

# Minerals and Waste Joint Plan

## York, North York Moors and North Yorkshire County Council Joint Minerals and Waste Plan Working Group Meeting

### Agenda

Monday 12 September 2016, 2pm

Committee Room, North York Moors National Park Authority Offices, Helmsley

- 1) Apologies
- 2) Minutes of the last meeting
- 3) Overview of progress on the Minerals and Waste Joint Plan since last meeting
- 4) Duty to Cooperate and Memoranda of Understanding
- 5) Feedback on Preferred Options consultation
- 6) Review of Publication draft Plan content
- 7) Forward timetable for preparation of the Plan
- 8) AoB

## Joint Minerals and Waste Plan Working Group Meeting

Notes of Meeting held at the North York Moors National Park Authority Offices in Helmsley on the 12<sup>th</sup> September 2016.

### Present:

David Hugill (Chair)	North York Moors National Park Authority
Caroline Patmore (sub)	North York Moors National Park Authority
Cllr Robert Packham	North Yorkshire County Council
Cllr Chris Metcalfe	North Yorkshire County Council
Cllr Ann Reid	City of York Council

### In attendance:

Rob Smith	North Yorkshire County Council
Vicky Perkin	North Yorkshire County Council
Rebecca Harrison	City of York Council
Chris France	North York Moors National Park Authority
Mark Hill	North York Moors National Park Authority
Clair Shields	North York Moors National Park Authority

#### 1. **Appointment of Chair**

David Hugill was appointed as Chair for the meeting

Introductions were made

#### 2. **Apologies for absence**

Alison Fisher, substituted by Caroline Patmore  
Cllr Tony Richardson

#### 3. **Agree Minutes of last meeting**

The minutes were accepted as a true and accurate record subject to correction of spelling error to Cllr Metcalfe.

#### 4. **Overview of progress of the Plan since last meeting**

Rob Smith gave a brief verbal update on the preparation of the Plan since the consultation on the Preferred Options document and highlighted several areas: updates on the sand and gravel information which forecasts a slightly lower level of demand; further work carried out in assessing the future needs for waste management (this includes a revised recycling target for C&I waste of 65% by 2030 in line with more recent EU targets, as well as a revised approach to forecasting C&I waste arisings); updating of the Sustainability Appraisal; and changes to the oil and gas policies. Also a substantial amount of work is being put into the Duty to Cooperate Statement. RS also referred to the fact that some sites previously under consideration for allocation had been withdrawn from the process. As a result two potential Areas of Search for aggregate minerals had been identified to help demonstrate how supply could be maintained in the longer term.

Members were made aware that the next key stage is the consultation on the Draft Publication version which seeks comments on the 'soundness' of the Plan.

Further clarification was provided on the amendments to the aggregates demand forecasting which is based on the most up to date projected housing numbers. These projections show lower proposed rates compared with earlier figures. Nevertheless district and borough Local Plans are planning for growth and also the NY area provides

aggregates to neighbouring mineral planning areas such as south and west Yorkshire, where growth is also planned.. As such the MWJP is taking a positive approach to meeting requirements for aggregate.

**5. Duty to Cooperate and Memorandums of Understanding**

RS gave a brief overview of key activity which had taken place relevant to the Duty and referred to Memoranda of Understandings with two adjacent planning authorities, on which agreement had been reached at officer level. Signed copies of the two Memorandums of Understanding were provided to Members in advance of the meeting. Rob Smith provided a brief update on their purpose and the Duty to Co-operate by formalising the approach the Plan has taken with regards to waste arisings in the Yorkshire Dales National Park and the Redcar and Cleveland Borough Council part of the North York Moors National Park.

*Cllr Metcalfe moved that both documents be endorsed.*

*Caroline Patmore seconded.*

**6. Feedback on Preferred Options Consultation**

A full copy of the responses received as part of the Preferred Options consultation, as well as the proposed officer response, was provided to Members in advance of the meeting. Rob Smith also provided a verbal report on some of the main responses and their implication on the Plan. These were in brief:

- Allocation of waste sites which have been granted planning permission. Due to the strategic importance of waste sites within the Plan, their allocation provides a level of protection especially where the permission is yet to be implemented.
- Oil and gas policies - particularly the need to address shale gas in more detail
- Revising policies on silica sand due to increasing demand as a result of declining resources from existing sites nationwide.
- Chris France provided a verbal update on the Potash policy.

Discussion was held about the location of aggregate sites within the Plan. Due to NP constraints and no history of aggregate minerals within CYC, emphasis is on NYCC area to provide supply. Where practicable sites have been allocated close to the areas of demand, e.g. to north of the Plan area to serve Teesside and to the south to serve West/South Yorkshire as well as North Yorkshire, in order to try and reduce traffic miles.

*Members considered the approach officers had taken in response to the Preferred Options consultation. Members considered that there had been an extensive consultation and that the comments and responses received had informed the next stage of the Plan.*

*Cllr Metcalf moved that the approach be endorsed.*

*David Hugill seconded.*

**7. Review of Publication draft Plan content**

Rob Smith provided verbal update on the changes made to the Plan which are;

- Confirmation that the Vision and Objectives are substantially unchanged,
- Policy approach to sand and gravel has changed due to the withdrawal of a number of sites. Plan taken a more flexible approach by identifying 'areas of search', in addition to site allocations so if there is a short-fall in the provision of sand and gravel developers can look at the identified areas of search (two areas).
- Oil and Gas (Hydrocarbons) policies have changed. The experience gained through the KM8 application and the NYCC Joint Scrutiny Review, as well as

responses to consultation, has helped to inform amendments. Result is a more robust and comprehensive policy.

Members and officers discussed the amended Hydrocarbons Policies in more detail and acknowledged that the industry is still at a very early stage of development which constrains the level of detail that can be provided. The approach taken tries to balance a high level of environmental protection whilst being flexible enough to enable development in the right locations. The roles of other regulatory regimes provide constraints on the overall scope of the Policies. There is a long history of conventional gas extraction in the Plan area, but the new challenge lies with fracking including the potential for cumulative impact.

The amended policy does not distinguish between high volume fracking and fracking where a lesser volume of fluid is used (as in the case in national regulations). Acknowledgement of the likely resistance from the industry but officers felt this approach was appropriate as the overall nature of impacts is likely to be similar and the threshold is in effect an arbitrary one.

Part B of Policy M16 is more restrictive and goes further than national regulations by giving specific protection to a wider range of nationally significant designations.

Policy M17 looks at potential local issues such as access to a highway, provision of a local supply of water to reduce highway usage, cumulative impacts, and local economy. Local economy and tourism is an important factor in the Plan area due to high quality landscape and other environmental/cultural assets and therefore policy seeks to ensure a high standard of protection.

Cllr Metcalfe raised concerns with the definition of 'high standard' and how this would be applied as part of an application – should there be thresholds? Officers considered that specific consideration of what is necessary in any particular case would be a matter to be resolved at application stage, within the overall objective of the policy, which is to ensure a high standard of protection.

Health issues and impact of development on local communities was an issue raised through the Preferred Options consultation. Health issues are relevant to Planning although there is limited evidence on this. Policy requirement for individual health impact assessments required for each application where fracking is involved.

Clarification provided on the cumulative impact considerations and of the use of a guideline maximum of 10 well pads per PEDL area. Industry is working on this as a model scenario but there is significant uncertainty, including the need for further initial exploration, hence why this is included in the justification rather than the policy itself. In reality, as the shale gas is so deep, it is likely that the industry will want to optimise use of an existing well pad due to cost.

Cllr Reid advised that the Plan won't meet everyone's needs, but it needs to be clear on what the Plan can control and what it can't. It is also important to ensure that the policies are written so that everyone can input into decisions. Reinjection of fracking waste is likely to raise concerns.

Discussion was also held around the introduction of residential buffer zones. Adequate separation is mentioned in the policy but can it be more specific. There is the 400m separation between agricultural livestock buildings and dwellings in the GPDO so already

a well-established distance. Need to include vulnerable locations such as schools and hospitals. Are environmental sites below national level covered enough under the DM policies, i.e. SINC, LNRs?

Cllr Metcalfe acknowledged the Plan has responded to local concerns, but would a summary outlining the national approach vs the Local Plan approach be useful, particularly to emphasise to residents that this Plan goes further than national requirements.

Confirmation that the Hessay site should be removed from safeguarding in the Plan as it is no longer in use.

8. Timescales for Council approval for consultation on Publication draft version:

CYC meeting 13<sup>th</sup> October

NYCC meeting 18<sup>th</sup> October

NYMNPA meeting 20<sup>th</sup> October

Members commended officers on the amount of work done to date on the Plan.

Meeting closed at 15.45