

Chairman: **Ian Selby** (*The Crown Estate*)

Acting Secretary: **Lester Hicks** (*Independent Consultant*)

**Minutes of the 34<sup>th</sup> Meeting of the UK Minerals Forum held at the IOM<sup>3</sup> offices, 297 Euston Road, London, NW1 3AQ on Thursday 23<sup>rd</sup> November 2017 at 11am.**

**Present:**

Ian Selby (**IS**) – Chairman (The Crown Estate)

Lester Hicks (**LH**) – Acting Secretary

Gordon Best (**GB**) – QPANI

Peter Close (**PC**) – Natural England

Lauren Darby (**LD**) – Ceramfed

Jim Davies (**JD**) – Environment Agency

Steve Gaines (**SG**) – Sibelco UK

Lester Hicks (**LH**) – independent consultant

Nick Horsley (**NH**) – MPA

Peter Huxtable (**PH**) – BAA, **MAUK & IOM<sup>3</sup>**

Jo Mankelaw (**JM**) - BGS

Mark Patton (**MP**) – BGS (GSNI)

David Payne (**DP**) – CBI Minerals Group

Andy Tickle (**ATi**) - CPRE

Guest:

Julian Vickers (**JV**) – Natural Resources Capital Group

**1. Welcome and introductions**

- 1.1. The Chairman welcomed Mark Patton (BGS serving with GSNI). Together with Gordon Best, he said it was good to see Northern Ireland represented in person. He also noted that Julian Vickers would join the meeting later as an invited guest, to make a presentation on the prospects for future investment in mining and minerals in the UK.

**2. Apologies for absence**

Apologies were received from:

Andrew Bloodworth (**AB**) – BGS

Ruth Bradshaw (**RB**) – CNP

William Carlin (**WC**) – Scottish Government

Peter Day (**PDa**) – POS

Peter Dorans (**PDo**) – The Wildlife Trusts

Alan Everard (**AE**) - Tarmac

Nigel Jackson (**NJ**) – MPA

Brian Marker (**BM**) – Independent consultant

Mark North (**MN**) – MPA

Barney Pilgrim (**BP**) – Banks Group

Richard Read (**RR**) – The National Trust

Guy Robinson (**GR**) – Historic England

Nigel Symes (**NS**) – RSPB

Alan Thompson (**AT**) – (Cuesta Consulting Ltd.)

Andrew Tyler (**ATy**) – Omya UK

Robert Westell (**RW**) - Raymond Brown

Paul Williams (**PW**) – Hanson

Lonek Wojtulewicz (**LW**) – POS

**3. Minutes of the last meeting (33<sup>rd</sup> meeting held on 22<sup>nd</sup> June 2017), as amended**

- 3.1. The minutes were agreed as a true record of the meeting.

#### 4. Action points from last meeting and matters arising not covered elsewhere

##### 4a. UKMF Education and Outreach on Minerals

4a.1 **BM** (*in absentia*) had reported that he had, through the Geological Society and ESTA, maintained a watching brief on any further government consultations on new school/examination curricula with a bearing on earth science issues (including awareness of mineral supply in the UK). There were no current developments for UKMF to note.

4a.2 **BM** had further reported that he has sent a draft to the Geological Society of a possible leaflet on construction minerals (including mineral products), and was awaiting a response.

4a.3 In a short discussion UKMF members expressed concern at this lack of response, and also the late notice (indirectly via LH and BM) of an international conference on *Mining for the Future* in London on 23 and 24 November (thus clashing with the present meeting). They considered that the Geological Society ought to develop a stronger awareness of parallel activities related to mineral extraction and use in the UK, and make more effective direct contact with the Forum on matters of common interest. It was agreed that **JM** would ask **AB** to pursue this with the relevant contacts in the Geological Society.

**Action JM & AB**

##### 4b. Sustainable Aggregates Website

4b.1 **BM** (*in absentia*) had also reported that because of significant domestic commitments in recent months he had not yet been able to send to the industry's UKMF representatives for comment and updating the material which he had recovered from the website before MIRO's demise. The Forum noted that he still intended to do so.

**Action BM**

##### 4c. Government Engagement

4c.1 Discussion of this topic also embraced the following Agenda items; 5a. (UK Government Policy Report) and 5d. (Planning Update from POS).

4c.2 **IS** noted that following the previous meeting letters to the Secretaries of State at BEIS, DCLG and Defra had been drafted, but held over in case there were ministerial reshuffles before or immediately after the Summer Recess. These letters were now ready to be sent, subject to any comments raised by Forum members at this meeting. **IS** further noted that **NJ** had written in August on behalf of the Mineral Products Association to Sajid Javid at DCLG on the issue of his Department's apparent withdrawal from engagement with the mineral planning process in England. There was no reply to date.

4c.3 **DP** reported that there had recently been a meeting of the National Co-ordinating Group (NCG) [a DCLG Committee of government and industry stakeholders that has for many years been the body overseeing the Managed Aggregates Supply System (MASS) in England]. This had been called by the non-DCLG members, primarily the Planning Officers Society (Minerals and Waste Group) and the aggregates operators' Trade Associations (MPA and BAA), to express their concern about DCLG disengagement, both of staff and, as now seems a clear possibility, of further funding of essential activities such as the next 4-yearly AM Survey, the preparation of supply guidelines based on the previous survey, and the work of the Secretaries of the Aggregates Working Parties.

4c.4 **LH** added that, in sending his apologies, **LW** (POS M&W Group) had sent the following POS notes on that meeting:

4c. 4.1 Dr. Peter Latham (DCLG Planning Directorate) came to the NCG meeting to listen. He has oversight of minerals planning issues within a much wider span of duties.

4c.4.2 Following wholesale staff changes and a reduction in its detailed engagement, CLG appeared to have no detailed knowledge of MASS despite the requirements based on it set out in para. 145 of the National Planning Policy Framework. Dr. Latham asked:

- What was the purpose of the MASS system?
- Is the market failing?
- What does the Government need to do about it?

This lack of knowledge of established DCLG business, the need for early action in relation to the next AM Survey (due to start in January 2018, for which no contract has been let or even mooted) and the renewal of the AWP secretariat contract are all matters of grave concern to mineral planning officers. They depend on the evidence of aggregate demand and supply for the preparation of mineral plans and in handing often highly aggregates applications.

4c.4.3 CLG also implied that “mineral planning” ought to be in the purview of another Department (e.g. BEIS) as a matter of raw materials supply. It suggested that LAAs were backward looking, and there was instead a need to look forward by maybe examining the programme of national infrastructure.

4c.4.4 **LW** commented that LAAs are backward looking because the **starting point** of the 10-year sales average has to be backward looking (as are housing “forecasts” for that matter, because they are trend based, except for affordable housing). As the national guidelines for aggregate provision are so out of date there is nothing else for AWP’s to rely on to answer the basic question of whether “the area is making a full contribution towards meeting both national and local aggregate needs” (PPG Paragraph: 073 Reference ID: 27-073-20140306). This further illustrated how far DCLG’s Planning Directorate now seems unaware of the long-term rationale for managed aggregates supply in providing essential material for housebuilding and infrastructure projects, and its own policy and guidance on this.

4c.4.5 The NCG meeting had agreed the following action points:

- AWP’s should provide a focal point to guide MASS. This would require a renewal of the AWP Secretariat Contracts.
- A sound evidence base is needed for each area. The AM Surveys (and formerly AMRI) contribute to this.
- Guidance is needed on future demand for minerals. The shape of future direction needs definition at AWP area level.
- Strong leadership is required to ensure that future demand is achieved.
- Co-operation between AWP areas needs to be encouraged
- NCG provides a valuable function in bringing together Central Government, Local Government and industry to address issues related to the minerals contribution to the growth of the country.’

4c.4.6 After the NCG meeting Peter Latham had asked some follow up questions about the role of MASS and AWP’s to which **RR** has responded.

4c.4.7 In discussion, **IS** felt that DCLG were right to expect industry and mineral planners to prove the case for maintaining the MASS, and that this process seemed to be in hand. Others recognised that Government priorities for expanded housebuilding and major infrastructure (such as HS2) would force attention on aggregates supply in some areas. And the Government's own 25-year Environment Plan recognises the wider planning issues raised by minerals supply that cannot be ignored; site restoration, habitats and mitigation of environmental impacts. It was noted that the Welsh Government now seemed to have a better understanding of how the planning and environmental aspects of mineral extraction and processing required an integrated approach, and that most environmental controls are delivered through planning permissions and the monitoring of conditions.

4c.5 The loss of the AMRI statistics survey, having been being axed by CLG, had also been mentioned at the NCG meeting. Both industry and planners had asked for re-instatement as it had been an ill-timed measure and a loss of the steer on the industry output. It had also resulted in the loss of the BGS yearbook. **GB** noted that the survey had been resumed in Northern Ireland which had also undertaken the missing years surveys.

#### 4d. Options for video conferencing at future meetings

4d.1 **IS** reported that IOM<sup>3</sup> has an internet-based video conferencing facility. It should help people unable to get to meetings, and draw in a wider range of participation. UKMF members welcomed the possibility, provided that it did not give everyone an easy opt-out, leaving only the Chairman and Secretary sitting at IOM<sup>3</sup>. **IS** would explore this further with **AT** and IOM<sup>3</sup>

**Action IS and AT**

#### 4e. Academic representation on UKMF

4e.1 In **AB**'s absence **JM** reported he had so far been unable to speak to Professor Kip **Jeffrey** (Camborne School of Mines) about this possibility. **NH**, **PH** and **LD** all suggested other names of potentially suitable academics. **IS** endorsed the benefits of sharing knowledge and thinking on wider aspects of mineral production and supply. It was agreed all UKMF members should approach contacts they think might be able to add value to the Forum's work and report back on possible names to **IS/AT** by the next meeting

**Action AB and all other UKMS members**

#### 4f. Draft UK Minerals Strategy - Consultation Responses

It was agreed to take this under agenda item 5e: Industry update

#### 4g. Involvement of Junior Colleagues

4g.1 No-one had responded to the invitation to bring a junior colleague along to this meeting but it remained open for future meetings, subject to giving notice to the Secretary in order to maintain manageable numbers. **IS** endorsed this as a good way to encourage diversity and help junior staff develop an understanding of policy and strategy issues affecting their organisations

**Action ALL**

#### 4h. Nature after Minerals update

4h1 It was noted that this formed part of the Environmental Update, at agenda item 5c.

4i. Minerals and Housing

4i.1 At the previous meeting **LW** had mentioned a recent judgment of the Supreme Court on the NPPF presumption in favour of sustainable development in the absence of a plan or relevant policies. (*Cheshire East Council v. Richborough Estates [2017] UKSC 36, 10<sup>th</sup> May 2017*). Though this related to housing development, the principle is applicable to mineral development. **LW** sent with his apologies a note on this and relevant paragraphs from NPPF. **These are attached at Appendix A.**

4j. MPA/POS Guidance on Safeguarding

4j.1 **DP** handed round copies of a factsheet recently produced by MPA on the need for safeguarding wharves and rail depots in London. Despite strong policies in the NPPF and its predecessor MPGs, most London Boroughs had no mineral working and no appreciation of the need to facilitate supply for construction. It was hoped this factsheet would raise awareness of the issue.

4j.2 Continuing, **DP** said that MPA planned to work with POS to produce further guidance on minerals safeguarding generally.

4k. Collaborative funding of UKMG Working Groups

4k.1 **IS** referred to his invitation to UKMF member organisations at the last meeting (minute 6.2.2) to make small financial contributions to the Forum, to strengthen its collaborative approach. So far there had been no responses, but he still felt this would make UKMF a more effective body, for example in looking at issues that needed attention despite the withdrawal of central government activity. There were merits in having a broader funding base than simply relying on CBIMG (valuable though that was) , and ad.hoc. contributions in kind.

4k.2 Forum members welcomed the idea in principle but pointed to the financial constraints everyone was now facing. **LD** said CERAMFED was potentially interested in jointly part-funding relevant work, but it would have to consult Federation members. **IS** agreed to circulate any positive responses to his further invitation to contribute.

**Action: LD and IS**

4l. Proposed Working Group to prepare a new BGS Silica Sand factsheet

4l.1 **JM** referred to **AB**'s offer at the last meeting (minute 6.2.5) for BGS to lead in updating its popular 2009 Factsheet on Silica Sand. However BGS would require offers of part funding and/or contributions in kind, and would depend on industry providing the necessary data, either directly or via the trade associations. BGS would welcome industry interest in this.

4l.2 For Samsa/MPA, **NH** said they had met the main silica sand-producing mineral planning authorities, and found some differences of view on the need for and purpose of a factsheet. However, the planners did not seem properly to understand that different market segments required specific sand qualities from different supply areas. Samsa/MPA and the producers wanted some action to address this, and to be engaged with it. **IS** agreed to talk to the various stakeholders about the possibilities.

**Action: Samsa/MPA and IS**

#### 4m. Proposal for a Conference Meeting

4m.1 In an attempt to look beyond the geological perspectives, **IS** reported with regret that despite the support of the Royal Geographical Society (RGS) in helping set up and run a conference in spring 2018 on the sustainable development of mineral resources, there was little on-going research and expertise. He had hoped to trigger a wider ranging more thoughtful and broader-ranging discussion about the role of minerals in society and the landscape that got away from the usual technical details of planning and other regulation. This lack of interest was disappointing, given RGS's generally progressive reputation and he is investigating alternative ways of raising awareness of the issues.,

### 5. **Regular stakeholder key issues reports:**

#### 5a. UK Government policy report (DCLG / BEIS / Defra)

5a.1 No central Government reps were in attendance or had sent apologies, and no reports were available. The unfortunate implications of this further evidence of apparent disengagement from active involvement in mineral planning had already been discussed under item 4c (see above).

5a.2 In discussion it was noted that at least parts of the NPPF for England were due to be revised in 2018, primarily driven by the Government's policy of increasing housing supply. A key change will be the introduction of a requirement to prepare Statements of Common Ground. These look like another attempt to get authorities to work effectively together on development matters, following the patchy success of the "Duty to Co-operate". They will not be limited to housing. Mineral supply issues will also have to be covered, so there will be a direct link to MASS issues such as the preparation of LAAs and lengths of landbanks, and the data required to inform these. **A summary of DCLG's recent consultation proposals on the proposed Statements of Common Ground is at Appendix B.**

#### 5b. Government reports (Wales/Scotland/ Northern Ireland)

5b.1 **Wales and Northern Ireland:** No reports or apologies had been received from the Welsh Government or Northern Ireland Assembly. In discussion on **Wales** it was noted that the Welsh Government was now reviewing Planning Policy Wales (PPW), and there was an expectation that the Regional Technical Statements for Aggregates Provision (RTSs) would be reviewed in 2019. As regards **Northern Ireland**, in view of the continuing problems in getting any responses from NI Executive staff, **MP** offered to act as the UKMF rep. for NI. He had good contacts in the relevant NI departments should issues in future require an informed response from them. Forum Members warmly welcomed this helpful offer.

**Action: MP, AB (BGS- to note) and AT (Secretary – to note)**

5b.2 **Scotland:** In making his apologies **WC** had sent the following report:

**The Town and Country Planning (Fees for Monitoring Surface Coal Mining Sites) (Scotland) Regulations 2017** are due to come into force on the 1<sup>st</sup> January 2018. They permit planning authorities to recover some of the costs associated with monitoring opencast coal sites from operators. The monitoring fee for an active site is £500 per site per visit and £250 for inactive sites. The maximum number of chargeable visits a planning authority can make, for both active and inactive sites, is restricted to 8 within a 12-month period. A new planning circular with guidance on the 2017 Regulations will be published prior to them coming into force. **[These Regulations applies to surface coal mining only]**

**Scotland's Planning Review:** We have recently updated the planning review webpages to provide updates on each of the 20 proposals for change. Please see: <https://beta.gov.scot/policies/planning-architecture/reforming-planning-system/> to keep up-to-date on progress. For further details contact: [planningreview@gov.scot](mailto:planningreview@gov.scot).

#### 5c. Environmental Update (NE/HE/CNP/CPRE/RSPB)

5c.1 The Forum congratulated **RB** on drawing together the various reports and thanked all the contributors. It endorsed **IS's** comment that the achievements of Nature after Minerals (NAM) over the past 10 years were a matter for real celebration. It noted that with the withdrawal of funding from NE, the work of NAM from now on depended entirely on support from RSPB, who also deserved thanks for their commitment.

5c.2 **JD** mentioned the following, in the absence of an ERA section in the Update:

- The exemption of quarries from the requirement for a dewatering permit would be ended by new Regulations made under the Water Act 2003, coming into force on 1 January 2018. A review of permit and inspection charges was now in progress;
- Defra's 25-year Environment Plan (see the note by **PC** in the Update) is now with the Secretary of State, Michael Gove, for approval;
- Advisory best practice Guidance on techniques for meeting the requirements of the Mine Waste Directive was now being prepared in EA;
- **LH** noted that both quarry dewatering and mine waste management derived from EU Environmental Directives. While the current European Union (Withdrawal) Bill, when enacted, would preserve these within UK law, there would in due course have to be a review of how much EU-based environmental regulation the UK wanted to preserve, modify, or remove. Early major changes were most unlikely, but UKMF members would should keep track of what is said on this in the passage of the current Bill

5c3 **NH** reported on an MPA meeting with NE. Major changes were in hand over the licensing arrangements for protected species. Some general principles would be set out nationally but there would be more discretion at local level to adopt a more proportionate approach. Changes in approach were likely for some species e.g. bats.

5c.4 **PH** reported that the long-running HE review of the 2008 *Minerals and Archaeology Practice Guide* had received comments on an updated draft from the Minerals and Historic Environment Forum (MHEF) on which the minerals industries were represented. **GR** and Clive

**Waddington** (a consultant archaeologist with many years' experience of minerals issues) were due to meet to discuss a way forward.

5d. Planning update (POS)

Current planning issues had already been covered under 4c (Government Engagement), 4i (the *Richborough* Supreme Court case), 4j (Safeguarding) and 5a2. (Proposed Statements of Common Ground).

5e. Industry update (MPA/BAA/BCC/MAUK)

5e.1 **DP** reported on the CBI Minerals Group's comments on the revision of the draft UK Minerals Strategy that he had said at the previous meeting (minute 4.9.2) would be sent to them. CBIMG wanted it to be restructured around key messages that convey a more positive view of the industry, with stronger references to the sustainable development pillars and greater clarity about the importance of statements of need for minerals. He was aiming to put a further revision back to CBIMG's meeting in February 2018. In producing the final text, it would also be necessary to take account of the Government's Industrial Strategy due for publication the following week (on 27 November – including a "construction sector deal"). It had not yet been decided whether the eventual Strategy would carry the CBI badge.

5e.2 Continuing, **DP** noted that the MPA's Planning Conference due the following week would consider how to proceed if the Government does not continue funding the essential components of MASS; the next AM survey and the AWP Secretaries. This might involve working with mineral planning authorities to prepare regional demand/supply scenarios.

6. Visiting speaker presentation: The future of mining and minerals in the UK: **Julian Vickers** (CEO, Natural Resources Capital Group)

6.1 Julian Vickers' presentation is attached at **Appendix C**. His key points were as follows:

- Mining is a low risk business that can generate considerable wealth quickly;
- It generates jobs, and that can be attractive to local communities (in contrast to oil and gas development);
- Mining has made significant progress and impacts can be managed and mitigated
- Much of the UK's original wealth and infrastructure was based on mining;
- The financial community will not invest in mining projects without a reasonable prospect of success in an acceptably short period. That raises the issue of the speed and extent of the regulatory processes;
- There are valuable metal prospects in the UK, for example for zinc, gold (in NI), copper and lithium (the latter - potentially 400 million tonnes in Cornwall though difficult to process). The latter are important for battery technology, which is a key sector for a lower carbon economy. BEIS was looking at the role of UK mined metals in future technologies;
- The Republic of Ireland had embraced the possibility of mining development. The UK needs to do the same.

6.2 In discussion, the following points are made:

- There is a need to get at least some of the royalties back to host communities, including royalties taken by the state;
- There is a need to incentivise landowners to grant mining concessions below their land. Some are nervous of reactions from neighbours and local communities;
- Mineral working in the UK is controversial with local communities and environmental NGOs, who see a range of environmental regulations delivered through the planning system as an essential safeguard. In recent years, shale gas proposals have sharpened awareness and hostility. Relaxing these controls is likely to prove controversial across the political spectrum;
- In reply **JV** conceded that shale had sharpened hostility to mineral development, but mining provided local jobs, which many communities in the prospect areas would welcome. The Government would need to address a range of issues in regulation and local incentives if the conditions investors require are to be delivered.

7. **Any Other Business:** **PH** offered to provide a speaker on robotics in the mineral industry at a future UKMF meeting

8. **Date of next meeting:**

- [Thursday 22<sup>nd</sup> March 2018, 11am-1 30pm  
IoM<sup>3</sup> offices at 297 Euston Road, NW1 3AQ, followed by a buffet lunch.]

## Appendix A

### NOTE BY THE PLANNING OFFICERS SOCIETY ON THE SUPREME COURT JUDGMENT ON HOUSING SUPPLY POLICIES – IMPLICATIONS FOR MINERAL PLANNING AND LANDBANKS

1. This paper examines whether the Supreme Court judgment on the proper operation of the presumption in favour of sustainable development (*Cheshire East Council V Richborough Estates [2017] UKSC 36, 10<sup>th</sup> May 2017*) has any relevance to mineral planning and landbanks.
2. The judgment clarified the application of the presumption in favour of sustainable development (the golden thread running through the NPPF) in respect of housing. The key paragraph in the NPPF is 14 (which relates to all forms of development) states that if a development accords with the development plan then it should be approved but if the plan is absent, silent or relevant policies are out of date the development proposals should be permitted unless it shouldn't for other good reasons.
3. For housing the NPPF had a special trigger (test) at paragraph 49, that made relevant policies for the supply of housing out of date if the local planning authority cannot demonstrate a 5 year supply of housing sites. The Supreme Court has clarified what was meant by "relevant policies for the supply of housing". Up until then those included restrictive policies

such as Green Belt, which it had been argued were relevant because they affected the supply of housing land. The Supreme Court, however, took a more limited view on the supply of housing policies, limiting them to those directly related to the supply of housing. This is absolutely logical given that the test was about numbers (5 years' supply). Once that test is applied and the relevant policies are found to be not up to date, it is up to the decision maker to judge what weight to put on those and other policies in the context of the NPPF as a whole and other material considerations ("the tilted balance").

4. For mineral landbanks there is no equivalent test or trigger so reliance needs to be placed on paragraph 14.
5. The NPPF requires local plans to be consistent with the NPPF, including the presumption in favour (paragraph 151 & 182). **It states that mineral planning authorities should plan for a steady and adequate supply of aggregates (paragraph 145) by (inter alia) making provision for the maintenance of landbanks of at least 7 years for sand and gravel and at least 10 years for crushed rock. Making provision means any or all of the following: allocating specific sites; identifying preferred areas and/or areas of search; locational criteria.**
6. In paragraph 14 terms, absence, silence or relevant policies being out of date will trigger the "tilted balance" in favour of approving sustainable development.
7. **If there are no policies on the maintenance of landbanks then the local plan will be inconsistent with the NPPF. Plans prepared post NPPF that are inconsistent with the NPPF or are silent on, or absent of, landbank policies are likely to be unsound.**
8. What makes a landbank policy "out of date"?
9. Examples may include:
  - a. An existing plan's provision for the maintenance of landbanks is not bringing sites forward;
  - b. The landbank is not being maintained at 7/10 years;
  - c. Annual LAA evidence shows that additional provision is required than originally envisaged at the time the plan was prepared? (AWPs may have a role to play here as they are an NPPF requirement)

10. The tilted balance may then be brought into play, but always remember the caveat in paragraph 14 that the presumption in favour of sustainable development applies **UNLESS** other things weigh against it. Putting the presumption in favour of sustainable aside is a matter of planning judgment, which includes not only other NPPF policies but also policies in the development plan.
11. It is difficult to come to a definitive conclusion. Whether policies are out of date is a matter of planning judgment. The message here is probably two fold – get mineral plans prepared as soon as possible and keep a vigilant watch on monitoring and what annual LAAs (and AWPAs) say about the state of provision.

## **ANNEX – REFERENCE NOTES FROM NPPF RELEVANT TO THE SUPREME COURT JUDGMENT**

**Paragraph 14:** states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. Plans should positively seek opportunities to meet the development needs of their area. Development proposals that accord with the development should be approved. Where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless the harm of doing so would outweigh the benefits or other specific policies in this Framework indicate development should be restricted

**Paragraph 49:** Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5-year supply of deliverable housing sites.

**Paragraph 151:** Local Plans must be prepared with the objective of contributing to the achievement of sustainable development. To this end, they should be consistent with the principles and policies set out in this Framework, including the presumption in favour of sustainable development.

**Paragraph 182:** Development Plans should be consistent with the NPPF.

**Paragraph 142:** 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**. However, since minerals are a finite natural resource, and can only be worked where they are found, it is important to make best use of them to secure their long-term conservation.

**Paragraph 144:** When determining planning applications, local planning authorities should:

- give great weight to the benefits of the mineral extraction, including to the economy
- as far as is practical, provide for the maintenance of landbanks of non-energy minerals from outside National Parks, the Broads, Areas of Outstanding Natural Beauty and World Heritage sites, Scheduled Monuments and Conservation Areas

**Paragraph 145: Minerals planning authorities should plan for a steady and adequate supply of aggregates by:**

- preparing an annual Local Aggregate Assessment, either individually or jointly by agreement with another or other mineral planning authorities, based on a rolling average of 10 years sales data and other relevant local information, and an assessment of all supply options (including marine dredged, secondary and recycled sources)
- participating in the operation of an Aggregate Working Party and taking the advice of that Party into account when preparing their Local Aggregate Assessment
- making provision for the land-won and other elements of their Local Aggregate Assessment in their mineral plans<sup>1</sup>
- taking account of published National and Sub National Guidelines on future provision which should be used as a guideline when planning for the future demand for and supply of aggregates
- using landbanks of aggregate minerals reserves principally as an indicator of the security of aggregate minerals supply, and to indicate the additional provision that needs to be made for new aggregate extraction and alternative supplies in mineral plans
- making provision for the maintenance of landbanks of at least 7 years for sand and gravel and at least 10 years for crushed rock, whilst ensuring that the capacity of operations to supply a wide range of materials is not compromised. Longer periods may be appropriate to take account of the need to supply a range of types of aggregates, locations of permitted reserves relative to markets, and productive capacity of permitted sites;
- ensuring that large landbanks bound up in very few sites do not stifle competition;
- calculating and maintaining separate landbanks for any aggregate materials of a specific type or quality which have a distinct and separate market

---

<sup>1</sup> *taking account of the advice of the Aggregate Working Parties and the National Aggregate Co-ordinating Group as appropriate. Such provision should take the form of specific sites, preferred areas and/or areas of search and locational criteria as appropriate*

## Appendix B

### DCLG PROPOSALS TO INTRODUCE A REQUIREMENT FOR PLANNING AUTHORITIES TO PREPARE STATEMENTS OF COMMON GROUND (SoCGs) INTO REVISIONS OF THE NPPF DUE IN 2018

- NPPF to require all LPAs to prepare a SoCG to set out the cross-boundary matters, including the housing need for the area, distribution and proposals for meeting any shortfalls. *When completed effectively, the statement will be an important, clear and concise record of how local authorities work together to resolve common strategic issues.*
- Draft SoCG to be in place within 6 months of revised NPPF (i.e. Autumn 2018) and 12 months of NPPF publication (i.e. Spring 2019). The requirement will apply regardless of where an LA is in plan-making process.

#### After 6 months SoCGs should include:

- The geographical area covered by the statement, and justification for the area - Key strategic cross-boundary matters being addressed by the statement, including housing need for the area, and housing targets in any adopted plans (where known), and proposals for meeting any shortfalls - Primary authorities responsible for the statement, and list of additional signatories (including matters to which each is signatory) - Governance arrangements for the co-operation process, including how the statement of common ground will be maintained and kept up to date

#### After 12 months SoCGs should include:

- Process for agreeing the distribution of housing need (including unmet need) across the wider area, and agreed distributions (as agreed through the plan-making process) - A record of whether agreements have (or have not) been reached on key strategic matters - Any additional strategic cross-boundary matters to be addressed by the statement which are not already addressed

- HMA (Housing Market Areas) to be used, *unless authorities are able jointly to determine and justify an alternative area over which to produce their statement of common ground, or unless they wish to produce more than one SoCG;*
- LPAs should only be signatories to those strategic issues covered in the statement of common ground in which they have an interest and that authorities can be signatories to more than one statement where appropriate.
- **County Councils to be signatories for relevant strategic matters which should include transport and minerals & waste.**

- Currently SoCGs won't apply to mayoral strategies e.g. London and Greater Manchester so Government has sought views on how this can be managed.
- 

## **Appendix C**

**[see Julian Vickers's presentation – attached as separate pdf]**