum requirements at present. The NPPF also requires minimum landbanks to be taken into account for individual silica sand sites (at least 10 years) and individual brick clay sites (at least 25 years) to support levels of investment in such sites.

8. In practice, Worcestershire has about 4 years landbank of sand and gravel and no landbank for crushed rock. The scale of aggregate production in the county is therefore not sufficient to comply with national policy. This is mostly a reflection of the very small numbers of applications made. Average sand and gravel production over the last 10 years has been 0.715 million tonnes pa. Crushed rock production averaged 0.083 million tonnes pa but the last quarry (Fish Hill) has now closed.

9. Brick clay and silica sand reserves do however appear to be adequate. Brick production in the county fell after the banking crisis of 2008 but is now recovering and the county has the capacity to produce 2 million bricks per week. Silica sand production in Worcestershire, in theory, nationally important, has declined to about 3,000t pa. No building stone whatsoever is produced in the county, risking long-term detriment to its listed and vernacular buildings and features.

## Rationale

10. The development of the Minerals Local Plan will enable industry to meet the national requirement to provide an adequate and steady supply of minerals by (in summary) directing mineral development to the most appropriate locations and protecting the amenities of local people. The original timetable for the Plan no longer reflects national policy however and was too ambitious and needs to be updated.

## Corporate Priorities

11. The Minerals Local Plan will make a significant contribution to several corporate priorities:

**Open for Business:** The plan has the potential to make a significant and beneficial contribution to the 'open for business' agenda. It will enable the supply of essential raw materials to the local economy on which all development depends. The restoration of mineral workings after they have been worked out could also have beneficial impacts on some sectors of the economy. Depending on the approach taken, benefits could include, incorporating leisure activities or public access into restoration schemes to stimulate tourism, or improving the productivity of the local agriculture and horticultural sector such as by deepening soil levels or enabling water storage. The Minerals Local Plan could also include provision to ensure that the restoration of mineral workings does not have adverse impacts on the economy, for example through the permanent loss or degradation of agricultural land or harm to the viability of a productive agricultural unit.

**Environment:** Mineral workings can also have both beneficial and adverse impacts on the environment. Mineral workings are usually large operations which can last for several years having significant impacts on the landscape, habitats and other aspects of the environment. However, they are a temporary land-use and their restoration can enhance the environment. Restored workings can deliver priority habitats, enhance existing networks of green infrastructure, expose interesting geological features or reinstate historic features such as hedgerows or field boundaries and could have a role in flood alleviation. The preparation of a new Minerals Local Plan will provide the opportunity to develop a strategic approach to restoration and facilitate the delivery of multiple benefits to meet other corporate policies.

## The Proposed Scheme

**Health and well-being:** Mineral workings have the potential to affect health and well-being from dust, vibration, noise and other emissions produced during operations and by creating traffic congestion and disturbance. The Plan will include policies to make sure that these are addressed as comprehensively as possible. However, where public access can be provided, restored sites can also deliver health benefits; access to the natural environment can also help reduce stress levels and encourage people to become more active, helping to tackle obesity, coronary heart disease and mental health problems.

12. All of these issues will need to be considered during the preparation of the Plan.

13. The proposed revision to the LDS sets out key milestones to prepare and adopt the Minerals Local Plan in 2018 (subject to Cabinet and Council timetables). In the next two years, it proposes one formal consultation stage, the formal approval of the proposed Plan by Cabinet and Full Council, a statutory six week "soundness" consultation and submission to the Secretary of State for Examination. The third year is required for the statutory examination and adoption procedures. Only 22 of the 84 waste and mineral planning authorities in England have so far successfully adopted minerals (or joint minerals and waste) local plans since the 2004 procedures were introduced. None have been adopted in the West Midlands region. On the basis of the lessons learned in preparing the Waste Core Strategy and in the light of other Councils' experience it is not considered that this three year period can be shortened.

14. The LDS sets out the timetable in broad detail. The process will involve consultation with the public, minerals industry, developers, business interests, parish and district councils in and adjoining the county and beyond and statutory and other stakeholders, including the Local Enterprise Partnerships. Officers will engage with Local Members in relation to issues in their areas and in general through briefings. Members will be also consulted and reports made to local area forums where and when appropriate.

15. The background evidence, consultation papers and reports supporting the Plan preparation and feedback on how consultation has shaped the development of the Plan will be published on the Council's website and the Cabinet Member will be informed of progress as appropriate.

16. It has been necessary to revise the current Local Development Scheme because:

- It referred to the Regional Spatial Strategy and the

saved policies of the Worcestershire Structure Plan, both now revoked

- It no longer reflects national planning policy, now set out in the National Planning Policy Framework and revised National Waste Plan. In particular: national planning policy now requires the production and annual review of a "Local Aggregates Assessment" (LAA) to summarise the nature of the local demand for and supply of aggregate minerals. The LAA is now a major component of the Plan. The LAA must be informed and considered by the (formerly Regional) Aggregates Working Party (AWP) as part of the new "Duty to Co-operate". The AWP has only met once during the period of plan preparation to date which has frustrated and delayed the development of the LAAs in the West Midlands
- the assessment of the county's mineral resources proved more difficult and required much more time than scheduled
- Other material depends on the analysis of the resources in the county and its production was therefore delayed
- Reductions in staff time through retirement and maternity leave undermined the earlier timetable
- Two "Call for sites" consultations have unexpectedly generated 21 specific sites proposed for mineral development which need assessment, and
- the development of the Council's Green Infrastructure Strategy has enabled a new, original approach to site restoration to be developed. This has however been very well received by some of the national and local consultees.

All of these have added to the workload, required a new, unanticipated Updating Evidence stage and subsequent changes to the process and the anticipated development time.

17. The proposed revision takes account of these changes, extends the timetable to reflect the additional unanticipated "Additional Evidence stage", generated as a result of the above matters, revises the adoption date for the Minerals Local Plan to 2018 and sets out other related elements.

18. In order to reduce the time needed to prepare the Plan it is recommended that Cabinet Member with Responsibility for Economy, Skills and Infrastructure delegates authority to the Director of Business, Environment and Community, in consultation with the Cabinet Member, to approve the preparation of the Minerals Local Plan and the necessary consultations in accordance with the LDS and any amendments to it, without the need for further formal approval by Cabinet. If each stage of consultation were to require formal approval by Cabinet it is estimated that this would add at least 6 months to the process, depending on committee cycles,

which are yet to be set for the entire period covered by the LDS.

19. The statutory regulations do however require that the final document must be approved by Cabinet and Council before it is submitted to the Secretary of State and formally published for public comment. Members will therefore have the ultimate power to approve its contents.

20. The Cabinet Member with Responsibility for Economy, Skills and Infrastructure is now asked to approve the revised Mineral and Waste Local Development Scheme for Worcestershire with immediate effect.

## **Equality and Diversity**

21. In developing the Local Development Scheme the Council has been mindful of the requirements of the Equality Duty (as set out in the Equalities Act 2010) and is satisfied that there is currently no identified adverse impact or other relevant equality issues which have not been considered. Equality Impact Assessment Desktop Screening exercises have been carried out for the Local Development Scheme and the emerging Minerals Local Plan; these will be made available on the Minerals Planning Policy web pages and the screening assessment will be reviewed during the development of the Minerals Local Plan.

## **Supporting Information**

- Appendix 1 - Mineral and Waste Local Development Scheme for Worcestershire (April 2015)
- Appendix 2 - Equality Impact Assessment Desktop Screening exercises for the Local Development Scheme and the Minerals Local Plan

## **Contact Points**

### **County Council Contact Points**

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### **Specific Contact Points for this report**

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## **Background Papers**

In the opinion of the proper officer (in this case the Director of Business, Environment and Community) the following are the background papers relating to the subject matter of this report:

Agenda and background documents relating to the Cabinet meeting on 27 September 2012



# MINERALS AND WASTE LOCAL DEVELOPMENT SCHEME

**Worcestershire County Council**  
**24<sup>th</sup> April 2015**

This is the Council's **eighth** Local Development Scheme.

This scheme has been prepared in compliance with the Planning & Compulsory Act 2004 as amended and the Town and Country Planning (Local Planning) (England) Regulations 2012

## Preface

***"Minerals are essential to support sustainable economic growth and our quality of life. It is therefore essential that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. ...."***

National Planning Policy Framework 2012 para 142

***"How we deal with our waste is important for a range of broader concerns such as material security, energy, climate change and environmental protection. While good progress has been made over the last decade to reduce the volume of waste sent to landfill and increase recycling, we can and must go further and faster. If we do, we will see the benefits not only in a healthier natural environment and reduced impacts on climate change, but also in the competitiveness of our businesses through better resource efficiency and innovation, helping to create a new, green economy."***

Caroline Spelman, Government Review of Waste Policy in England 2011 para 1

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# The Minerals and Waste Local Development Scheme for Worcestershire

## Introduction: the Development Plan in Worcestershire

- 1.1. Planning shapes the places where people live and work and the Country we live in. The National Planning Policy Framework states that the purpose of planning is "to help achieve sustainable development". The County Council is the Minerals and Waste Planning Authority for Worcestershire and is responsible for all minerals and waste planning matters in the county.
- 1.2. The *Planning and Compulsory Purchase Act* (Part 2, s.15, 16 and 17) as revised by the *Localism Act 2012* and supplemented by the *Town and Country Planning (Local Planning) (England) Regulations 2012* states that County Councils must prepare and maintain a Minerals and Waste Local Development Scheme setting out the process, programme and timescale of the Development and Supplementary Development Plan Documents they intend to prepare.
- 1.3. The scheme must be monitored, reviewed and the information published in Annual (Mineral and Waste Local Development Scheme) Monitoring Reports on the council's website. This is the council's eighth Local Development Scheme; it came into effect on 24<sup>th</sup> April 2015.
- 1.4. It has been necessary to revise the 7th Local Development Scheme because:
  - the earlier scheme referred to the Regional Spatial Strategy and the saved policies of the Worcestershire Structure Plan, both now revoked,
  - the earlier scheme no longer reflected national planning policy, now set out in the National Planning Policy Framework and revised National Waste Plan,
  - the assessment of the county's mineral resources proved more difficult and required much more time than scheduled.
  - -Assessment of the county's mineral resources is fundamental to the development of the plan. The original timetable assumed that the evidence used to develop the current Hereford and Worcester Minerals Local Plan (H and WMLP) (1997) would be sufficient, subject to fact checking. In practice the British Geological Survey have produced substantially revised data and the information they now provide digitally is significantly different from the plans on which the H and MLP was based and
  - the iterative development of the MLP has shown that the limited number of resource assessments and the level of detail undertaken for the H and WMLP was not sufficient for the kind of plan now being developed, which is not only different in kind but will be subject to "soundness" tests at Examination (the Public Inquiry into the plan) which are very different from those for the earlier plan.
  - The assessments of the mineral resources in the county undertaken for the Hereford and Worcester Minerals Local Plan were not published and so were not subject to public scrutiny. The assessment now undertaken is the most thorough the Council has ever prepared, its preparation was however far more difficult and time consuming than had originally been envisaged. All of this material needed to be made public as part of the Second Stage consultation,
  - Other material, which also needed to be produced as part of this consultation, depended on this analysis of the resources in the county and their production was therefore delayed

- National planning policy now requires the production and annual review of a "Local Aggregates Assessment" (LAA) to summarise the nature of the local demand for and supply of aggregate minerals. The LAA must be informed and considered by the Aggregates Working Party (formerly Regional Aggregates Working Party) (RAWP). The AWP has only met once during the period of plan preparation to date which has frustrated and delayed the development of the LAAs in the West Midlands.
- Of the original team of 4 in the Minerals and Waste Planning Policy section developing the Plan, one went on maternity leave in August and another accepted voluntary redundancy, as a BOLD saving, leaving in September 2013. Together these:
  - caused delay, disruption and some loss of time and
  - led to delays in elements of the work, notably that documents could only be formatted late in the process by other staff taking over the document preparation role in the Communications team.
- Updated government guidance led to the need for two "Call for sites" consultations that unexpectedly generated 21 specific sites proposed for mineral development which need assessment and
- the development of the Council's Green Infrastructure Strategy has enabled a new, original approach to site restoration to be developed, this has been very well received by some of the statutory and national and local consultees but requires ongoing engagement with multiple partners who each have limited time available.

All of these have added to the workload, required a new, unanticipated **Updating Evidence stage** and subsequent changes to plan development stage to the process and the anticipated development time.

1.5. This revision takes account of these changes, extends the timetable to reflect the additional unanticipated "Additional Evidence stage", generated as a result of the above matters and revises the adoption date for the Minerals Local plan to 2018 and sets out other related elements.

1.6. The purpose of the Local Development Scheme is to set out the plans and policies the council has adopted and intends to prepare as part of the Development Plan for the County. **The Development Plan for Worcestershire** currently consists of the documents set out in **Table 1** :

**Table 1. The Development Plan for Worcestershire<sup>1</sup>**

<b>Development Plan Document</b>	<b>Detail</b>
"Saved" policies in the <b>Hereford and Worcester Minerals Local plan</b> .	The "saved" policies will remain part of the Development Plan until superseded but the weight given to them in decision making will depend upon their conformity with national planning policy.
The <b>Local Plans and Development Plan Documents</b> produced by the six City, Borough and District Planning Authorities in Worcestershire and	At April 1 <sup>st</sup> 2015, these are: - the <b>Bromsgrove Local Plan</b> , (currently in the process of being superseded by the <b>Bromsgrove District Plan</b> ).

<sup>1</sup> The Coalition Government revoked Phase 2 of the Regional Spatial Strategy for the West Midlands and the "saved" Structure Plan for Worcestershire policies. They are therefore no longer part of the Development Plan.

	<ul style="list-style-type: none"> <li>- the <b>Redditch Local Plan</b> (currently in the process of being superceded by the <b>Redditch Draft Local Plan no. 4</b>),</li> <li>- the <b>Malvern Local Plan</b>,</li> <li>- the <b>Worcester Local Plan</b> and</li> <li>- <b>Wychavon Local Plan</b>,</li> </ul> <p>(all three currently in the process of being superceded by the <b>South Worcestershire Development Plan</b>) and</p> <ul style="list-style-type: none"> <li>- the <b>Wyre Forest Core Strategy</b>.</li> </ul>
The <b>Waste Core Strategy for Worcestershire</b>	The <b>Waste Core Strategy for Worcestershire</b> Development Plan Document was found "sound" and adopted in November 2012.

### **Purpose of the Minerals and Waste Local Development Scheme**

- 1.7. The Local Development Schemes sets out the Local Development Documents that the Council intends to prepare over the next 3 years. It gives an overview of the topics that these documents will relate to and a timescale for their preparation, setting out key milestones.
- 1.8. Achievement of the milestones in the Local Development Scheme is monitored through the Annual Monitoring Report prepared and published by the Council each year. The Local Development Scheme will be updated if there are changes to the timescales proposed or if the Council intends to prepare new statutory planning documents.
- 1.9. This Local Development Scheme (version 8) sets out the timescale for the preparation of the Minerals Local Plan for Worcestershire. The difference between a "Core Strategy" (as in the Waste Core Strategy for Worcestershire) and "Local Plan" reflects changes in terminology in government policy introduced in the Localism Act, National Planning Policy Framework and new statutory regulations. A "Core Strategy" and a "Local Plan" both set out strategic planning policies for the relevant topics and both carry the same weight in decision making.

### **Possible future Planning documents**

- 1.10. The council intends to produce detailed Concept Plans to guide the restoration of the Specific Sites identified in the Plan. Because the decision to do so will be influenced by responses to the Third and Soundness Consultations and ultimately by the Inspector it is not possible at this stage to be able to say if these plans will be within the main body of the Plan itself or should be produced subsequently as Supplementary Planning Documents.
- 1.11. The Council's monitoring of the Waste Core Strategy and anecdotal evidence from developers and tippers suggests that although the Waste Core Strategy policies on landfill are working adequately and the county has sufficient permitted landfill space on paper, the current distribution of permitted landfill space may not be adequate to meet market need, in particular, the need for "inert" landfill capacity in the north of the county. The Council proposes therefore

to re-assess this policy through the Mineral and Waste Local Development Scheme Annual Monitoring Report (the "AMR") to consider if a "Landfill in Worcestershire, Supplementary Planning Document needs to be prepared to amplify the existing policy and update the evidence regarding the issue.

- 1.12. Supplementary Planning Documents are not Development Plan Documents within the meaning of the Planning Acts and statutory regulations. They have to be prepared and adopted in ways similar to Local Plans but are not, in themselves part of the Development Plan and do not therefore have to be set out in the Local Development Scheme. Reference to the proposals is included here however for completeness` sake.

### **Procedures for Member Approval**

- 1.13. In order to develop the Minerals Local Plan in a timely and efficient manner the Cabinet has authorised the Cabinet Portfolio Holder for Economy and Infrastructure to agree the production, publication of and consultation on the documents prepared during the course of developing the plan, without the need for further approval by Cabinet during the pre-publication stages of plan preparation (governed under regulations 18 and 19).
- 1.14. However the statutory Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) require that the plan must be approved by Cabinet and Council before submission to the Secretary of State for Examination or Adoption; all the Council's elected Members will therefore be able to formally review and alter the plan before it is finalised.
- 1.15. In addition all of the Council's Members will be consulted as part of every formal consultation and will be contacted as appropriate to inform them of any specific matters which might affect their division or responsibilities.

## Schedules of Proposed Minerals and Waste Development Documents

1.16. At present the Council's priorities in the Local Development Scheme are to:

- monitor the Waste Core Strategy Development Plan Document and
- prepare a Minerals Local Plan Development Plan Document.

1.17. **Schedule 1** sets out the status and coverage of the Minerals Local Plan  
**Schedule 2** sets out the key milestones and the timetable of producing the Plan.

### Schedule 1

#### Minerals Local Plan for Worcestershire: status and coverage.

<i><b>Document Title</b></i>	<i><b>Status</b></i>	<i><b>Role and Content</b></i>	<i><b>Geographical Coverage</b></i>	<i><b>Chain of Conformity</b></i>
<b>Minerals Local Plan for Worcestershire</b>	<b>Local Plan (Development Plan Document) to supercede the saved policies in the Hereford and Worcester Minerals Local Plan.</b>	<b>Sets out the vision, objectives, strategy, policies and monitoring schedule for mineral development and restoration in the county.</b>	<b>Whole of the county of Worcestershire</b>	<b>Consistent with National Planning Policy Framework, part of the Development Plan for Worcestershire</b>



## Schedule 2

### Key stages in the process of and indicative timetable for producing the Minerals Local Plan

<b>Concepts stage</b>	<b>Issues stage</b>	<b>Updating Evidence and subsequent plan development</b>	<b>Detailed Proposals</b>	<b>Statutory stage</b>	<b>Submission</b>	<b>Adoption</b>
<p><b>Early Public Participation</b></p> <p><b>COMPLETED</b> ( Reg 18)</p>	<p>Early participation on emerging development plan documents <b>COMPLETED</b></p> <p>(Reg 18)</p>	<p>Revision of evidence, assessment of sites and further focussed participation.</p> <p>(Reg.18)</p>	<p>Participation on draft policy wording</p> <p>(Reg 18)</p>	<p>Publication of the Plan and period for representations</p> <p>(Reg 19 &amp; 20)</p>	<p>Submission to Secretary of State</p> <p>(Reg 22)</p>	<p>Proposed Date for Adoption</p> <p>(Reg 26)</p>
<p>Information gathering consultation to develop a broad approach.</p> <p>Concept Consultation October 2012 -January 2013</p>	<p>Draft vision, objectives, overall strategy and emerging evidence base.</p> <p>Second Consultation October 2013 –January 2014</p> <p>Response February 2014 – August 2014</p>	<p>Stakeholder engagement</p> <p>September 2014 – March 2015</p>	<p>Preparation of and consultation on the draft plan, policy wording and evidence base.</p> <p>Draft Plan preparation 2<sup>nd</sup> quarter 2015 to 1st quarter 2016</p> <p>Third consultation 2<sup>nd</sup> and 3<sup>rd</sup> quarters 2016</p>	<p>Statutory Consultation on "soundness" and legal compliance</p> <p>Response to consultation and reporting to full Council 4<sup>th</sup> quarter 2016</p> <p>Fourth, statutory, "Soundness" consultation 1<sup>st</sup> quarter 2017</p> <p>From this point the timetable is largely out of the Council's control</p>	<p>Submission to Secretary of State 2<sup>nd</sup> quarter 2017</p> <p>Examination in Public Hearings estimated 3<sup>rd</sup> or 4<sup>th</sup> quarter 2017 (14 weeks after Submission)<sup>2</sup></p> <p>Inspector's report anticipated 4th quarter 2017 or 1<sup>st</sup> quarter 2018</p> <p>(Draft Report for "fact checking" to the Council 26 weeks after Submission,</p> <p>Inspector's Binding Report within 29 weeks of submission.</p>	<p>Recommendation by Cabinet estimated 1st or 2<sup>nd</sup> quarter 2018<sup>3</sup></p> <p>Adoption by Full Council estimated 2<sup>nd</sup> or 3<sup>rd</sup> quarter 2018</p> <p>A further 6 weeks must be allowed for any legal challenge.</p>

<sup>2</sup> It is not possible to predict the length of any Examination Hearing in advance. A longer Hearing could delay the final adoption.

<sup>3</sup> The timetable depends upon Cabinet and Council timetables and a finding of soundness by the Inspector.

## Commentary on Schedules 1 and 2: Key milestones for the preparation and adoption of the Minerals Local Plan<sup>4</sup>.

### Consultation Proposals

- 1.18. There is a legal requirement to consult the “general” and “specific” bodies that the Council thinks will be affected by the Minerals Local Plan<sup>5</sup>. The Council will undertake this in three ways:
- Inviting as wide a range of contacts as possible to join the consultation database. All of those who wish to join will be formally consulted at each stage;
  - informing the general public through public notices, press releases and publicity through the Council's website and social media; and
  - engaging with partners and key stakeholders regarding specific issues to fulfil the Council's 'duty to cooperate'.
- 1.19. The consultation methods followed will be broadly in accordance with the Council's revised Statement of Community Involvement (adopted 2015) pending its revision or replacement.
- 1.20. The statutory regulations prescribe that certain consultees should be involved and the council intends to work particularly closely with the following in the preparation of the Minerals Local Plan:
- The 6 City, District and Borough Councils in the County
  - All Mineral Planning Authorities within 45km<sup>6</sup> of the county and others where particular issues of common concern are identified
  - The West Midlands and other Aggregate Working Parties as appropriate
  - The British Geological Survey and mineral producer business groups and individual companies
  - Water resources, biodiversity and pollution control – Environment Agency and Statutory Undertakers
  - the West Midlands Resource Technical Advisory Body for Waste (RTAB), and adjoining RTABs as appropriate, regarding the use of secondary, recycled and alternative materials as aggregates
  - Natural England, Worcestershire Wildlife Trust and Biological Records Office regarding Environmental Data
  - English Heritage and County Historic Environment and Archaeology Service regarding heritage information
  - Highways Agency, rail and water regulators and County Highways authorities regarding transport issues.
- 1.21. Associated agencies such as Worcester Regulatory Services and other organisations and individuals will be consulted as appropriate. The council will maintain and update a database of all consultees it has engaged with and prepare consultation statements setting out who it has consulted and how,

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<sup>4</sup> The Waste Core Strategy was prepared under the 2008 regulations but was adopted under Regulation 26 of the *Town and Country Planning (Local Planning) (England) Regulations 2012*. The Minerals Local Plan will be prepared in accordance with the *Town and Country Planning (Local Planning) (England) Regulations 2012*.

<sup>5</sup> All references to consultations on the emerging Minerals Local Plan should be read as also referring to the Sustainability Appraisal and Habitats Regulations Assessment which will be prepared alongside it.

<sup>6</sup> It is estimated by the Minerals Product Association that it is not economic to transport most aggregates more than 38km. To reflect the potential influence of market forces a 45km catchment is considered a reasonable distance of consideration.

during the course of developing the plan. All consultees who have requested to be involved in minerals planning will be involved in the formal consultation alongside focused consultation with key stakeholders on specific technical issues.

## Evidence Base

- 1.22. The evidence base to support the development of the Minerals Local Plan will be developed in consultation with the community as a whole and relevant organisations and agencies as part of the plan making process.
- 1.23. Documents will be published on the council's Minerals Local plan web pages as "living documents" updated and revised as necessary. All will be consulted on formally but will also be open to public comment throughout the process, up to submission to the Secretary of State. All will be prepared by the Council's Planning Unit unless specialist expertise is necessary; at present this is anticipated to be limited to some Sustainability Appraisal and Habitats Regulations Assessment work and possibly specialist mineral resource assessment.

## Details of Key Milestones in the Development of the Minerals Local Plan

- 1.24. All of the formal consultation and the Submission, Examination and Adoption stages are considered Key Milestones in the development of the Plan. The following stages have been successfully completed to date:
- **First Consultation:** Concepts stage - Early Public Participation (regulation 18)
  - **Second Consultation:** Issues stage - Early participation on emerging development plan documents (regulation 18).
- 1.25. The Council is currently working on an Updating Evidence Development stage – considering the responses to the "Call for sites" and the opportunities for Green Infrastructure based Restoration Concept Plans and the further revision of the evidence on which the Plan was based. This is a new stage, earlier Local Development Scheme did not anticipate that this work would be necessary, or possible.
- 1.26. Further consultation and participation stages will be:
- a **Third consultation** (formal, non-statutory) (regulation 19) a detailed proposals stage – including participation on draft policy wording, during the 2<sup>nd</sup> and 3<sup>rd</sup> quarters<sup>7</sup> of 2016; and
  - A **Fourth** statutory **Soundness consultation** (Regulation 20) during the 1<sup>st</sup> quarter of 2017
  - **Submission and Examination**, 2<sup>nd</sup> quarter 2017 plus 29 weeks minimum required by the Planning Inspectorate and additional time for modifications
  - **Adoption** (at least 3 months to allow for Cabinet and Council timetables, plus 6 weeks publication to allow legal challenge) estimated 2<sup>nd</sup> or 3<sup>rd</sup> quarter 2018.

The **Third Consultation**, Detailed Proposals stage - Participation on draft policy wording (regulation 19)

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<sup>7</sup> It is not possible to be precise at this stage because of the need for appropriate Member decision making during the anticipated election "purdah" period.

- 1.27. This stage will develop draft policy wording and details of the strategy, alongside focused consultation with key stakeholders on specific technical issues. This stage is likely to include several consecutive elements. A formal consultation stage will be held to invite comment from interested parties and the public. This will be the last opportunity the public have to significantly amend the strategy of the plan before it is submitted to the Secretary of State.

**The Fourth consultation: Statutory stage - Publication of the Plan** and period of representation (Regulation 19)

- 1.28. The Council will undertake a formal, statutory Regulation 19 consultation on the publication version of the Plan before submitting it to the Secretary of State. This is the public's last opportunity to comment on the Plan and is limited to whether the plan is legal and "sound" as defined in national policy (unless further stages or elements of consultation are prescribed by the Planning Inspector as part of the Examination itself).

**Submission of the Minerals Local Plan Development Plan Documents to the Secretary of State** under Reg. 22.

- 1.29. After the consultation and subject to Cabinet Member approval of any changes made to the Plan, it, the supporting statutory assessments and the evidence that supports all of these will be considered by Cabinet for approval to send it to full Council, for their permission to submit the Plan formally to the Secretary of State. The Council is expected to submit what it considers to be a sound plan. This stage is planned for the 2<sup>nd</sup> quarter of 2017 to the 1<sup>st</sup> quarter of 2018. The formal submission documents also include the Sustainability Appraisal (which will incorporate the requirements for Strategic Environmental Assessment), the Habitats Regulations Assessment, the Equality Impact Assessment and all the background evidence on which the plan is based. The Council must also send the Inspector a summary of the main issues raised during the Publication consultation. All of these matters will then be made available for public inspection. The Inspector will consider all the comments made and decide the matters which will be discussed at the Examination Hearings. It is usual for him to ask for clarification of a list of matters beforehand and this can form the substance of the Examination Hearings.
- 1.30. During the Examination stage the document will be subject to independent examination by a Planning Inspector who will consider the soundness of the Plan, this is likely to include holding public "Hearings". The public may attend but the matters considered and who participates and when are at the Inspector's discretion. The Hearings often only last a week but the Examination formally commences on submission and remains open until the Inspector submits his final report to the council. Sometimes several stages of Hearings are held, this often necessitates further consultations which usually needs formal approval by the Cabinet Member.
- 1.31. The purpose of the Examination is to test the Plan and the evidence on which it is based and for the Inspector to either find the Plan sound, subject to any Major Modifications he recommends, or to find it unsound. This process should take 29 weeks (for a four day Examination), from Submission to receiving the Inspector's decision letter.

- 1.32. The council cannot legally adopt a Plan that has been found unsound. The expectation is that if a Plan were to be found unsound, the council would withdraw it, revise it, re-consult the public, resend it to Council and resend it to the Secretary of State for another Examination. In practice it is common for Inspectors to advise councils much earlier in the process if a Plan appears to be unsound. The Examination can then be suspended so that the Plan can be amended, further public consultation held and the Examination re-commenced.

### **Sustainability Appraisal and Habitats regulations Assessment**

- 1.33. It is a legal requirement to consult the bodies defined in the Regulations on the Sustainability Appraisal. The Council will also consult the general public on the proposed Sustainability Appraisal as appropriate during the development of the Minerals Local Plan, to give them an opportunity to comment on both the sustainability of the Plan itself and how the Council addresses the sustainability process itself.
- 1.34. The Council will incorporate the Strategic Environmental Assessment within the Sustainability Appraisal of the Minerals Local Plan and will undertake a screening assessment under the terms of the Habitats Regulations at the same time. If it is concluded that an appropriate assessment is required this will also be undertaken.

### **Adoption**

- 1.35. It is common for the Inspector to determine that a Plan would be sound subject to the Council making the Major Modifications he recommends. The Council makes minor modifications itself. The amended Plan must then be considered by Cabinet and forwarded to full Council for formal adoption. The decision must then be publicly advertised and is subject to High Court challenge for 6 weeks, after that point it is formally part of the Development Plan for the county.

## Plan Monitoring and Review

1.36. It is a statutory requirement that the Council prepares an Annual Monitoring Report<sup>8</sup> (AMR) to assess progress in the implementation of the Local Development Scheme and the extent to which policies in development plan documents are being achieved or are still relevant. The AMR reports on the monitoring indicators included in the adopted Waste Core Strategy, indicators developed as part of the emerging and finally adopted Minerals Local Plan and other matters relating to the council's duties as the Mineral and Waste Planning Authority for Worcestershire. The indicators in the Waste Core Strategy set out targets and review triggers and a process to assess if a failure to meet a target is significant. The purpose is to formally review the effectiveness of the strategy and to identify whether changes are necessary.

1.37. The Annual Monitoring Report:

- Compares progress against the targets and milestones set out in the Minerals and Waste Local Development Scheme and
- Monitors the council's adopted minerals and waste local development documents (the Waste Core Strategy and Minerals Local Plan and once adopted) to:
  - assess the extent to which policies are being implemented.
  - identify policies that may need to be amended or replaced.
  - measure the performance of the policy documents against their vision and strategic objectives.
  - establish whether policies have had unintended consequences.
  - establish whether assumptions and objectives behind policies are still relevant.
  - establish whether targets are being achieved.
  - indicate where and when it is necessary to revise the policy documents.

1.38. The Council will publish the Annual Monitoring Report on its website before the end of December each year. The AMR both informs the council's own work and feeds into the preparation of Local Development Documents produced by the County, District and Borough Councils.

1.39. At present the Council's Waste Core Strategy does not include specific site allocations. It will however keep the need to prepare them under review as part of the annual monitoring process. In considering this the Council will take into account:

- whether the absence of a site specific Waste Development Plan Document is holding back the provision of sustainable waste management facilities in the County;
- responses received to the emerging Minerals Local Plan;
- the resources available to the Council and the priorities for the use of those resources on statutory planning matters.

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<sup>8</sup> Formally the "Minerals and Waste Local Development Scheme Annual Monitoring Report"

**Further issues for consideration: Need for Minerals Local Plan Green Infrastructure Restoration Concept Plan, Supplementary Planning Guidance Documents.**

- 1.40. The council intends to produce detailed Concept Plans to guide the restoration of the Specific Sites identified in the Plan. The decision to do so will be influenced by responses to the Third and Soundness Consultations and ultimately by the Inspector, it is not possible therefore at this stage to say if these plans will be within the main body of the Plan itself or should be produced subsequently as Supplementary Planning Documents. The council intends to review the position as the Plan progresses and consultation responses are received. Progress will be reported in subsequent AMRs.

**Monitoring of aspects of the Waste Core Strategy, Adequacy of the Council's landfill policy**

- 1.41. The Council's AMR for 2014 identifies that there is sufficient permitted capacity in the county. A representation has been made however that it may not be in the best location. It is possible that other issues e.g. landowners reserving the space for their own use, so that in practice it is not commercially available may also be frustrating the market. The council intends to review the position in subsequent AMRs and will develop a detailed timetable as the Minerals Local progresses and staff resources allow. It is possible therefore that evidence collection on this might start in 2016. The full process to adoption is likely to take at least a year.

## Resources, Programme Management and Risk Assessment

1.42. The Council's Minerals and Waste Planning Policy work will be undertaken by the Planning Division of the County Council's Business, Environment and Community (BEC) Directorate. This will be supported as required with staff and expertise from its Landscape and Environmental specialists, Highways Policy and Highways Development Management Teams and the Council's Sustainability team. It is possible that expertise from outside consultants will be required, primarily to assist in the preparation of the Sustainability Appraisal and Habitats Regulations Assessments for the Minerals Local Plan.

1.43. The programmes and timescales set out in this development scheme are dependent upon:

<b>The availability of qualified Planning staff.</b>	
<b>Level of Risk: High</b>	At the time of writing <sup>9</sup> the Council does not have a full complement of planning officers. There are additional risks that, given the absence of career opportunities within the Planning Unit it may not be possible to retain current staff or recruit new ones. If this happens it will not be possible to comply with the timetable.
<b>Likelihood of Risk: High</b>	The Audit Commission has stated that Planning is the second most difficult area of recruitment and retention in local government. It is very possible that not all the staff necessary will be retained.  This is a specialist area of work. The risk that no appropriate consultants would be available as a substitute for permanent staff is itself high.

<b>The willingness and ability of other stakeholders to contribute effectively to the development of the Plan and advising if it is in accordance with government policy and, so far as they are able, to advise if it is "sound".</b>	
<b>Level of Risk: High</b>	Stakeholders such as Natural England and the Environment Agency are moving more towards standing advice and may not contribute in detail to the Minerals Local Plan.  The Council is concerned that government planning policy in the NPPF is relatively new. Reductions in the number of staff in DCLG mean that Councils do not get any assistance from government in interpreting government policy or to contribute to the development of specific Local Plans in any way. PINS no longer allow Inspectors to advise on emerging plans. There is therefore no authoritative source of advice on whether an emerging plan conforms to government policy.  The council subscribes to the Planning Officers Society's Mineral and Waste Learning Group, a quarterly seminar to discuss experience and

<sup>9</sup> February 24th 2015



	disseminate good practice. This is useful but not authoritative.
<b>Likelihood of Risk: Medium</b>	Budget and staffing constraints for stakeholders are likely to mean that stakeholders are less able to devote time or resources to commenting or assisting with Development Plan preparation than in the past. This could mean that they will only become involved at the final, statutory consultation stage. This could cause the timetable to slip, or new consultations to be necessary if serious issues are only raised at that late stage.

<b>Procedural delay following submission</b>	
<b>Level of Risk: High</b>	<p>The timetable for the Minerals Local Plan is based upon the Planning Inspectorate's current service level agreement (August 2009 2<sup>nd</sup> Edition) for Examination Hearings with less than 8 Hearing Days</p> <ul style="list-style-type: none"> <li>• A Pre Examination meeting 8 weeks after Submission,</li> <li>• The Examination Hearing commencing 14 weeks after Submission,</li> <li>• Draft Report for "fact checking" to the Council 26 weeks after Submission,</li> <li>• 10 working days for the Council to "fact check" the report,</li> <li>• Inspector's Binding Report within 29 weeks of submission.</li> </ul> <p>There is a further risk inherent in the proposed timetable in that it is not possible to predict the length of any Examination Hearing in advance. Revisions to this process or longer Hearing could delay the final adoption.</p>
<b>Likelihood of Risk: Medium</b>	The Council has no control over the timetable once the Plan has been formally submitted to the Secretary of State. Preparing and consulting on a comprehensive evidence base to support the Plan should reduce the risk of lengthy Hearings.

1.44. Some of the risks that could affect the successful achievement of the Development Scheme are, therefore high. Without the active support from government in interpreting what government policy actually is and adequate resources from the Council or from Government the programme and timing set out above will be under threat. Even with funding being available to retain and recruit in-house staff, the national shortage of suitably qualified specialist planners with appropriate experience remains a potentially significant barrier to achievement.

## Appendix 1: Key Stages in the Preparation of the Minerals Local Plan

Stage of Preparation	2012	2013				2014				2015				2016				2017				2018			
	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Concept Consultation Reg 18	✓ K	✓ K																							
Response			✓																						
2 <sup>nd</sup> Issues and vision Consultation Reg 18				✓	✓ K	✓ K																			
Response to Consultation					✓	✓	✓																		
Updating evidence							✓	✓	✓																
Drafting Plan																									
3 <sup>rd</sup> Detailed Proposal Consultation Reg 19																									
Response																									
Statutory "soundness" Consultation (Reg 19 and 20)																									
Submission to Secretary of State (Reg 20)																									
Examination																									
Reg 26 Adoption																									
Legal Challenge																									

- = Milestone target
- ✓ = Milestone achieved
- K** = Key Milestone
- CM** = Cabinet Member approval necessary
- C** = Cabinet and full Council approval necessary

## Appendix 2: Minerals Local Plan: Document Profile

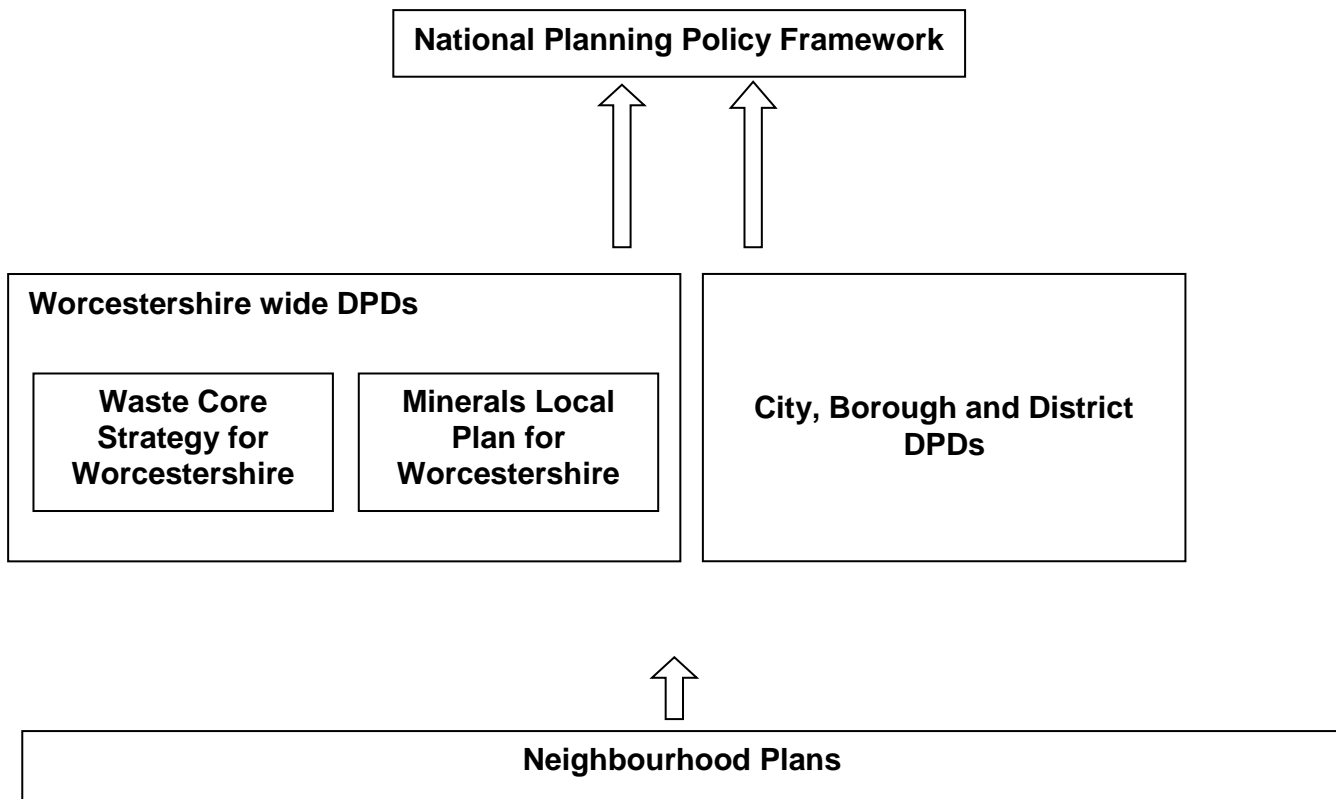
Title	<b>Minerals Local Plan (Development Plan Document)</b>
Role and Content	To set out the vision, objectives and strategy for mineral development in the County, including policies for assessing development proposals and to safeguard mineral resources for the future for at least a 15 year period from the adoption of the plan.
Status	Development Plan Document (DPD)
Chain of Conformity	Consistent with national and local policy, currently the National Planning Policy Framework. The plan will also have regard to other Local Plans prepared by councils in and adjoining the county, within the West Midlands and where appropriate, beyond the region. Only one Neighbourhood Plan (for Chaddesley Corbett) has been formally adopted in Worcestershire at the time of writing <sup>10</sup> .
Geographic Coverage	The whole of Worcestershire.
Timetable	Publication of Inspector's Binding Report and Adoption by Council: during 2018 (subject to Inspector's report and timetable of Council meetings)

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<sup>10</sup> 24<sup>th</sup> February 2015

### Appendix 3: Inter-Relationship of Documents

The inter-relationship (chain of conformity) of the Documents included in the Minerals and Waste Development Scheme is set out below:



**Appendix 4: Schedule of policies** in the county of Hereford and Worcester Minerals Local Plan (adopted April 1997) saved by the Secretary of State, **to be superceded by the Minerals Local Plan for Worcestershire.**

**The following six policies will be superceded when the Minerals Local Plan is adopted.**

- |     |                            |
|-----|----------------------------|
| M.1 | Regional Production        |
| M.2 | Safeguarding of Deposits   |
| M.3 | Mineral Extraction         |
| M.4 | Restoration and Aftercare  |
| M.5 | Abberley and Malvern Hills |
| M.6 | Recycled Materials         |

All of these policies and all of the text and maps currently supporting the COUNTY OF HEREFORD AND WORCESTER MINERALS LOCAL PLAN (ADOPTED APRIL 1997) will be superceded when the Minerals Local Plan for Worcestershire is adopted.

## Appendix 5: Glossary

(Note: terms in *italics* are explained elsewhere in the glossary)

**The Act:** the Planning and Compulsory Purchase Act 2004.

**Annual Monitoring Report:** part of the *Local Development Framework*, the Minerals and Waste Local Development Scheme Annual Monitoring Report (the "AMR") assesses the implementation of the *Minerals and Waste Local Development Scheme* and the extent to which policies in *Local Development Documents* are effective and are being successfully implemented. The statutory regulations enacted under *the Act* prescribe that all planning Authorities must prepare and publish AMRs annually.

**Core Strategy:** sets out the long-term spatial vision for the local planning authority area, the spatial objectives and strategic policies to deliver that vision. Core Strategies have the status of a *Development Plan Documents*. The government's preferred term for Core Strategies is now "*Local Plans*."

**Development Plan:** as set out in Section 38(6) of *the Act*, the Development Plan originally consisted of the relevant *Regional Spatial Strategy* (or the Spatial Development Strategy in London) and the *Development Plan Documents* contained within its *Local Development Framework*. The Waste Core Strategy was prepared on this basis. The government has now revoked every aspect of Regional Planning in Planning law and policy. The evidence base on which the WMRSS was prepared will remain a material consideration until superceded by subsequent research.

**Development Plan Documents:** spatial planning documents that are subject to independent examination will form the *Development Plan* for a local authority area for the purposes of the Act. They can include a *Core Strategy* or *Local Plan*.

**Habitats Regulations Assessment:** Plans and projects, such as the Waste Core Strategy and the Minerals Local Plan, which have the potential to affect European sites of nature conservation importance, have to be assessed against the requirements of the Habitat Regulations to determine whether they will have any likely significant effects on the integrity of any European designated sites. Before a plan can be adopted the 'competent authority' (Worcestershire County Council) needs to prove that the plan would have no likely significant effects on European sites' integrity. This assessment is known as *Habitats Regulations Assessment*.

**Local Development Document:** the collective term in the *Act* for *Development Plan Documents* (DPDs), *Supplementary Planning Documents* and the *Statement of Community Involvement*. The statutory regulations specify that DPDs are "*Local Plans*".

**Local Plan:** sets out the long-term spatial vision for the local planning authority area, the spatial objectives and strategic policies to deliver that vision. Local Plans have the status of *Development Plan Documents*.

**Local Development Framework:** term used in PPS 12 (now revoked) to describe the collection of Plans and supporting documents (see *Minerals and Waste Local development Framework* below) which collectively made up the Development Plan in a Planning Authority area.

**Local Development Scheme:** document, setting out the nature, content and timetable of all of the *Development Plan Documents* a local planning authority intends to produce. The

statutory regulations enacted under *the Act* prescribe that all planning Authorities must prepare and publish a *Local Development Scheme*. *Development Plans* will not be found "sound" at Examination if they do not comply with the latest Local Development Scheme for a local authority area.

**Minerals and Waste Development Framework:** in two-tier areas, counties are responsible for producing Minerals and Waste Development plans. The suite of documents, including *Development Plan Documents*, *Supplementary Planning Documents*, *Statement of Community Involvement*, *Annual Monitoring Reports* and *Local Development Scheme* together make up what was referred to in PPS 12 (now revoked) as "the Minerals and Waste Development Framework".

**Minerals and Waste Local Development Scheme (LDS):** sets out the programme for preparing *Local Development Documents*. Statutory regulations require all authorities to produce a Local Development Scheme.

**Saved policies or plans:** existing adopted Development Plans were saved for three years from the date of comment of the *Act*. Policies in the Structure Plan for Worcestershire, which were still considered relevant and conformed to the Regional Spatial Strategy, were further "saved" by the Secretary Of State on 7<sup>th</sup> September 2007 but have now all been either formally superseded or revoked. The "saved" policies in the Hereford and Worcester Minerals Local Plan will remain extant until superceded by the Minerals Local Plan for Worcestershire.

**Statement of Community Involvement (SCI):** sets out the standards which authorities will achieve with regard to involving local communities in the preparation of *local development documents* and development control decisions. The Statement of Community Involvement is not a *Development Plan Document* but the first for Worcestershire, was subject to independent examination before it was adopted in 2006. A revision is under preparation. Changes in national policy mean that the status of the SCI is no longer clear but the Council intends to broadly follow it as a means of applying the "Duty to Co-operate".

**Supplementary Planning Documents (SPDs):** provide supplementary information in respect of the policies in *Development Plan Documents*. They do not form part of the Development Plan and are not subject to independent examination but can be given weight in decision making.

**Sustainability Appraisal (SA):** is a tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors). The Act requires sustainability appraisal to be undertaken as part of the preparation of all *Local Development Documents*. The term is used in this document to include the requirements for Strategic Environmental Assessment.

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## WORCESTERSHIRE COUNTY COUNCIL EQUALITY IMPACT ASSESSMENT TEMPLATE

Please read the brief guidance which provides essential information for anyone who is unfamiliar with the County Council Equality Impact Assessment process.

### Background information:

Name:	N Dean
Job Title:	Minerals and Waste Planning Policy Manager
Service area:	Planning
Directorate:	BEC
Telephone:	01905 766374
Email address:	ndeane@worcestershire.gov.uk
Date assessment commenced:	24/02/2015
Date assessment completed:	25/02/2015

### Function, strategy, project, policy or procedure being assessed:

Name of the function, strategy, project, policy or procedure being assessed:	Minerals and Waste Local Development Scheme v8 April 2015
Is this a new or an amended policy?	Amended
Does the policy form part of a wider programme which has already been screened for equality relevance?	Yes

### Stage 1 - Please summarise the main objectives, aims and intended outcomes of this policy

Aims/Objectives:	The County Council is the Minerals and Waste Planning Authority for Worcestershire and is responsible for all minerals and waste planning matters in the county. The <i>Planning and Compulsory Purchase Act</i> (Ch 5 paras 16 and 17) as revised by the <i>Localism Act 2012</i> and supplemented by the <i>Town and Country Planning (Local Planning) (England) Regulations 2012</i> states that County Councils must prepare, maintain and publish a Minerals and Waste Local Development Scheme setting out the process, programme and timescale of the Development and Supplementary Development Plans they intend to prepare (currently the Minerals Local Plan).
Intended outcomes:	This is an update of the scheme adopted in 2012, revising the timetable for the Minerals Local Plan. This Plan will contribute to the Council's Corporate Priorities of "Open for Business", "Environment" and "Health and Well-being".



Please summarise how these outcomes will be achieved?	The revised scheme will be formally approved by the Cabinet Member with responsibility. The scheme sets out a timetable for the production and adoption of the Minerals Local Plan.
Where an existing policy is to be amended please summarise principle differences between the existing and proposed policies?	The proposed scheme updates the former and revises and extends the timetable for the production of the Minerals Local plan.

## Stage 2 - Information gathering/consultation

Please give details of data and research which you will use when carrying out this assessment:	EIA Desktop Screenings for the previous Local Development Scheme in July 2012 and for the Minerals Local Plan in July 2012 will be referred to. Assessment of equalities compliance issues required in the National Planning Policy Framework and National Planning Policy Guidance.
Please give details of any consultation findings you will use when carrying out this assessment:	No consultation has been carried out for the LDS, although the existing and previous schemes which have been approved by Cabinet are available on the Minerals and Waste Policy webpages - <a href="http://www.worcestershire.gov.uk/cms/minerals-and-waste-policy/local-development-scheme.aspx">http://www.worcestershire.gov.uk/cms/minerals-and-waste-policy/local-development-scheme.aspx</a>
Do you consider these sources to be sufficient?	Yes
If this data is insufficient, please give details of further research/consultation you will carry out:	N/A
Please summarise relevant findings from your research/consultation:	N/A

## Stage 3 - Assessing the equality impact of the policy

Based on your findings, please indicate using the table below whether the policy could have an adverse, neutral or positive impact for any of the protected groups:

Protected characteristic	Adverse	Positive	Neutral
Age	<input type="checkbox"/>	<input type="checkbox"/>	x
Disability	<input type="checkbox"/>	<input type="checkbox"/>	x
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	x
Marriage and civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	x
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	x



Race	<input type="checkbox"/>	<input type="checkbox"/>	x
Religion and belief	<input type="checkbox"/>	<input type="checkbox"/>	x
Sex	<input type="checkbox"/>	<input type="checkbox"/>	x
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	x

Please provide details of all positive and adverse impact you have identified:	None, the document is, in essence, a timetable.
Where possible please include numbers likely to be affected:	N/A
Where potential adverse impact has been identified, can continuation of the proposed policy be justified?	N/A If yes, please explain your reasons: N/A
Do you consider that this policy will contribute to the achievement of the three aims of the <a href="#">Public Sector Equality Duty</a> ?	Please indicate which of these aims is achieved through this policy: The LDS describes a process which includes two stages of public consultation, which will be carried out in accordance with the Council's revised Statement of Community Involvement (adopted February 2015 (SCI). The SCI identifies and encourages consultation with "Hard to Reach" groups, which includes most minorities; to that extent the LDS promotes equality of opportunity and fosters good relations. Please explain how the policy contributes to achievement of any aims you have selected: as above.
<p>The Public Sector Equality Duty has the following three aims:</p> <ol style="list-style-type: none"> <li>1. To eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010.</li> <li>2. To advance equality of opportunity between persons who share a relevant <a href="#">Protected Characteristic</a> and persons who do not share it.</li> <li>3. To foster good relations between persons who share a relevant <a href="#">Protected Characteristic</a> and persons who do not share it.</li> </ol>	

## Stage 4 - Action planning and time frames

Please list any actions you will take to mitigate any adverse impact you have identified:

Planned action	By who	By when	How will this be monitored
<b>Compliance with the council's Statement of Community Involvement.</b>	<b>The Minerals and Waste Planning Policy Manager (N Dean).</b>	<b>In accordance with the LDS timetable.</b>	<b>Reported in the (statutory) Minerals and Waste Local Development Scheme Annual Monitoring Report (AMR) and published on the Minerals Local Plan webpages.</b>




Please indicate how these actions will be taken forward as part of your team/service/directorate planning:	The LDS and AMR are part of the BEC Service Plan.
--	---

### Stage 5 - Monitoring & Review

How frequently will proposed action be monitored?	A response document is published after each consultation. The results are reported in the AMR
How frequently will intended outcomes be evaluated?	After each consultation and annually.
Who will be responsible for monitoring and evaluation?	The Minerals and Waste Planning Policy Manager (N Dean).
How will you use the monitoring and evaluation results?	To revise the Council's consultation database.

### Stage 6 - Publication

**Worcestershire County Council requires all assessments to be published on our website. Please send a copy of this assessment to the Corporate Equality and Diversity Team for publication.**

	Signature	Date
<b>Completing Officer:</b>	<b>N D Dean</b>	<u>25/02/2015</u>
<b>Lead Officer:</b>	<b>M Joynes</b>	25/02/2015
<b>Service Manager:</b>	<b>N Hudson</b>	Click here to enter a date.