

Report to: The Executive

Date: 28th September 2009

Report of: Director of Development and
Regeneration

Report No: EMDRS/61/09

Contact Officer: Andrew Chalmers

Tele No: 6109

Report Title: **Greater Manchester Joint Minerals Development Plan
Document**

**Confidential /
Non Confidential:**

(Non-Confidential) This report does **not** contain information which warrants its consideration in the absence of the press or members of the public

Purpose:

To seek Council approval in principle for the production of a Greater Manchester Joint Minerals Development Plan Document and to set in place governance arrangements for its production.

Recommendations:

The Executive is asked to endorse the contents of the report and to recommend that:

- Full Council approves in principle the production of a Greater Manchester Joint Minerals Development Plan Document;
- The Executive agrees to delegate responsibility for all stages in the production of the Joint Minerals DPD, other than Publication/Submission and Adoption (which remain the responsibility of Bolton's Full Council) to AGMA as the appropriate Joint Committee for the purposes of preparing a Joint Minerals Plan;
- Full Council approves in principle the preparation of a Local Agreement/Terms of Reference for the Joint Committee and that the Chief Executive and the Director of Legal and Democratic Services be authorised to sign the proposed Local Agreement/Terms of Reference for the Joint Committee on behalf of the Council;
- Full Council approves the appointment of the Lead Member for Planning or his nominee as Bolton Council's representative on the Joint Committee; and
- Full Council notes the proposed amendment of Bolton's Local Development Scheme to include reference to the production of the Greater Manchester Joint Minerals Development Plan Document.

Decision:

Background Doc(s):

Bolton Local Development Scheme September 2009. Report to Executive Member Development, Regeneration and Skills 28th September 2009
“Revisions to Bolton’s Local Development Scheme” (EMDRS/62/09)

Signed:

Leader / Executive Member

Monitoring Officer

Date:

Summary:

On 28th August 2009 the AGMA Executive Board approved the preparation of a Greater Manchester Minerals Development Plan Document.

This report provides details of the proposal to prepare a joint minerals plan and sets out the steps required in Bolton to gain Council approval in principle to prepare this plan and to set in place governance arrangements for its production. The plan preparation process and proposed arrangements are broadly similar to those currently governing the production of the Greater Manchester Joint Waste Development Plan Document.

Background

1. The issue of how best to plan for minerals in Greater Manchester has been under discussion for some time. Clearly to meet the economic growth aspirations of Greater Manchester an adequate and steady supply of material is essential and that this provision is made in a sustainable manner. This is particularly applicable to the supply of aggregates and the import of these from outside Greater Manchester.
2. On 28th August 2009 the AGMA Executive Board approved the preparation of the Greater Manchester Joint Minerals Development Plan Document. This report is set out in full at Appendix 1 and provides the detailed reasoning behind pursuing a joint plan. This plan would then form part of each district's Local Development Framework including Bolton.

The need for minerals planning

3. Section 4 of that report sets out clearly the need for minerals planning. This arises from the changing requirements of national planning policy including Mineral Planning Statement 1 and the dated nature of existing UDP policies. It emphasises that even districts without significant mineral reserves will need policies to demonstrate how it will source and transport adequate minerals to meet its needs in an environmentally acceptable manner. The Greater Manchester districts together have to address cross boundary issues and show how the sub regional apportionment of aggregates (Regional Spatial Strategy Table 9.2) is to be addressed. The report stresses that unless these issues are addressed there is a danger that Core Strategies will be found unsound.

Benefits of joint working

4. The report goes on to consider work carried out by the Greater Manchester Geological Unit (GMGU) which looked at options for preparing minerals policies including a Joint Minerals Plan. It concluded that a Joint Plan would provide the most effective and cost effective way of providing minerals planning for the ten districts and this approach is supported by GONW. It would take approximately 36 months to prepare, at a cost of £65K per district, spread over four financial years. The timescale means that adoption of the plan should take place by October 2012.

Governance arrangements

5. It is envisaged that the production of a Joint Minerals Plan would involve a similar process to the Joint Waste Plan with an AGMA Joint Committee acting as an Executive, with responsibility for production of all documents except those prepared for Publication of Proposed Submission and Adoption which must be agreed by each district's Full Council. This Joint Committee would be serviced by an Officer Steering Group with representatives from all ten districts and supported by GMGU.
6. The AGMA Executive Board agreed the report's recommendations to produce the plan and to take the proposal to each Greater Manchester Full Council for approval, including a revision to the Local Development Scheme. It also approved the third recommendation to seek the delegation of appropriate decision making powers from districts to AGMA as a Joint Committee. The Board also made additions to this recommendation to ensure that the Joint Committee consisted of Planning Lead members in each authority, in Bolton's case this would be the Executive Member Development, Regeneration and Skills and that the Chair of the Joint Committee should be from a different authority to the Lead Officer.

Next steps and approvals required

7. Given the decision of the AGMA Executive Board to progress the plan there are a number of matters that need to be resolved in each district including Bolton. An approval in principle for production of the plan is required from each Full Council and the approval of governance arrangements for producing a joint document. The latter requires Executive approval for delegation of plan making powers from the Executive to a Joint Committee.
8. When work commenced on the Greater Manchester Joint Waste Development Plan Document a new AGMA Joint Committee was set up and this necessitated the preparation, approval and signing of a Local Agreement between the ten GM districts to govern the establishment and operation of the Joint Committee. The governance of the proposed Joint Committee for minerals is still being looked into by district solicitors and at the time of writing no final decision has been reached as to whether this will operate under a new Local Agreement or Terms of Reference.
9. In addition approval of the Lead Member for Planning as the appointment to the Joint Committee is required.
10. In order to allow work to start on the plan in line with the proposed timescales it is very important that the necessary approval of Full Council and the Executive is secured as soon as possible, the dates of which are 21st and 26th October respectively.

Revisions to the Local Development Scheme

11. The decision to proceed with a Joint Minerals plan will also require changes to be made to Bolton's Local Development Scheme. A separate report is on the Executive Member Development, Regeneration and Skills agenda for 28th September 2009 (EMDRS/62/09) to incorporate details of the Joint Minerals DPD, milestones and timetable. This can only be submitted to GONW for approval following Full Council approval to prepare the plan.

Recommendations

12. The Executive is asked to endorse the contents of the report and to recommend that:
 - Full Council approves in principle the production of a Greater Manchester Joint Minerals Development Plan Document;
 - The Executive agrees to delegate responsibility for all stages in the production of the Joint Minerals DPD, other than Publication/Submission and Adoption (which remain the responsibility of Bolton's Full Council) to AGMA as the appropriate Joint Committee for the purposes of preparing a Joint Minerals Plan;
 - Full Council approves in principle the preparation of a Local Agreement/Terms of Reference for the Joint Committee and that the Chief Executive and the Director of Legal and Democratic Services be authorised to sign the proposed Local Agreement/Terms of Reference for the Joint Committee on behalf of the Council;
 - Full Council approves the appointment of the Lead Member for Planning or his nominee as Bolton Council's representative on the Joint Committee; and
 - Full Council notes the proposed amendment of Bolton's Local Development Scheme to include reference to the production of the Greater Manchester Joint Minerals Development Plan Document.

Appendix 1

AGMA EXECUTIVE BOARD

28th AUGUST 2009

MINERALS PLANNING IN GREATER MANCHESTER

1. PURPOSE OF REPORT

1.1 To seek the AGMA Executive Board's approval for a Greater Manchester wide Joint Minerals Plan. The reason for this approach is:

- All Districts need to prepare a Minerals Plan, even those without significant mineral reserves, to show how they will source and transport adequate minerals to meet their needs in an environmentally acceptable manner. It will become a key document supporting the GM strategy and its development aspirations.
- Without proper arrangements in place to prepare such a plan it is probable that districts' Core Strategies will be found 'unsound' at examination and significant additional costs will arise from this finding.
- If the plan is not developed on a joint basis, each district would have to undertake minerals policy planning on an individual basis and develop the evidence base. This would take time and would delay the Core Strategy.
- Of the options examined this is the cheapest and the one that has the most certainty of being delivered on time. It satisfies concerns regarding the need to have an evidence base for minerals in place to meet the timescale of districts who are about to publish their Core Strategy. It has the support of GONW.

1.2 It is estimated that the Joint Minerals Plan will take approximately 36 months over four financial years at an overall cost of £65k per district. This compares to a very approximate minimal cost of £88k for each district preparing an individual minerals plan.

2 RECOMMENDATIONS

2.1 Executive Board members are invited to:-

1. Agree the recommendation from the Housing and Planning Commission for the production of a Joint Minerals Plan.
2. Agree the proposal for a Joint Minerals Plan, including a revision to the Local Development Scheme, be taken to each Greater Manchester Full Council for approval.
3. Recommend each Authority delegate appropriate power to AGMA as the appropriate Joint Committee for the purposes of preparing a Joint Minerals Plan.

3 BACKGROUND

- 3.1 The economic growth aspirations of Greater Manchester will mean that an adequate and steady supply of material is essential and that this provision is made in accordance with the principles of sustainable development. This is particularly the case in terms of the supply of aggregates and the importation of these from outside the county area.
- 3.2 As such the production of up-to date minerals policies is not a technical requirement but a cross-cutting issue that will contribute to reduced traffic impacts and energy consumption - core issues for AGMA's objective to decouple economic growth from carbon emissions and make GM City Region a UK exemplar.
- 3.3 The issue of how best to plan for minerals in Greater Manchester has been under consideration for some time. As early as August 2007 various options were being assessed and a joint plan was considered the best option by POG and supported by GONW. This decision was subsequently agreed in principle by Chief Executives in February 2009. However, in April 2009 POG asked for a review to be undertaken of this decision.
- 3.4 A number of potential options for developing minerals planning policies were considered including the preparation of a Joint Minerals Development Plan Document (Joint Minerals Plan) or each District could prepare its own Local Development Document with a shared evidence base. Following detailed consideration of key factors including the potential impact on Core Strategies, time, resources, cost and deliverability the Joint Minerals Plan approach has been identified as the best way forward by POG. This position is supported by GONW.

4 THE NEED FOR MINERALS PLANNING IN GREATER MANCHESTER

- 4.1 National Policy on minerals planning has changed and this will require a new approach from **all** districts. Minerals Policy Statement 1 (MPS1), November 2006, requires local planning authorities to provide a clear guide to minerals operators and the public about:
- the locations where mineral extraction will take place,
 - the safeguarding of sensitive environmental features and of mineral resources with potential for future extraction, and
 - all aspects of environmental and resource protection including the sustainable transportation of minerals.
- 4.2 Even a district without significant mineral reserves will need minerals related policies to show how it will source and transport adequate minerals to meet its needs in an environmentally acceptable manner. The need to provide a clear minerals planning steer is therefore an issue for **all** districts.
- 4.3 Present Greater Manchester policies are out of date. A review of existing saved UDP minerals policies for each authority (GMGU August 2007) has shown that many of these are out of date and do not accord with National Policy and need to be updated through the Local Development Framework process.
- 4.4 Greater Manchester Districts need to act as a group to address cross boundary issues and show in their development plans how they have considered the sub regional apportionment of aggregates (RSS Table 9.2) which cannot be broken down further for reasons of confidentiality.
- 4.5 Unless these requirements are met there is a significant risk that Greater Manchester districts' will struggle to progress their Local Development Frameworks and Core Strategies will not be found sound at examination. This will be a particular difficulty for those districts

who are at a more advanced stage of Core Strategy preparation because they are in the position whereby if a joint minerals plan is not progressed, they will need to ensure their evidence base contains the required information on minerals or they risk being found unsound. A recent case of the Newcastle Core Strategy illustrates this.

- 4.6 If a joint plan is not progressed, those Core Strategies that currently state that minerals policies will be developed on a joint basis would require amending. In addition, any authority not progressing a site allocations document would need to include further detail in the Core Strategy regarding minerals sites.

5 THE NEED FOR AN URGENT DECISION

- 5.1 Three Greater Manchester districts have already started the process of finalising their Core Strategies and have very little room for significant changes at this late stage. A number of other districts are close behind them. Some have already structured their plans on the basis of a specific approach to minerals planning which includes provision for a Joint Minerals Plan. Any future delay in developing minerals planning policies could threaten the soundness of Core Strategies because they cannot show how they meet the requirements of MPS1
- 5.2 Given the above, it is therefore vital that these issues are addressed as a matter of urgency.

6 CONSIDERATION OF OPTIONS

- 6.1 In August 2007 GMGU reviewed potential minerals resources in Greater Manchester and identified a number of options for developing minerals policies in Greater Manchester:
- Option 1 – Minerals policies in each Core Strategy and individual Local Development Documents
 - Option 2 – Minerals policies in each Core Strategy and an individual Minerals Development Plan Document
 - Option 3 – Minerals policies in each Core Strategy and a Greater Manchester wide Joint Minerals Development Plan Document
 - Option 4 – Minerals policies in each Core Strategy and individual Local Development Documents using a Greater Manchester wide joint evidence base
- 6.2 At that time, a Joint Minerals Plan was identified as the option that would provide the most effective and cost efficient way of providing minerals planning for the ten districts. This option was supported by GONW as set out in a letter dated January 2008 from the Deputy Regional Director to both Chief Planners and Chief Executives of the ten AGMA authorities. This position still remains the case.
- 6.3 POG subsequently agreed that a Joint Minerals Plan should be prepared, led by GMGU. The costed proposal was agreed in principle by Chief Executives in February 2009.
- 6.4 However, at the April 2009 meeting of POG, SPIG were asked to review the two options of either producing a Joint Minerals Plan or alternatively, a joint evidence base informing the preparation of individual Local Development Documents. The results of this review were considered by POG on 22nd May 2009, who looked at the pros and cons of each approach and agreed that the best way forward would be the production of a Joint Minerals Plan.
- 6.5 The production of a Joint Minerals Plan benefits from shared costs as only one Minerals Development Plan Document is produced across Greater Manchester. For example,

shared specialist minerals officers, shared Sustainability Appraisal costs and preparation of a joint evidence base.

6.6 With each District preparing its own Local Development Document (LDD) the cost of preparing the joint evidence base would be shared. However, this would still require individual LDDs containing minerals planning policies to be written and all the work to prepare and process the LDD through consultation and member approval. In addition, external mineral expertise will be required to assist in moving from the joint evidence base to the completion of the LDD.

6.7 The breakdown of costs per district for the preparation of the evidence base and ongoing mineral expertise alone is estimated at £53,000 as follows:

Year 1: £17,000

Year 2: £12,000

Year 3: £12,000

Year 4: £12,000

It is very difficult to calculate the remaining costs for officer time to prepare and process the LDD. As an example, the cost of a planning officer for one day a week to produce and process the LDD would approximate to over £35,000 over the LDD preparation period. This example of potential costs is likely to be higher but still amount in total to £88,000 per district for the LDD. Also, this approach would not necessarily give a consistent approach to minerals planning across Greater Manchester.

6.8 A proposal for a Joint Minerals Plan was taken to the AGMA Planning and Housing Commission on 13th July 2009, where it was agreed that the report should be taken to the AGMA Executive Board.

7 PROPOSALS FOR A JOINT MINERALS PLAN

7.1 It is envisaged that the production of a Joint Minerals Plan would involve a similar process to the Joint Waste Plan with the Joint Committee acting as an Executive, with responsibility for production of all documents except those prepared for Publication of Proposed Submission and Adoption which must be agreed by each District's Full Council. It is proposed that the Joint Committee would comprise the six Councillors from the Planning and Housing Commission joined, for Joint Committee purposes, by four Councillors from the four Councils not currently with Members on the Commission.

7.2 It is estimated that the Joint Minerals Plan will take approximately 36 months over four financial years to complete at an overall cost of £650k. This figure incorporates significant savings in the way the plan will be prepared, managed and consulted on in the light of the experience of preparing the Joint Waste Plan. In addition, there are significant economies of scale in producing a joint minerals plan rather than each district dealing with minerals issues through a separate plan and trying to coordinate their work with nine other local authorities.

7.3 The annual breakdown of costs per district (£65,000 in total), based on the initial cost estimate is:

Year 1: £11,000

Year 2: £17,000

Year 3: £31,000

Year 4: £6,000

7.4 Following the meeting of the AGMA Executive Board on 28th August 2009, it is envisaged that the proposal for a Joint Minerals Plan would need to be taken through the following

steps to Full Council approval:

Formal approval by each Authority Cabinet or Executive	August to September 2009
Full Council approval	September to October 2009

8 CONCLUSIONS

- 8.1 All Greater Manchester districts need to consider minerals planning policies, to meet the requirements of national and regional planning policy. If Core Strategies cannot show how these requirements will be met, they risk being found unsound at examination.
- 8.2 After considering options for developing minerals planning policies in Greater Manchester, POG agreed that the best way forward would be the production of a Joint Minerals Plan. This approach is supported by GONW.

Chris Findley
Chair of POG