

Minerals and Waste Joint Plan

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

Agenda

Monday 16 January 2017, 2pm

City of York Council Offices, York

- 1) Apologies
- 2) Minutes of the last meeting
- 3) Feedback on the main representations from the industry on the Publication Draft consultation (document attached)
- 4) Forward timetable for preparation of the Plan (verbal)
- 5) AOB

Minerals and Waste Joint Plan Working Group Meeting

Notes of Meeting held at the City of York Council Offices, York on the 16 January 2017.

Present:

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

In attendance:

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| 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. Apologies for absence

None

Introductions were made

2. Agree Minutes of last meeting

The minutes were accepted as a true and accurate record.

3. Feedback on the main representations from the Publication Draft consultation

Rob Smith provided a summary of the Publication Draft consultation. 15,000 individuals and organisations contacted, 200 individual respondents providing 1,459 individual comments – approximately 80% relating to oil and gas. Members to note that the paper provides a summary of the key issues raised rather than all the comments made.

Discussion on the industry comments:

- The changes made to the oil and gas policies between Preferred Options and Publication Draft. Officers consider the changes were made in response to comments received from previous consultations and growing knowledge of the industry.
- Policies go too far in relation to national policy – definition of fracking and the broader list of designated areas to those identified in the Infrastructure Act creates an unduly constrained policy. Officers have adopted this wider approach to ensure that development which could have a local impact is captured. The unintended issue with the policy capturing conventional gas extraction is something which officers are looking at.

Cllr Richardson commented there needs to be more information on what fracking is and the different processes and stages as a lot of the concern and objections seem to be made on misinformation. It would be good for the whole of North Yorkshire to clarify and define fracking and therefore is supportive of the direction the Plan is taking.

Cllr Reid commented that the comments from the industry are as expected and that the Plan shouldn't pull back any further, especially on the protection zones afforded to the City of York. Nothing has been raised as part of the consultation to change the approach taken.

Cllr Metcalf acknowledged the level of work which has gone into preparing the Plan and that the concerns raised by the industry are expected. Issues around fracking are relatively recent and the policies have developed as a result. The policies are to support the NPPF and provide more detail at a local level. The industry is here for a short time, the impacts on the environment are more long-term.

Discussion on the interest groups comments:

- Whether the extent of changes to the policies between PO and Publication is such that further consultation should have taken place. Officers consider that changes are expected due to the nature of the development and the extent of local concern. Officers are seeking further advice from Legal on this aspect.
- The comments raised were opposite to the industry in that the policies are not restrictive enough, the buffer zones should be wider and include more and the Plan should identify no-go areas. National policy does state that a precautionary approach should be taken to development; however officers feel the Plan takes this approach as far as possible and adding further restraint would be hard to justify.
- The inclusion of a figure of 10 well pads per PEDL area. Officers are aware that this is an evolving industry so this figure may need to be reviewed. However there is uncertainty as to how the industry will develop so this figure is advisory rather than being prescriptive.

Discussion on other key issues:

- Historic England issues regarding the approach to magnesium limestone. Officers have had a meeting with HE and the majority of the issues have been resolved.
- Development Control policies – officers are looking at making some minor adjustments to wording to address comments.
- Site allocations – objections in relation to discounted sites. Officers are unlikely to make any changes. With regards to discounting Blubberhouses Quarry, officers are comfortable with the approach taken given its location within an AONB and requirement for further development to demonstrate compliance with the MDT.
- Discussion was held around any future review of the Plan. Officers advised that the review should be based on significant changes in circumstances, rather than providing an arbitrary date. See para. 4.9 – 4.11 of Plan. Once policies are being tested against applications if any unforeseen circumstances occur as a result of the policies, this could trigger a review.

Discussion on next step / consultation

RS clarified the approach to making amendments to the Publication draft version of the Plan. Anything which isn't a minor change should be consulted on before submission. If the Publication version is submitted with a schedule of changes, it is up to the Inspector to decide way forward. It is felt that the Plan would be seen more favourably if a public consultation is done on the changes. A further consultation, plus time to review responses and meeting feed in times, this is likely to add 4 months to the timescales.

VP felt that given the number of responses made to the Publication Draft it currently carries little weight in planning decisions.

Cllr Metcalf was interested in hearing officer views. VP felt that from a public perception point of view it would be better to consult on the proposed amendments. RH felt it better to submit the Plan as is, and carry out a consultation as part of the EiP process, especially as the public have been told that this is the final stage before submission.

Alison Fisher felt that given the political interest in the Plan it is important that we do things right with regards to any PR issues by carrying out another consultation.

RS clarified that if a further consultation would be carried out as a result of the Publication draft consultation and would be to invite comments purely on the changes made, and not reopening other issues. A Legal view on the process is awaited.

MH commented that both sides have raised concerns with the lack of consultation.

Officers sought Member views on carrying out a focussed consultation:

- Cllr Metcalf felt that the submission version has to be robust given the sensitivities around fracking – the Plan needs to be open and transparent. Further consultation would make it much stronger at EiP. The EiP should focus on the Plan and not procedural issues. The government will be looking to this Plan to provide a benchmark. It was felt that the Plan would hold greater weight as an emerging Plan if the consultation was done.
- Cllr Reid felt that taking the opportunity to further consult is the right way forward. The issues raised previously by CYC's Executive relate to buffer zones and protection to the City of York and therefore if these are not to be changed it is likely that the changes would still gain Executive support.

Cllr Metcalf proposed re-consultation on the targeted points raised as part of the Publication draft consultation.

David Hugill seconded.

4. Forward timetable

In light of the above, further discussions on the timetable is needed. Officers are to progress this and keep Members involved.

5. AOB

None

Meeting closed at 1500.