

Chairman: Dr. Ian Selby (University of Plymouth)

Secretary: Dr. Alan Thompson (Cuesta Consulting Ltd.)

DRAFT Minutes of the 37th Meeting of the UK Minerals Forum held at the IOM³ offices, 297 Euston Road, London, NW1 3AQ on Thursday 15th November 2018 at 11am.

Present:

Ian Selby (IS) - Chairman (University of Plymouth)

Alan Thompson (AT) - Secretary (Cuesta Consulting Ltd.)

Gordon Best (GB) - MPANI

Lauren Darby (LD) - Ceramfed

Peter Day (PDa) - POS

Trevor Evans (TE) - BAA

Nick Horsley (NH) - MPA

Peter Huxtable (PH) - BAA

Mark Patton (MP) - Geological Survey of Northern Ireland

David Payne (DP) - CBI Minerals Group

Richard Read (RR) - The National Trust

Guy Robinson (GR) - Historic England

Nigel Symes (NS) - RSPB

Andy Tickle (ATi) - CPRE + CNP

1. Welcome and introductions

1.1. The Chairman welcomed everyone and introduced the guest speaker: Dr Hazel Gibson from Plymouth University

2. Apologies for absence

2.1. Apologies were received from:

Andrew Bloodworth (AB) - BGS

Ruth Bradshaw (RB) - CNP

Peter Close (PC) - Natural England

Rob Donnelly (RD) - University of Derby

Peter Dorans (PDo) - The Wildlife Trusts

Lester Hicks (LH) - independent

David Highley (DH) - independent

Bob Fenton (BF) - MAUK

Brian Marker (BM) - Independent consultant

Mark North (MN) - MPA

Barney Pilgrim (BP) - Banks Group

Joanna Russell (JR) - Natural England

Jo Smith (JS) - Welsh Government

Andrew Tyler (ATy) - Omya UK

3. Minutes of the last meeting (36th meeting held on 21st June 2018), 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. Web - hosting of material from the Sustainable Aggregates website

4a.1 DP noted that the MPA website is *still* in a state of flux but would eventually contain the material rescued by BM from the former MIRO website. PH noted there may be other options - perhaps MAUK?

Action DP, PH

4b. Options for Video- or Tele-Conferencing

4b. 1 IS noted that both options were available. Requests for using either option to be notified in advance to the Secretary.

4c. Involvement of Junior Colleagues

4c.1 IS reaffirmed the importance of this, despite there having been no takers so far. The invitation remains open to all Members, subject to giving notice to the Secretary in order to maintain manageable numbers.

Action ALL

4d. Collaborative funding of Working Group on Good Practice Guidance on Avoiding Conflicts

4d.1 IS asked for volunteers to review a draft proposal that he is working up. Offers of assistance were received from ATi and NS. Others still encouraged (contact IS for details). IS will report back on progress at the next meeting

Action IS

4e. Update on Working Group on Mineral Planning Factsheets

4e.1 NH noted that SAMSA will be working with the BGS to co-fund the updated mpf on silica sand, hopefully within the next 12 months. He emphasised that the BGS (not SAMSA) would be the authors, to ensure independence, and that it would be good if there could be some sort of endorsement by MHCLG (or, failing that, from UKMF?). AT repeated his offer to assist with information, and to liaise with relevant mineral planning authorities who are keen to be involved.

4e.2 LD noted that Ceramfed is also liaising with BGS on a more straightforward update of the mpf on brick clay.

4e.3 NH observed that the revised factsheets should be tied-in with the recently launched Minerals Strategy, to reinforce their importance.

4e.4 AB was unable to attend the meeting due to last minute rail cancellations but he or JM should be able to provide an update on these initiatives, as well as progress on the factsheet on construction aggregates, at the next meeting.

Action: BGS (AB or JM).

4f. UK Central Government Engagement - response to letters

4f.1 IS confirmed that there had still been no response from MHCLG or BEIS and AT confirmed there had been no follow-up response from the new contacts notified by Defra, despite being invited to the meeting.

4g. Review of Designated Landscapes

4g.1. IS reported that Julian Glover (Chair of the Review) had declined our invitation to attend a UKMF meeting. See Agenda Item ... for further discussion.

4h. Biodiversity Net Gain workshops & District Licensing

4h.1. PDo was unable to attend the meeting due to last minute rail cancellations, so this discussion carried over to the next meeting.

Action: PDo.

4i. UKMF at EIG Conference

4i.1. IS reported back on his discussion workshop at the EIG conference in Durham, which aimed to encourage younger members of industry to get engaged with strategic thinking for the future, and which was well-received.

5. Regular stakeholder key issues reports:

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

5a.1 No central Government representatives were in attendance, and no reports were available.

5a.2 RR noted that the Aggregate Working Parties (AWPs) had had some contact with MHCLG (Simon Gallagher, Head of Planning) and that, 'as a stop-gap' it seemed likely that the AWP contracts were going to be renewed, for another year, but that the 4-yearly AM Survey (due in 2018), the review of National Guidelines on Future Aggregates Provision, and future meetings of the National Coordinating Group were not currently on the agenda. NH noted that both the AWP, in England, and the Welsh Government, had written to MHCLG to stress the importance of carrying out the AM Survey, in particular, but to no avail, as yet.

(Post-meeting note: as of 11th January RR, advised that the AWP position had yet to be confirmed, though he understood that the intention was still there).

5a.3 DP emphasised the difficulties being faced by the AWP (and by individual MPAs, in England) in having to function in the absence of National Guidelines. Reliance on Local Aggregate Assessments, produced with increasingly divergent methodologies, was unsatisfactory. The MPA is planning to meet with Simon Gallagher again soon, to discuss these issues, and will report back.

Action: DP.

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

5b.1. Representatives for the Scottish and Welsh Governments (WC and JS, respectively) were not able to attend the meeting and no update reports were available.

5b.2. NH noted that revision of Planning Policy Wales (PPW) was underway, following a thorough review of consultation responses (to be finalised and published in December 2018) and that the draft National Development Framework (NDF) is in preparation, with consultation scheduled for mid-2019.

5b.3. MP and GB provided updates on developments within Northern Ireland. These included the high profile planning appeal relating to sand extraction from Lough Neagh, for which a decision is now expected next March; the ongoing controversy over gold extraction proposals in the Sperrin Mountains, which has seen local communities split down the middle in terms of arguments relating to the need for employment versus the need for environmental protection; and the public meeting in Mid Ulster DC to inform stakeholders and to dispel myths following recent exploration-related aerial surveys. MP also noted that Annual Mineral Returns had

been successfully reinstated in Northern Ireland, with the first year's data collection now complete.

5c. Environment Update (Defra/EA/NE/HE/CNP/CPRE/RSPB/TWT/NT)

Defra / Environment Agency

5c.1. JD was unable to provide any information ahead of the meeting and was unable to attend.

Natural England

Glover Review:

5c.2. Natural England is working closely with Defra to input into the Glover Review of designated landscapes and is currently collating evidence to feed into the Review's recent [Call for Evidence](#). Natural England is considering the role National Parks and Areas of Outstanding Natural Beauty (AONBs) could play in delivering the Government's environmental ambition as set out in the 25 Year Environment Plan. This will include consideration of whether improvements are needed to the role of National Parks and AONBs play in planning and development to better protect and enhance these areas.

Wildlife Licences

5c.2. New legislation to enable Natural England to charge for licences came into force as of 12th October 2018. The legislation was introduced as a Statutory Instrument (SI) under the Natural Environment and Rural Communities Act 2006. We will be working towards a phased implementation of wildlife licence charges during 2019, with a communication plan to ensure we inform as many potential licence applicants as possible. Prospective applicants are also advised to check the current Gov.UK guidance on [Wildlife licences: when you need to apply](#) which includes a recent "Updated request form for an organisational licence" and a "Change to the email address to send an organisational licence application."

Historic England

5c.3. Further progress has been made on new guidance on Minerals Extraction and Archaeology - a revised draft has prepared by Historic England which was circulated to project partners in the Minerals and Historic Environment Forum (MHEF) in early September. Most partners have commented on the revised draft and it is hoped that MHEF will meet in December to agree a way forward and move toward publication.

5c.4. Historic England has also responded to two consultations on shale gas development, which includes one from MHCLG on [permitted development rights for exploration](#) and one from BEIS on the inclusion of [shale gas production projects in the NSIP regime](#).

Campaign for National Parks

Review of Designated Landscapes

5c.5. Julian Glover, the chair of the review, addressed attendees of CNP's Park Protector Award parliamentary reception in October, shortly before the call for evidence was published. CNP is now preparing its submission and will be discussing the review further with members of Council on 15th November.

National Planning Policy Framework (NPPF)

5c.6. CNP was pleased to see that the revised NPPF published in July incorporated many of the changes it called for in its response to the consultation. In particular, they had raised strong concerns about the loss of the reference to designated landscapes having ‘*the highest status of protection in relation to landscape and scenic beauty*’ and this text has now been reinstated as part of new paragraph 170. CNP also welcomed the inclusion of the footnote clarifying how major development should be defined in the context of the major development test.

Energy Policy

5c.7. CNP submitted responses to the two recent consultations relating to planning for fracking, objecting to proposals to introduce permitted development rights and use the Nationally Significant Infrastructure Projects process for the approval of fracking-related developments. Both responses are available on [the CNP website](#).

Campaign to Protect Rural England

5c.8. The main minerals focus of CPRE continues to be opposing fracking. To this end at a national level, the organisation responded with strong objections to making shale gas exploration permitted development and also to placing shale gas production in the NSIP regime. Copies of CPRE’s responses are available here: <https://www.cpre.org.uk/resources/energy-and-waste/shale-gas/item/4985-permitted-development-for-shale-gas-exploration> and here <https://www.cpre.org.uk/resources/energy-and-waste/shale-gas/item/4984-inclusion-shale-gas-nationally-significant-infrastructure-project-regime>. At the time of writing 199,885 members of the public had signed a joint CPRE/38Degrees petition objection to fast-tracking fracking.

The Royal Society for the Protection of Birds

5c.9. The RSPB will be making a significant scale response to the consultation to the Glover Review on protected landscapes.

Nature After Minerals - an RSPB programme - has been active since the last update, including:

- a Minerals Planning and Biodiversity training course at Stanwick Lakes
- Planning the 2019 training programme
- Work on guidance for the Natural Capital Protocol
- Presentations at EIG 2018, and Quarries Alive conferences, as well contribution to the panel debate at Living With Minerals 6

The Wildlife Trusts

5c.10. The WT has continued its campaigning, alongside other nature NGOs through Greener UK, for an ambitious Environment Act which:

- Sets legally binding targets
- Maps a nature recovery network
- Enshrines environmental principles and addresses the governance gap as we leave the jurisdiction of the European courts

The WT is also campaigning on the Agriculture Bill and calling for:

- a post EU farming subsidy system which allocates significant funds for the creation of accessible wildlife habitat,
- rewards farmers and landowners for delivering ‘public good’

- ensure the farming industry does not compromise the ability of future generations to grow food and access clean water.

The WT is holding a parliamentary reception on 14 November (PDo was intending to provide a verbal update but was unable to get to the meeting).

Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT) has sought Judicial Review into the option chosen for the route of the new Oxford to Cambridge Expressway. Of the three options the route chosen is the most environmentally damaging. The JR is concerned with the SEA having not been carried out.

The National Trust

5c.11. No relevant issues to report since the last meeting.

5d. Planning update (POS)

5d.1. PDa noted that Lonek Wojtulewicz had stood down from his role with POS, having moved from Leicestershire County Council to MHCLG, where he is now advising on shale gas issues. Richard Greaves, of Essex County Council, is now leading on Minerals and Waste issues at POS and will attend future UKMF meetings

5d.2. He reported that the Society had responded to recent consultations on fracking, NSIPS and Permitted Development, and was currently working on updated Practice Guidance on Mineral Safeguarding (with the MPA), and on Mineral Extraction and Archaeology (with Historic England).

5d.3. POS is also liaising with the Environment Agency regarding the interface between planning and environmental permitting regulations. It is also concerned about the charging of local authorities (by the EA) for non-statutory strategic planning advice, where there may be conflicts of interest.

5d.4. NH observed that there seems to be a decreasing level of appreciation by EA officers, of planning law and procedures. IS noted that this highlights the need for the EA to be represented at UKMF meetings, so that it can register these concerns and respond accordingly. He would make contact with JD to encourage their further engagement.

Action: IS.

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

5e.1. TE reported that one of the BAA's main concerns at the moment is the continuation of the Managed Aggregate Supply System in England and, in particular, the uncertainties over MHCLG's lack of engagement with the AWP's.

5e.2. NH noted the statistics reported in the MPA's latest Annual Mineral Survey of its members (https://mineralproducts.org/documents/7th_AMPS_Report_2018.pdf), regarding the high rate of mineral planning approvals (which the MPA welcomes) but also the continued decline in applications coming forward and the continued decline in replenishment rates, which are a cause for concern. He highlighted one of the reasons behind the lack of new proposals being brought forward was the distortion being created by large permitted reserves being tied-up in old permissions which are due to expire in 2042, and which therefore cannot realistically provide the length of

landbank which they appear to provide on paper. Many of those old permissions may be difficult to replace with new permissions.

5e.3. **DP** noted that Local Aggregate Assessments in South-East England are now looking more closely at factors which will influence future demand, rather than relying too heavily on historical sales averages. This is a requirement of the NPPF but is all too often overlooked. **AT** noted that this is also being investigated in respect of the Regional Technical Statements in Wales, particularly in terms of the very high degree of correlation between aggregate sales and housing completions - at least at a national level. Suggestions are to be discussed with the RTS steering group in January 2019 and, if agreement is reached, might offer a useful way forward to be considered in England as well (e.g. in place of the increasingly out-of-date National Guideline figures). **AT** will report back following the Steering Group meeting.

Action: AT.

5e.4. **RR** observed that LAAs often seem to demonstrate a very poor understanding of local imports and exports between MPA areas, with insufficient coordination to ensure that overall (regional / sub-regional / national) totals of provision are being achieved. He suggested that Leicestershire is running out of crushed rock and no one is doing anything about it.

5e.5. **PH** noted that, in a similar lack of joined-up-thinking, there seems to be no strategic consideration of where the supplies needed for major infrastructure projects (HS2 in particular, and Heathrow Airport) are going to come from, and the knock-on effect that such projects could have on regular supplies to other work.

6. Current Topic Papers:

6a. Designated Landscapes Review

6a.1. **IS** introduced Dr. Hazel Gibson, from the University of Plymouth, to lead discussion on aspects of public perception regarding the exploitation of mineral resources within designated, or otherwise protected/valued areas. The discussion, which aimed to stimulate thinking prior to the submission (by individual organisations) of responses to the consultation, focused on mineral aspects of four main consultation questions:

Part 1 question - in National Parks and AONBs in England what works well and what doesn't?

Part 2 question - what role do National Parks and AONBs play in biodiversity, landscape and cultural heritage and could they do more? What views do you have about the way National Park and AONB authorities affect people who live and work in their areas and what could be done differently?

Part 3 question - are the areas governed effectively or does it need to change, if so, how? Would shared goals encourage interest and involvement by the public and other organisations? What about funding and the process of designation - which means the way boundaries are defined and changed and whether areas should be given new designations e.g. new National Parks or AONBs, or new types of designations for marine areas or near built-up areas 21.

Part 4 question - Is the terminology correct and how do they work with other designations such as National Trails, Sites of Special Scientific Interest (SSSIs), Special Areas of Conservation (SACs), National Nature Reserves (NNRs) and Special Protection Areas (SPAs)?

6b. Consultation on the BGS Strategy

6b.1. In **AB**'s unavoidable absence, **IS** encouraged members to respond to the consultation, prior to the deadline of 11th December. He drew particular attention to the important issue of needing basic data and basic geological mapping to continue. See <https://www.bgs.ac.uk/research/sciencestrategy/home.html>

6c. Fermanagh Omagh Council Draft Plan Strategy

6c.1. **GB** drew attention to the minerals section of first draft of the Council's Strategy, noting the use of a defined 'Area of Constraint on Mineral Development' (ACMD) as shown on the Proposals Map. (The strategy document can be found here: <https://www.fermanaghomagh.com/app/uploads/2018/10/Draft-Plan-Strategy-Oct-2018-min.pdf>)

7. Any other business:

7a. **GB** noted that, as it celebrated its 20th Anniversary, QPANI was to be rebranded as the Mineral Products Association, Northern Ireland (MPANI). **GB** commended the Association's new booklet, particularly the environment section.

7b. **IS** noted that, in conjunction with Andrew Bloodworth (BGS) and Mark Russell (MPA) he had arranged a high profile conference, supported by the Geological Society and the Royal Geographical Society, focusing on the global crisis facing sand extraction. The conference is to be held on 30th January 2019 and the latest programme details can be found here: https://www.geolsoc.org.uk/~media/shared/documents/Events/2019/Sand%20and%20Sandbank_Draft%20programme.pdf?utm_source=Adestra&utm_medium=email&utm_term=&utm_content=See%20the%20draft%20meeting%20Programme&utm_campaign=Sand%20and%20the%20sandbank%20-%20Register

8. Date of next meeting:

- **Thursday 21st March**, 11am-1 30pm
IoM³ offices at 297 Euston Road, NW1 3AQ, followed by a buffet lunch.

(thereafter on **20th June** and **21st November**, same venue)