

Environment and Sustainability Committee

Date: **Tuesday, 30 October 2012**
Time: **14:30**
Venue: **County Hall**
Address: **County Hall, West Bridgford, Nottingham NG2 7QP**

AGENDA

1	<u>Minutes of last meeting held on 27 September 2012</u>	3 - 6
	Details	
2	<u>Apologies for Absence</u>	1-2
	Details	
3	<u>Declarations of Interests by Members and Officers:- (see note below)</u>	1-2
	(a) Disclosable Pecuniary Interests	
	(b) Private Interests (pecuniary and non-pecuniary)	
4	<u>Nottinghamshire Minerals Local Plan - Local Aggregates Assessment</u>	7 - 38
	Details	
5	<u>Ashfield District Council Local Plan 2010-2023 Preferred Approach Consultation</u>	39 - 60
	Details	
6	<u>Strategic Planning Observations</u>	61 - 64
	Details	
7	<u>Progress Report from Outside Bodies</u>	65 - 78
	Details	
8	<u>Work Programme</u>	79 - 84
	Details	

(1) Councillors are advised to contact their Research Officer for details of any Group Meetings which are planned for this meeting.

(2) Members of the public wishing to inspect "Background Papers" referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:-

Customer Services Centre 08449 80 80 80

(3) Persons making a declaration of interest should have regard to the Code of Conduct and the Council's Procedure Rules. Those declaring must indicate the nature of their interest and the reasons for the declaration.

Members or Officers requiring clarification on whether to make a declaration of interest are invited to contact Keith Ford (Tel. 0115 9772590) or a colleague in Democratic Services prior to the meeting.

(4) Members are reminded that Committee and Sub-Committee papers, with the exception of those which contain Exempt or Confidential Information, may be recycled.

minutes

Meeting ENVIRONMENT AND SUSTAINABILITY COMMITTEE

Date Thursday 27 September 2012 (commencing at 10.30am)

membership

Persons absent are marked with 'A'

COUNCILLORS

Richard Butler (Chair)
John Hemsall (Vice-Chair)

Barrie Cooper
Jim Creamer
Vince Dobson
Kevin Greaves
Geoff Merry

Stan Heptinstall MBE
Bruce Laughton
John Peck JP
Keith Walker

OFFICERS IN ATTENDANCE

Mick Allen – Group Manager, Waste and Energy Management
Keith Ford – Senior Democratic Services Officer
Sally Gill – Group Manager – Planning
Jas Hundal – Service Director, Transport, Property and Environment
Sue Jaques – Local Improvement Scheme Manager

APOLOGIES FOR ABSENCE

None.

The following changes in membership of the Committee were reported:-

- Councillor John Peck appointed in place of Councillor Parry Tsimbiridis
- Councillor Stan Heptinstall MBE appointed in place of Councillor Steve Carr.

DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS

None

ENERGY AND CARBON MANAGEMENT – QUARTERLY PROGRESS REPORT

The Chairman encouraged Members of the Committee to raise with officers any queries or issues that they would like further information on (in relation to energy and carbon management) at future meetings.

RESOLVED 2012/020

That the contents of the report be noted.

WASTE MANAGEMENT – QUARTERLY PROGRESS REPORT

The Chairman encouraged Members of the Committee to raise with officers any queries or issues that they would like further information on (in relation to waste management) at future meetings.

RESOLVED 2012/021

That the contents of the report be noted.

LOCAL IMPROVEMENT SCHEME (LIS) UPDATE 2012/13

RESOLVED 2012/022

- 1) That the report and appendices be noted.
- 2) That the proposed additional LIS capital schemes detailed in paragraph 13 of the committee report be approved.

STRATEGIC PLANNING OBSERVATIONS

In relation to the Newark and Sherwood District Council consultations, Councillor Merry highlighted his membership of that Council's Planning Committee.

RESOLVED 2012/023

That the report be noted.

RESPONSE TO PETITION TO FULL COUNCIL REGARDING A FURTHER WAR MEMORIAL IN KEYWORTH

RESOLVED 2012/024

- 1) That the work undertaken to develop the Local Improvement Scheme project and the revised project to restore and enhance the existing memorial gates be noted.

- 2) That a response be sent to the petition organiser to notify them that there is no project to build another war memorial in Keyworth.

MINERALS LOCAL PLAN PROJECT WORKING GROUP

Members requested legal advice on any possible conflicts of interests between membership of this working group and the County Council's Planning and Licensing Committee.

RESOLVED 2012/025

That a cross party Member project group be established and representatives sought.

WORK PROGRAMME

RESOLVED 2012/026

That the Committee's work programme be noted.

The meeting closed at 12.12 pm.

CHAIRMAN

M_27Sep12

30 October 2012**Agenda Item: 4****REPORT OF GROUP MANAGER, PLANNING****Nottinghamshire Minerals Local Plan - Local Aggregates Assessment****Purpose of the Report**

1. To inform Committee of the approach adopted in the Local Aggregates Assessment (LAA) for the Nottinghamshire Minerals Local Plan. The LAA includes detailed information on the production of aggregate minerals over the last 10 years and sets out recommended apportionment figures for future sand and gravel, Sherwood Sandstone and limestone production.

Information and Advice

2. As a Minerals and Waste Planning Authority, Nottinghamshire County Council is required to prepare a Minerals Local Plan against which applications for minerals development can be assessed. As part of the preparation of the new Plan, apportionment figures for aggregate minerals need to be set to ensure that a steady and adequate supply of minerals can be provided over the plan period.
3. The process of determining local apportionments was based on national and regional aggregate demand forecasts published by central Government. The regional demand forecasts were then split, based on advice from the East Midlands Aggregate Working Party before being tested through the East Midlands Regional Spatial Strategy. The local apportionments were then adopted in the Minerals Local Plan. The last draft apportionment figures were published in 2009.
4. Since the draft apportionment figures were published, the planning system has changed considerably. Firstly the Localism Act, 2011 has all but abolished the Regional Spatial Strategy and secondly the National Planning Policy Framework (NPPF) published in March 2012 has introduced new planning guidance.
5. The NPPF has introduced a requirement for Mineral Planning Authorities (MPA) to produce a Local Aggregates Assessment (LAA) which will identify locally derived apportionment figures based on an average of 10 years sales data and other relevant local information.
6. The framework also requires MPAs to continue to participate in an Aggregate Working Party (AWP); for Nottinghamshire this is the East Midlands AWP, and take advice from the group when preparing their LAA.

Local approach to apportionment

7. The NPPF states that as well as using the 10 year average sales figures, MPAs should take account of any local considerations when developing their apportionments. This could for example include significant house or road building, new infrastructure for major projects or issues such as the exploitation of major new resources or resource depletion affecting future output.
8. By far the greatest planning issue for Nottinghamshire is the long term provision of sand and gravel over the plan period. Nottinghamshire is a nationally and regionally important source of high quality mineral, exporting just over half of all extracted. Sherwood Sandstone and limestone is also worked.
9. Draft apportionment figures for all aggregates were agreed in 2009 and it was intended to include these in the revised Regional Spatial Strategy (RSS). However the RSS was never progressed and has since been superseded. The figures used to calculate those apportionments were based on a period of economic growth which produced high future apportionment figures.
10. The LAA apportionment figures below are based on the methodology as set out in the NPPF.

Sand and gravel production

11. Since the beginning of the current recession in 2007, sand and gravel production has fallen sharply, both nationally and locally. In Nottinghamshire sand and gravel production fell to 1.59 million tonnes in 2010, its lowest level since records began in 1973. This has resulted in the LAA apportionment figure being much lower than the previous Draft RSS figure. See Table 1
12. Using the LAA figure would mean that the apportionment is much closer to actual production levels and that the sand and gravel shortfall over the plan period would fall from approximately 46 million tonnes (2009 apportionment) to approximately 32 million tonnes (LAA apportionment). This reduction would enable greater opportunity to select the best and most suitable sites to meet demand over the plan period.

Sherwood Sandstone

13. Sherwood Sandstone production is much lower than sand and gravel as it is used in more specialist markets. Production has slowly declined since the mid 1990s and is below the current apportionment. As with sand and gravel, production fell significantly from 2007 due to the recession. Table 1 sets out the apportionment figures for comparison
14. Given the declining output of Sherwood Sandstone, adopting the lower LAA figure would mean that the apportionment figure is much better matched to actual production levels. The shortfall over the plan period would fall from 4.56 million tonnes (2009 apportionment) to 2.36 million tonnes (LAA apportionment).

Limestone

15. Limestone is only worked from one quarry in Nottinghamshire at Nether Langwith. Production has been very low partly due to the seasonal working of the site and the abundance of limestone in Derbyshire and Leicestershire. The LAA figure is lower than the 2009 figure and would result in there being no shortfall over the plan period.

Alternative aggregates

16. Alternative aggregates comprise of recycled and secondary materials and include construction and demolition waste, asphalt road planings and Desulphogypsum (DSG) from power stations.
17. Since 1980 there has been a significant national increase in alternative aggregate production rising from 20 million tonnes to 71 million tonnes by 2007. It is estimated that alternative aggregates make up around 25% of total aggregate use – three times higher than the European average.
18. The LAA includes data on national and regional figures although comprehensive local figures are very limited. National guidance promotes the use of alternative aggregates however there are no requirements to set a local apportionment figure.

Table 1 Comparison of annual apportionment and shortfall figures over the plan period for aggregate minerals (million tonnes)

	LAA		Current Minerals Local Plan		Draft 2009	
	Annual Apportionment	Shortfall (surplus) over plan period	Annual Apportionment	Shortfall (surplus) over plan period	Annual Apportionment	Shortfall (surplus) over plan period
Sand and gravel	2.58	32	2.65	34	3.25	46
Sherwood Sandstone	0.46	2.36	0.7	7.16	0.57	4.56
Limestone	0.08	(1.75)	0.26	1.85	0.10	(1.35)

Other local factors

19. To ensure that the figures contained in the LAA adequately reflect local circumstances, the following issues were also considered.

Future house building and Population forecasts.

20. Over the plan period, a slow and steady increase in population and house building is expected to take place. Both of these will require a continued supply of aggregates but it is

anticipated that demand can be met within the LAA apportionment forecast level. Therefore no additional mineral will be needed.

Major Transport projects -A453 upgrade and Nottingham Express Transport (NET) Phase Two

21. The A453 improvement scheme is likely to increase the demand for aggregate minerals over the short to medium term; however the local impact of this it is likely to be limited given the location of the project. Aggregate mineral, particularly crushed rock will predominantly come from Derbyshire and Leicestershire as they are major producers. Sand and gravel could also come from these counties as reserves are closer than many of those in Nottinghamshire.
22. NET Phase Two will increase demand for aggregate minerals over the short term, however the construction phase is expected to be completed by the end of 2014 which is likely to fall at the start of the new plan period.

Targeted consultation

23. In order to ensure that the approach adopted in the LAA is the most appropriate, targeted consultation will be undertaken with the East Midlands Aggregate Working Party, other Mineral Planning Authorities and the minerals industry before the apportionment figures are included in the Minerals Local Plan - Preferred Approach consultation document.

Conclusion

24. Based on the local evidence available and the methodology set out in the NPPF, the Local Aggregates Assessment sets out a robust approach to the development of apportionment figures to be taken forward into the new Minerals Local Plan. This will provide adequate levels of aggregate minerals to meet demand over the plan period.

Other options considered

25. None, the NPPF requires Mineral Planning Authorities to produce a Local Aggregates Assessment.

Reason for recommendation

26. The production of the Minerals Local Plan is a statutory function of the County Council, the Plan should reflect the priorities of the County Council and fulfil national planning policy.

Recommendation

1. The Committee approve the approach set out in the Nottinghamshire Minerals Local Plan Local Aggregates Assessment.
2. The Committee give approval for targeted consultation with the Aggregates Working Party, other MPAs and the minerals industry.

Sally Gill

Group Manager Planning

For any enquiries about this report please contact:

Steven Osborne-James, Senior Planning Officer, 0115 9772109

Constitutional Comments (CEH 04.10.12)

The recommendations set out in the report to be decided fall within the remit of the Environment and Sustainability Committee.

Financial Comments (DJK 04.10.12)

The contents of this report are duly noted; there are no financial implications arising.

Appendices

Appendix 1 - Nottinghamshire Minerals Local Plan –Local Aggregates Assessment

Electoral Division(s) and Member(s) Affected

Whole County

Nottinghamshire Minerals Local Plan

Local Aggregates Assessment

October 2012

Index

1.	Introduction	1
2.	Aggregates in Nottinghamshire	3
	Primary aggregates.....	3
	Alternative aggregates	5
3.	Local production	7
	Sand and gravel.....	7
	Sherwood Sandstone.....	9
	Aggregate Limestone	13
	Alternative aggregates	14
4.	Calculating future aggregate apportionments	16
5.	Local approach to apportionment	18
	Sand and gravel.....	18
	Sherwood Sandstone.....	21
	Limestone	22

1. Introduction

- 1.1 The requirement to prepare a Local Aggregates Assessment (LAA) was introduced through the publication of the National Planning Policy Framework in March 2012. The purpose of the LAA is to enable Minerals Planning Authorities to identify local apportionments for all aggregate minerals in their area.
- 1.2 The apportionment figures will then be incorporated into the emerging Nottinghamshire Minerals Local Plan to inform the strategy and to enable Nottinghamshire County Council to plan for a steady and adequate supply of minerals over the plan period to 2030.
- 1.3 The LAA will be updated annually to enable the authority to monitor production figures and ensure that adequate reserves are maintained.
- 1.4 A suite of background papers focusing on each individual mineral has also been produced to support the Minerals Local Plan:

Background papers – specific minerals

- Aggregates - sand and gravel, options for meeting shortfalls
- Aggregates - Sherwood Sandstone, options for meeting shortfalls
- Aggregates – Limestone (crushed rock), options for future provision
- Alternative aggregates
- Brick clay
- Gypsum
- Building stone
- Industrial dolomite
- Silica sand
- Coal
- Hydrocarbons – oil and gas

Background papers – other issues

- Minerals safeguarding
- Biodiversity
- Landscape character
- Archaeology
- Development management policies

Technical reports

- Sustainability Appraisal – scoping report
- Strategic Flood Risk Assessment

- Habitats Regulations Assessment

All of the above documents are available on our website:
www.nottinghamshire.gov.uk/minerals

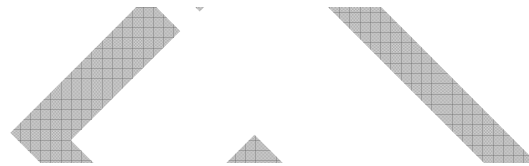
2. Aggregates in Nottinghamshire

2.1 Aggregates account for around 90% of minerals used in construction and are essential in maintaining the physical framework of buildings and infrastructure on which our society depends. Aggregates are usually defined as hard granular materials and include sand and gravel, Sherwood Sandstone and limestone. Their main uses include concrete, mortar, roadstone, asphalt, railway ballast, drainage courses and bulk fill.

2.2 Nottinghamshire's geology gives rise to the following primary aggregate minerals and is set out on plan 1.

Primary aggregates

Sand and gravel



2.3 Important alluvial (river) sand and gravel deposits are found in the Trent and the Idle Valleys which have made Nottinghamshire the largest sand and gravel producing area in the East Midlands. Limited extraction also occurs in glaciofluvial sand and gravel deposits near East Leake. Sand and gravel is mainly used in ready mixed concrete production, although Notts reserves are particularly valuable because they meet high strength concrete specifications as the gravel is made up of quartzite.

Sherwood Sandstone



2.4 Although defined as sandstone, this rock formation rapidly breaks down to sand when extracted. The Sandstone occurs as a broad north-south belt stretching from the border with South Yorkshire, southwards to Nottingham. The mineral is mainly used to produce asphaltting and mortar sand. There is relatively little overlap with the uses that the alluvial and glacial sand and gravels are put to. The Sherwood Sandstone is also used for non-aggregate industrial and other specialist end-uses, the future requirements of which are considered in the background paper on Sherwood Sandstone.

Magnesian Limestone

2.5 This resource occurs as a relatively narrow belt to the west of the Sherwood Sandstone. This outcrop comprises the southernmost limits of the UK's second largest limestone resource that extends from the Durham coast through Yorkshire into Derbyshire and Nottinghamshire. Limestone suitable for use as an aggregate is only found in the Mansfield area and to the north where the mineral is used mainly as a road sub-base material although some mineral is of industrial grade quality. Production is relatively small scale and the lowest in the East Midlands. Around Linby the limestone is suitable for building and ornamental

purposes, although aggregates can be produced as a by-product of utilising reject building stone. The future requirements and issues for building and industrial limestone are considered in the background paper on Limestone.

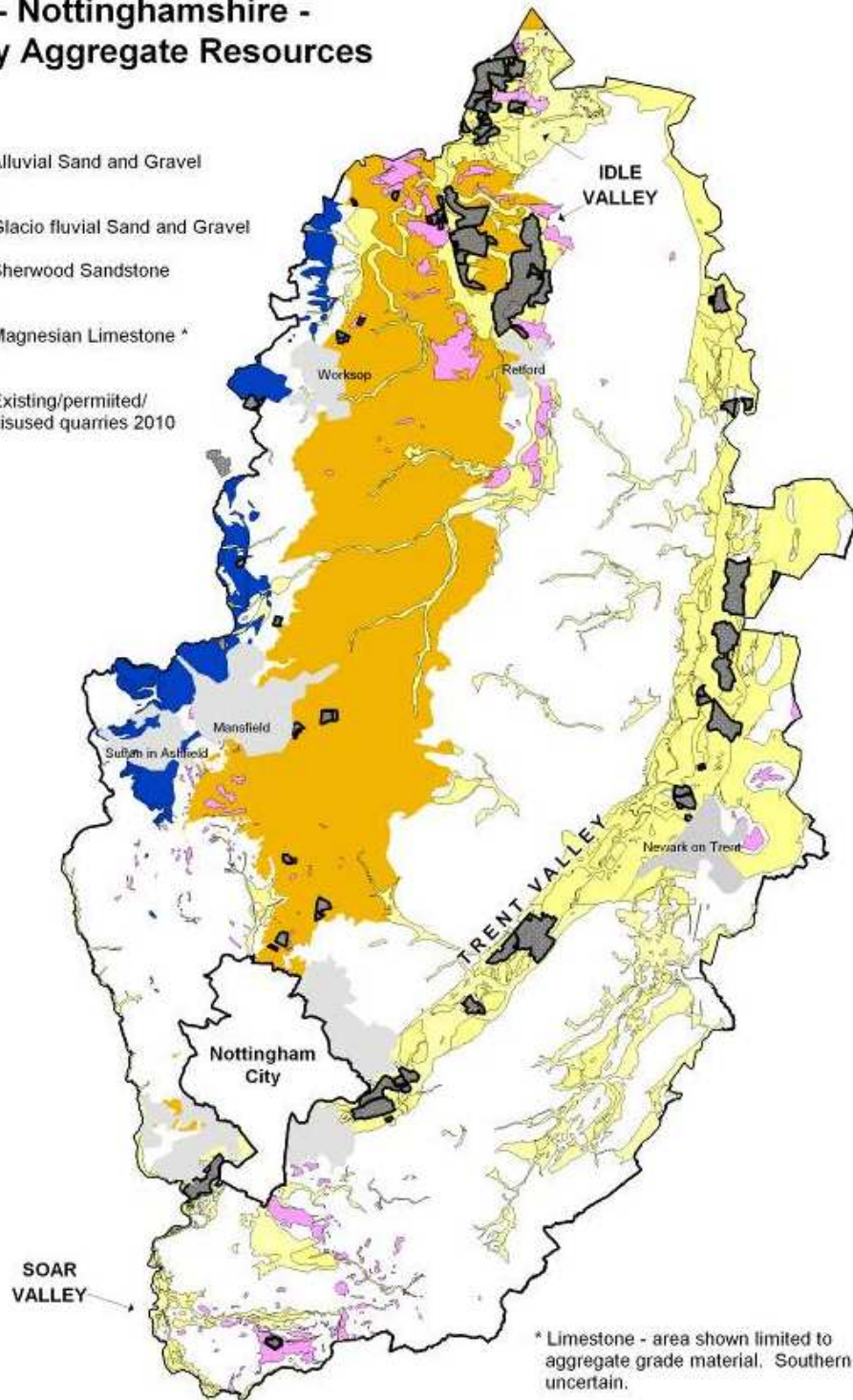
Plan 1 Location of aggregate minerals in Nottinghamshire



Plan 1 - Nottinghamshire - Primary Aggregate Resources

Key

- Alluvial Sand and Gravel
- Glacio fluvial Sand and Gravel
- Sherwood Sandstone
- Magnesian Limestone *
- Existing/permited/
disused quarries 2010



* Limestone - area shown limited to aggregate grade material. Southern limit uncertain.

* Alluvial Sand and Gravel - minor tributaries and glaciofluvial - economic potential limited.

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Alternative aggregates

- 2.6 Alternative aggregates comprise secondary and recycled materials, although these terms are often used interchangeably. Recycled aggregates are materials that have been used previously and include construction and demolition waste, asphalt road planings and used railway ballast. Secondary aggregates are by-products of other processes that have not been previously used as aggregates. They include colliery spoil, china clay waste, slate waste, power station ashes, blast furnace and steel slag, incinerator ashes and foundry sands.
- 2.7 Alternative aggregates are currently most widely used in lower grade applications such as bulk fill. However, the range of uses is widening due to advances in technology and the increasing economic incentive to use them instead of primary aggregates (see background paper on future aggregate requirements for definitions and more detail on primary aggregates).
- 2.8 In Nottinghamshire, sources of alternative aggregates include construction and demolition waste, power station ash, river dredgings, road planings and rail ballast.

DRAFT

3. Local production

Sand and gravel

- 3.1 Historically sand and gravel production in Nottinghamshire has been characterised by significant peaks and troughs as it mirrors periods of economic growth and recession. (fig 1). From 2001 production remained relatively stable increasing to a high of 3.41 million tonnes before steadily declining over the following years, but still remaining above the existing apportionment of 2.65mt. Production fell sharply from 2007 onwards in response to the current recession (in line with the national output) falling to just 1.27 million tonnes in 2009. This was a result of both the recession and production at Finningley quarry temporarily moving across the county boundary into Doncaster. Extraction restarted at Finningley quarry (Nottinghamshire) in 2010 but total output only increased to 1.59 million tonnes representing the lowest production figure since records began in 1973. Production in 2011 increased slightly to 1.71 million tonnes. (Fig 2)

Fig 1 Historic sand and gravel production, 1973-2011 (million tonnes)

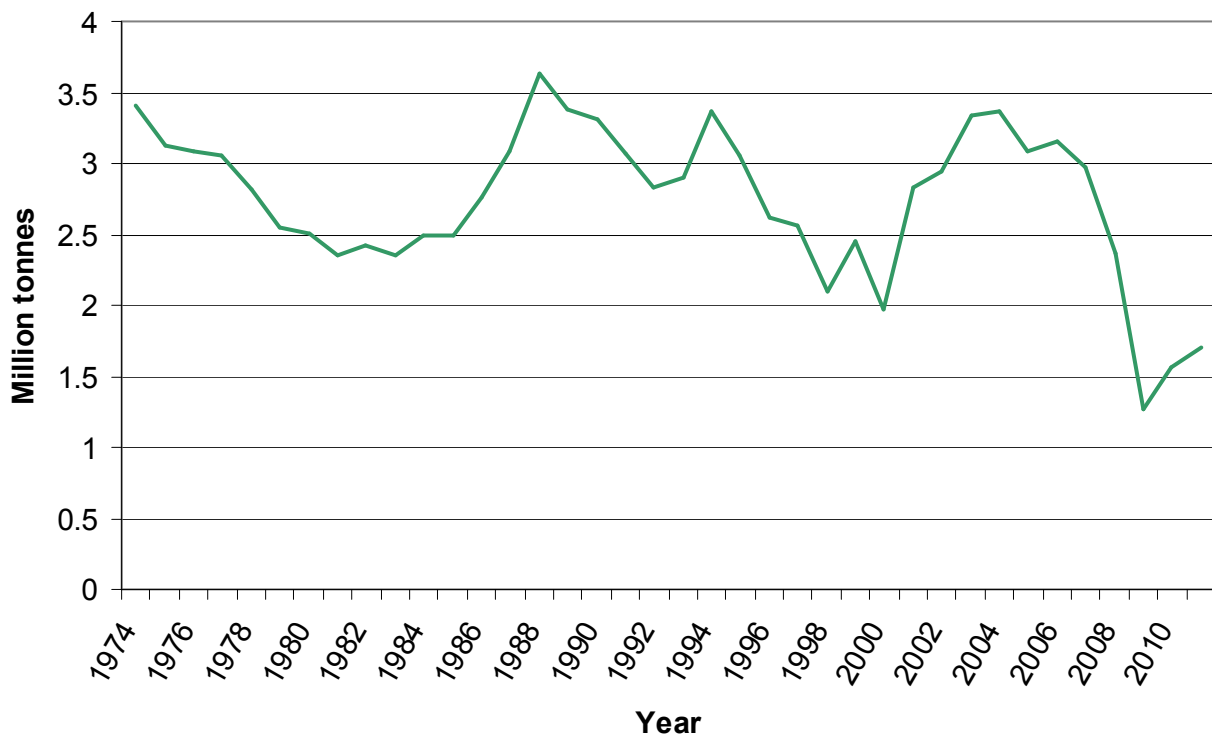
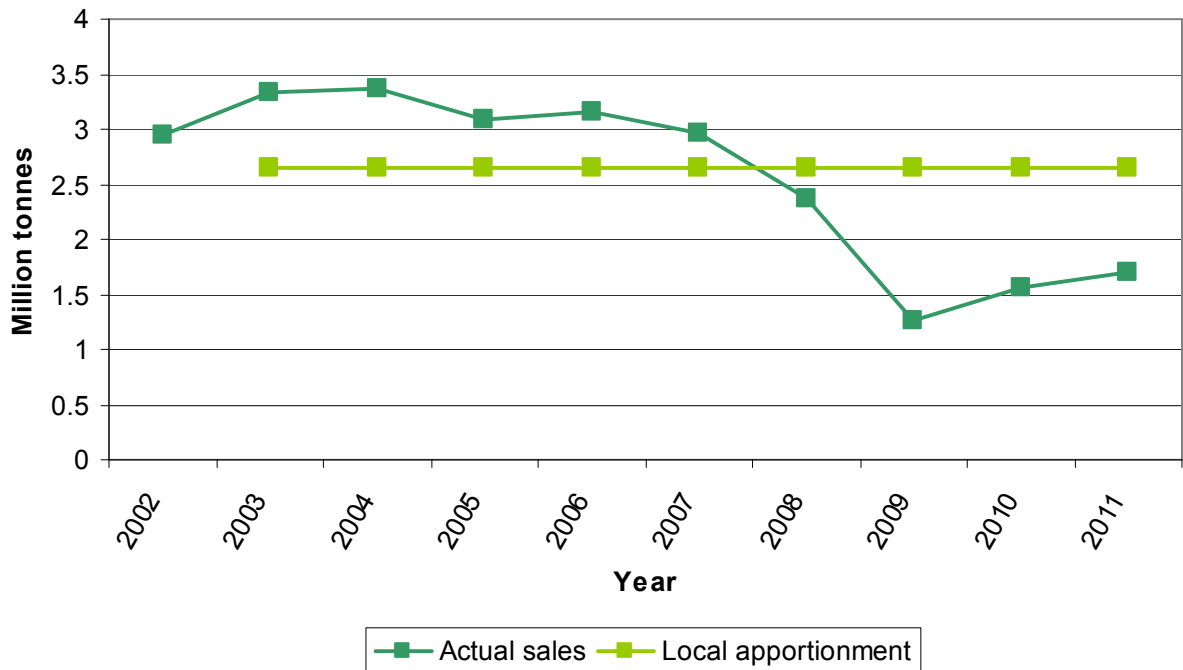


Fig 2 Recent sand and gravel production, 2001-2011 (million tonnes)



Year	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Production (Million tonnes)	2.95	3.34	3.37	3.08	3.15	2.97	2.37	1.27	1.56	1.71

Resources and landbank

- 3.2 Currently there are 13 permitted sand and gravel sites although at present only 10 are being worked. A combination of falling sales and new reserves being permitted in recent years has increased the landbank above the minimum 7 year minimum after it fell to 5.5 years in 2007. In 2011 the landbank stood at 7.28 years equal to 19.3 million tonnes

Table 1 Permitted sand and gravel quarries in Nottinghamshire

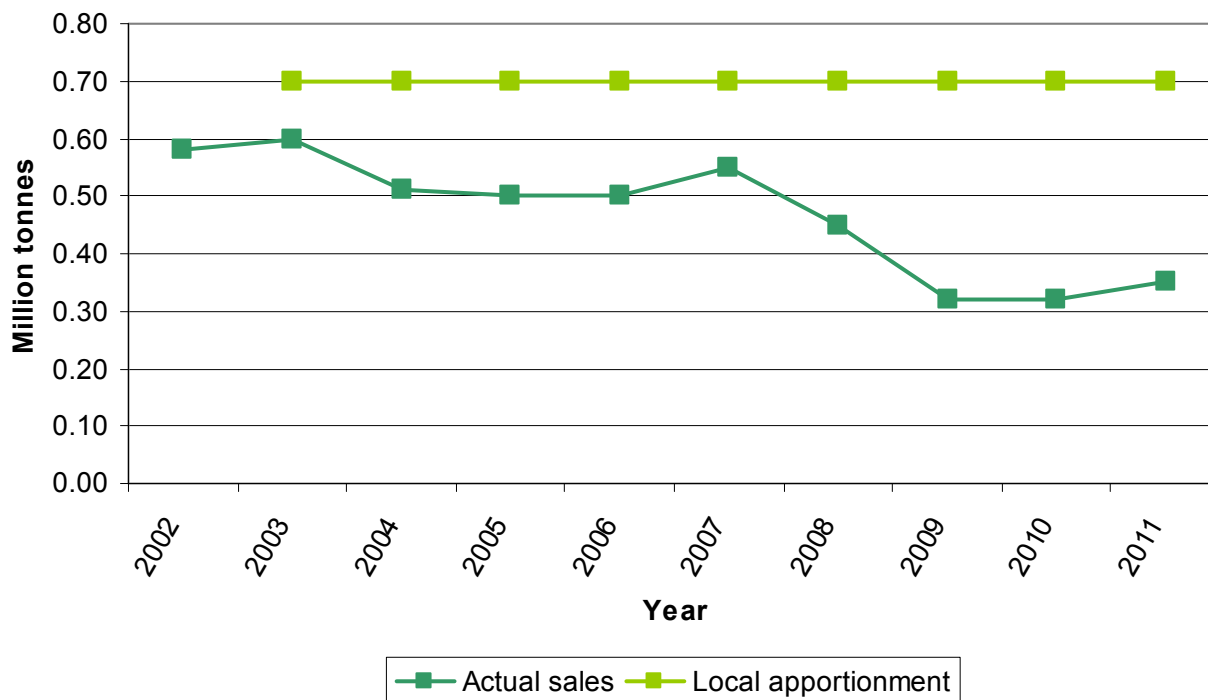
Site	Operator	Status
Langford Lowfields	Tarmac	Active
Girton	Tarmac	Active
Besthorpe	Lafarge	Active
Sturton Le Steeple	Lafarge	Yet to be worked
East Leake	CEMEX	Active
Cromwell	CEMEX	Yet to be worked
Lound/Blaco Hill	Tarmac	Active
Misson West	Hanson	Active

Misson Newington	Hanson	Active
Scrooby	Rotherham Sand & Gravel	Active
Mattersey	Rotherham Sand & Gravel	Dormant
Finningley	Lafarge	Active
Misson Bawtry Road	Rowley	Active

Sherwood Sandstone

- 3.3 Historically Sherwood Sandstone production has been much lower than sand and gravel production as it is generally used in different, more specialist markets. Production has slowly declined since the mid 1990's and has been below the current apportionment of 0.7mt since it was introduced in 2003. Between 2001 and 2007 it remained relatively stable but as with sand and gravel, output fell significantly from 2008 onwards to record lows of just 0.32mt in 2009 and 2010 as a result of the recession. Output increased slightly in 2011 to 0.35mt.

Fig 3 Recent Sherwood Sandstone production, 2001-2011 (million tonnes)



Year	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Production (million tonnes)	0.58	0.60	0.51	0.50	0.50	0.55	0.45	0.32	0.32	0.35

- 3.4 There are seven permitted Sherwood Sandstone quarries although at present only six are being worked.

Table 2 Permitted Sherwood Sandstone quarries in Nottinghamshire

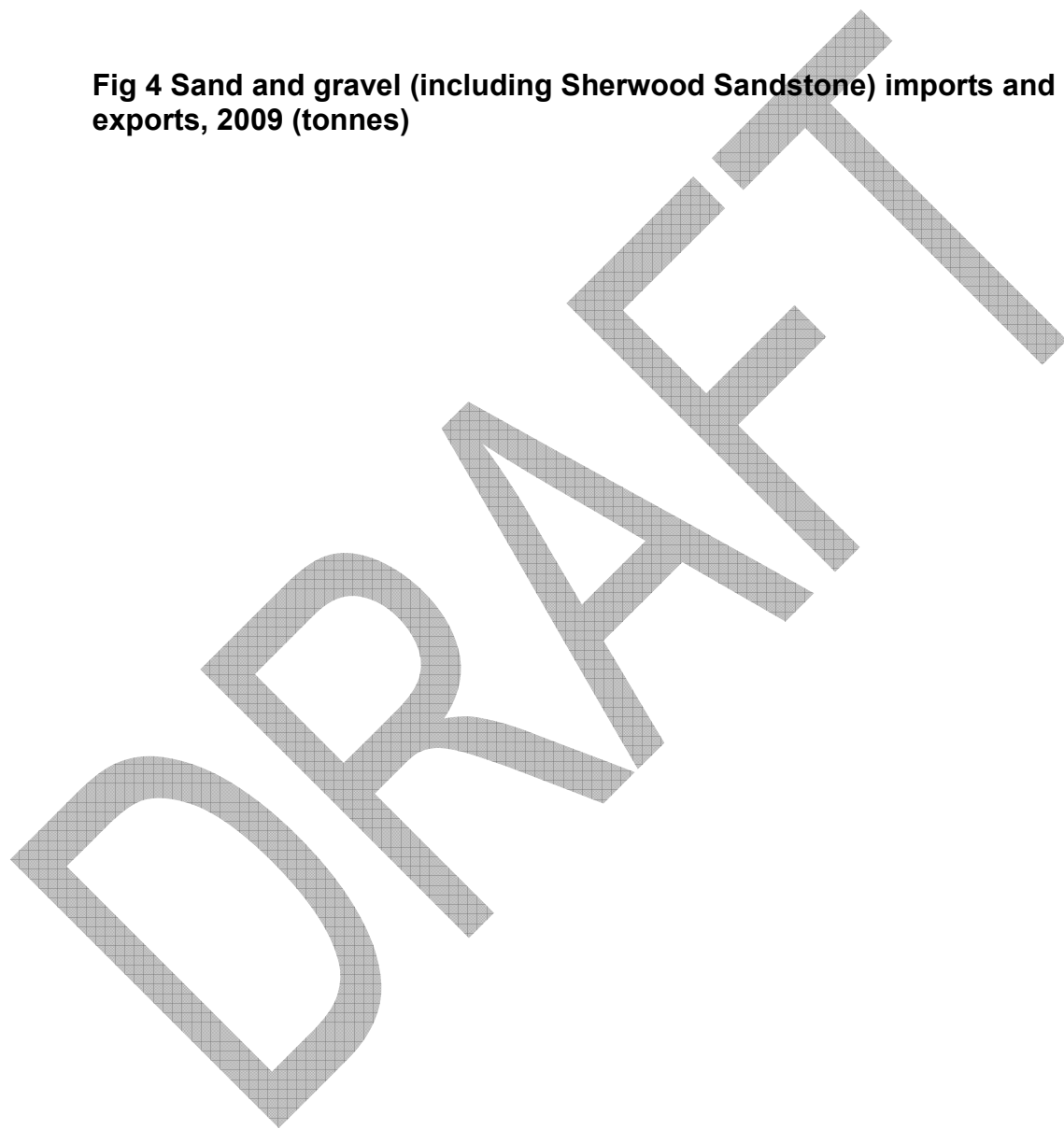
Site	Operator	Status
Burntstump	Tarmac	Active
Bestwood 2	Tarmac	Active
Carlton Forest	Tarmac	Active
Ratcherhill	Mansfield Sand Company	Active
Rufford	Desert Aggregates Limited	Active
Scrooby Top	Rotherham Sand & Gravel	Active
Serlby	Rotherham Sand & Gravel	Dormant

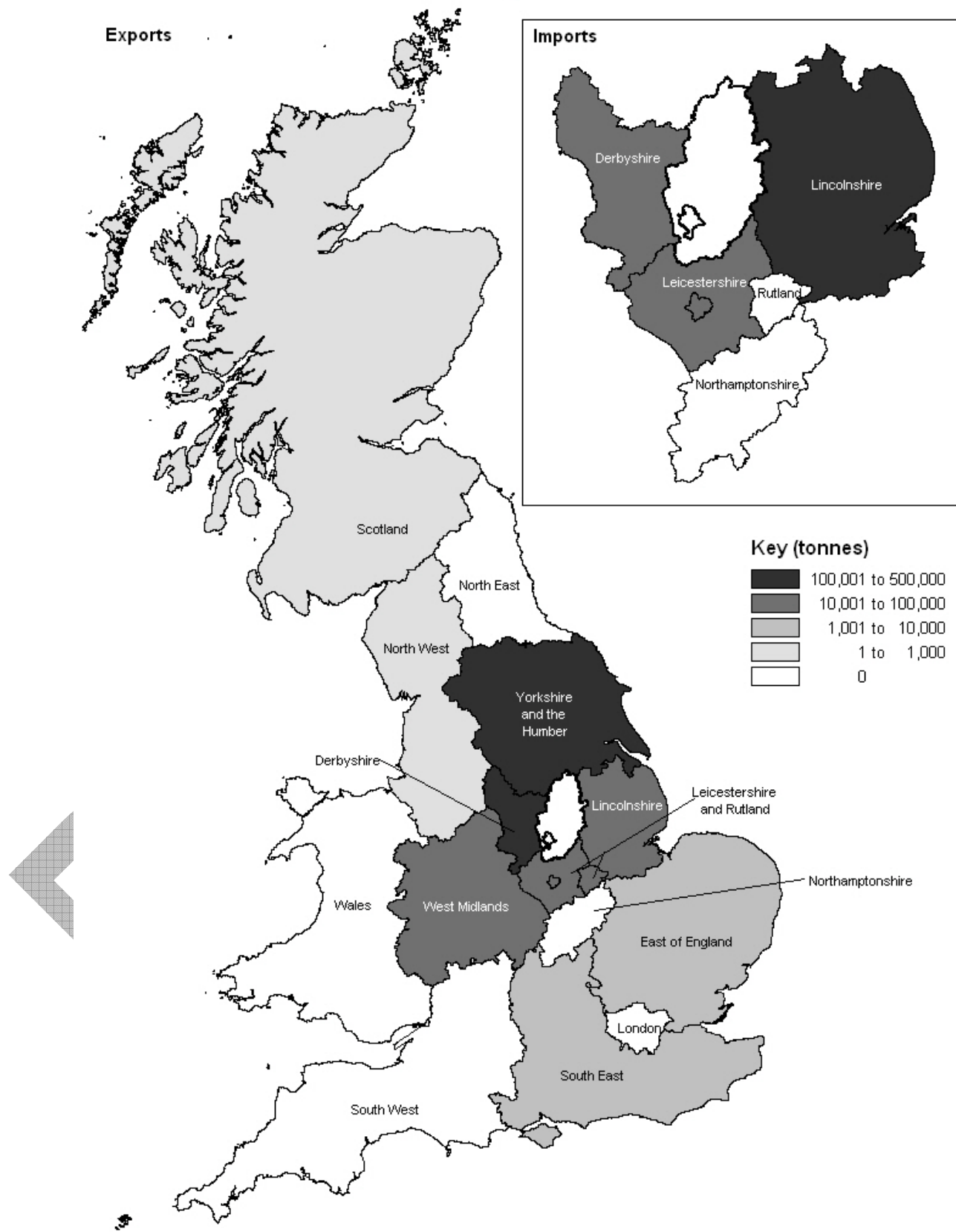
- 3.5 The Sherwood Sandstone landbank has remained well above the seven year minimum standing at 11.3 years in 2011 equating to 6.8mt although reserves are unevenly distributed between quarries.

Imports and Exports of sand and gravel (including sherwood sandstone)

- 3.6 Our imports of sand and gravel (including sherwood sandstone) from the East Midlands are very small in comparison to the amount extracted from our own quarries (250,000 tonnes compared to 1.60 million tonnes in 2009). It is likely that these imports supply markets close to the county boundary.
- 3.7 In 2009 52% of the sand and gravel (including sherwood sandstone) extracted in Nottinghamshire was exported out of the county (comprising of 22% to the East Midlands and 30% elsewhere). This is in part due to the high strength quartzite gravel that meets the specifications for making high strength concrete. The main export markets are South Yorkshire and neighbouring authorities in the East Midlands although some is transported a much greater distance.
- 3.8 The 2009 figures are the most up to date information as this was the last full survey undertaken by the then Regional Aggregate Working Party. Within this survey, export and import figures do not include a breakdown for sherwood sandstone, hence the combined assessment in this report.

Fig 4 Sand and gravel (including Sherwood Sandstone) imports and exports, 2009 (tonnes)

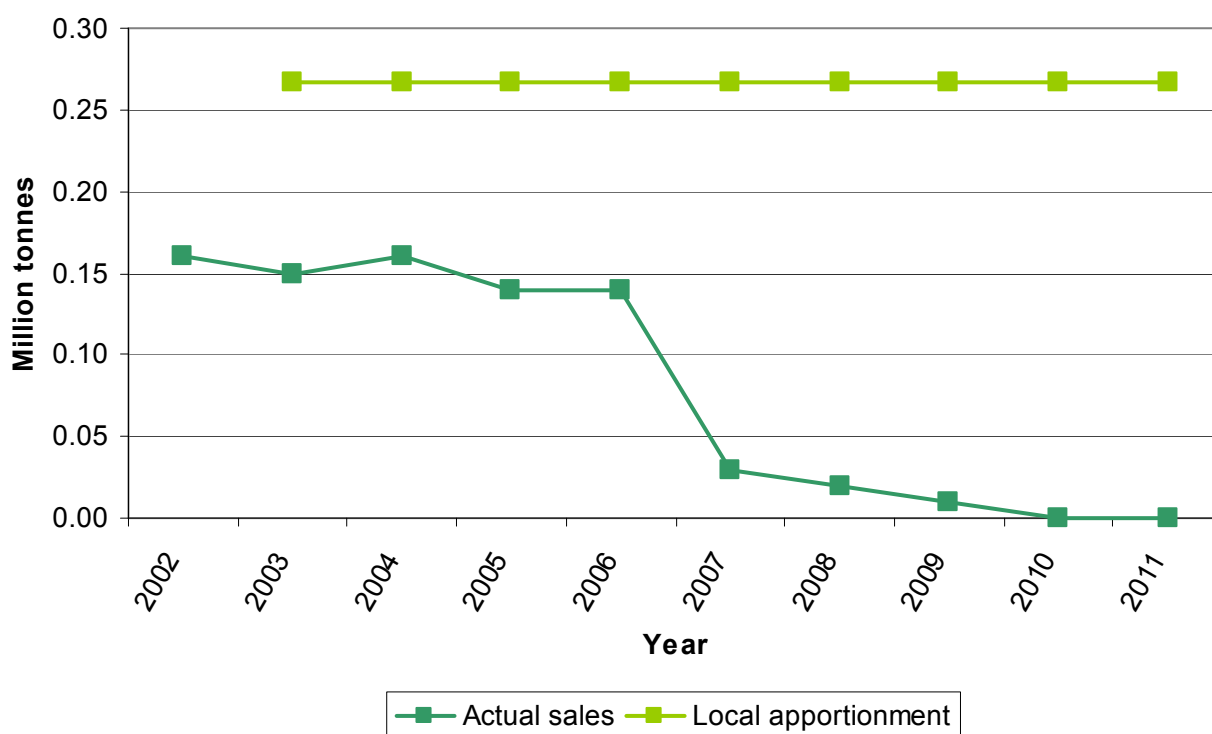




Aggregate Limestone

- 3.9 Limestone production in Nottinghamshire has been low by regional standards and over the last ten years has been well below the apportionment figure. Production increased between 2002 and 2007 before falling back to very low levels. In 2010 and 2011 zero output was recorded. Nottinghamshire only has one dedicated aggregate quarry (at Nether Langwith) and is only worked seasonally as it serves as a satellite to a much larger quarry in Derbyshire. This reflects the lack of limestone found in the county. Some aggregate is also produced from reject stone at a building stone quarry although this is small.

Fig 5 Recent aggregate limestone production, 2001-2011 (million tonnes)

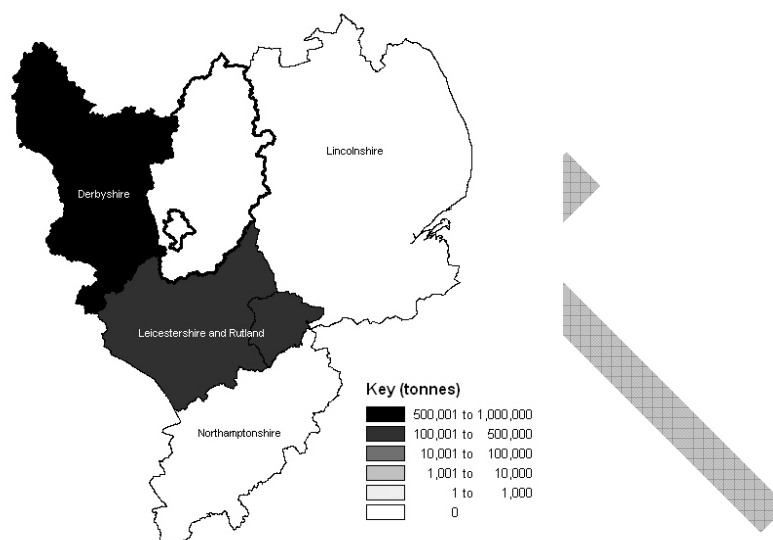


Year	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Production (million tonnes)	0.16	0.15	0.16	0.14	0.14	0.03	0.02	0.01	0.0	0.0

Imports and exports

- 3.10 Limestone resources in Nottinghamshire are relatively limited therefore the majority of limestone used is imported from Derbyshire and Leicestershire. No mineral was exported at the time of the last survey in 2009.

Fig 6 Aggregate limestone imports, 2009 (tonnes)



Alternative aggregates

- 3.11 Production figures for alternative aggregates are limited to national estimates. Since 1980 there has been a significant increase in annual alternative aggregate production in Great Britain, rising from 20 million tonnes to 71 million tonnes by 2007. It is estimated that alternative aggregates currently make up around 25% of aggregate use. This proportion is three times higher than the European average.
- 3.12 Current forecasts for the East Midlands suggest an annual production of 6.8 million tonnes per annum up to 2020.
- 3.13 Local data for alternative aggregates is very limited however the main types of alternative aggregates in Nottinghamshire are set out below:

Power station ash

- 3.14 Nottinghamshire has three power stations which produce furnace bottom ash and pulverised fuel ash. In total around 1.7 million tonnes of ash is produced each year. The main use is in the production of building blocks, cement or as a secondary aggregate.

Construction and demolition waste

- 3.15 National estimates suggest that around 80-90% of construction and demolition waste is re-used or recycled, a large proportion of which usually occurs on site within the same development using mobile processing plants.
- 3.16 There are no local figures but estimates suggest that around 1 million tonnes was produced in 2010/11. There is also a number of permanent recycling facilities that have a total capacity of around 430,000 tonnes per annum.

Used rail ballast crushing

- 3.17 Worn out rail ballast is taken by rail to recycling centres for crushing into aggregate. As this material comprises high quality limestone or granite it can be re-processed for high-grade uses. In Nottinghamshire there is a railway ballast recycling centre at Toton railway sidings in Stapleford with an annual output of between 100,000 -200,000 tonnes.
- 3.18 Further information is included in the background paper on alternative minerals and also in the Waste Core Strategy Documents.

4. Calculating future aggregate apportionments

- 4.1 The supply of land-won aggregate in England has traditionally been based on the Managed Aggregate Supply System (MASS) which assists Mineral Planning Authorities in planning for a steady and balanced supply of aggregates. The MASS is based on national and regional guidelines for aggregate provision published by the Government. The latest guidelines were published in 2009 and cover the period 2005 – 2020.
- 4.2 The regional apportionments, guidance and policies for aggregates were delivered through the East Midlands Regional Spatial Strategy based on advice provided by the East Midlands Aggregate Working Party – which comprises industry, MPA and Government representatives.
- 4.3 Since the 2009 apportionment figures were published, the planning system has gone through considerable change. Firstly the Localism Act, published in 2011 has all but abolished the Regional Spatial Strategy and secondly the National Planning Policy Framework (NPPF) published in March 2012, has significantly reduced the amount of national planning guidance.
- 4.4 Although the planning system has changed significantly, the main thrust for minerals planning has remained the same in that each Mineral Planning Authority (MPA) must plan to “provide a steady and adequate supply of minerals to meet demand over the plan period”.
- 4.5 Under the NPPF MPAs will now need to calculate their own apportionment figures using an average of 10 years sales data and other relevant information and should be set out in an annually produced Local Aggregates Assessment.
- 4.6 The NPPF states that authorities should still participate in an Aggregate Working Party (AWP) and take advice from the party when preparing their LAA, although at present it is unclear as to the role and scope of the East Midlands AWP now that the Regional Spatial Strategy is in the process of being revoked.
- 4.7 Calculating apportionments on the basis of average sales over a 10 year period takes into account periods of slow and high economic growth experienced through economic cycles and smoothes out any peaks and troughs. The figures for Nottinghamshire are set out in table 3

Table 3 NPPF 10 year averages for Nottinghamshire

Mineral	NPPF 10 year average (million tonnes)
Sand and gravel	2.58
Sherwood	0.46

Sandstone	
Limestone	0.08

- 4.8 The contribution secondary/ recycled aggregates make to future primary aggregate demand has traditionally been taken into account when the national and regional forecasts have been developed and therefore no specific figure needs to be taken off any apportionment to account for this.

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5. Local approach to apportionment

- 5.1 The NPPF states that as well as using the 10 year average sales figures, MPAs should take account of any local considerations when developing their apportionments. This could for example include significant house or road building, new infrastructure for major projects (such as the recent Olympics in London) or issues such as the exploitation of major new resources or resource depletion affecting future output. Once any issues have been identified they can be factored into the apportionment figures where necessary.
- 5.2 By far the greatest planning issue for Nottinghamshire is the long term provision of sand and gravel over the plan period and is set out below. Sherwood Sandstone and Limestone present fewer issues due to the much lower output and are considered later.

Sand and gravel

- 5.3 The new plan provision for sand and gravel should be based on the NPPF apportionment, however two previous methodologies exist and these can be compared with the NPPF figure to present a context:
1. The current apportionment of 2.65 million tonnes set by the Regional Spatial Strategy and included in current minerals plan.
 2. The 2009 draft figure of 3.25 million tonnes. This figure was agreed through the Regional Aggregate Working Party and was intended to be included in the revised Regional Spatial Strategy (RSS). However the revised RSS never progressed so this figure has not been tested and included in any plan. It has since been replaced by the NPPF methodology.

Table 4: Comparison of apportionments

	NPPF 10 year average	Current Minerals Local Plan apportionment	Draft 2009 apportionment
Sand and gravel (million tonnes)	2.58	2.65	3.25

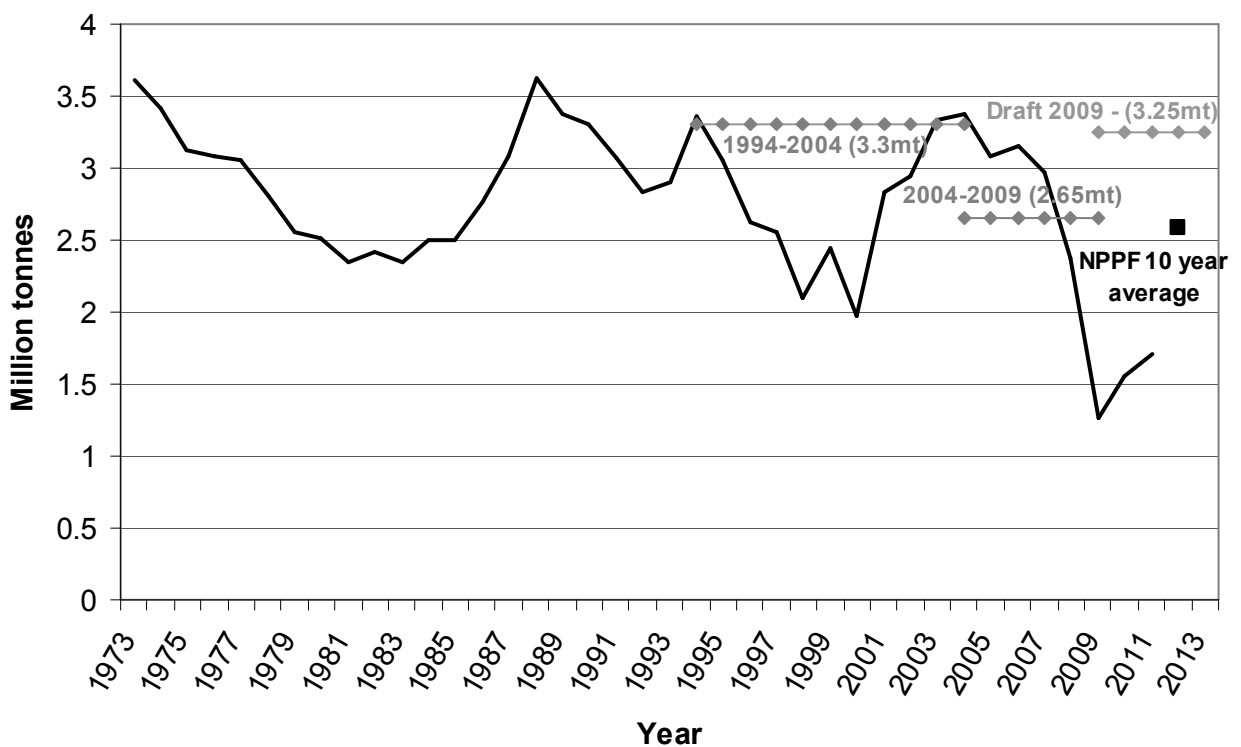
How appropriate is using the NPPF methodology to determine the amount of sand and gravel to be provided over the plan period?

- 5.4 As can be seen in table 4 the NPPF figure is slightly lower than the current apportionment but approximately 25% below the draft 2009 apportionment figure.

5.5 In deciding whether the NPPF figure is appropriate there are several factors that should be taken into account.

1. The NPPF figure includes a period of high output up to 2008 as well as the severe recession since, ensuring a balanced approach to future provision.
2. The 2009 apportionment does not reflect the recent economic downturn, and is higher than the 10 year rolling sales average over the last 30 years.
3. The NPPF figure is little different from the current apportionment, which accounted for a period of lower production (although not as low as the last three years).
4. Production would need to increase significantly over the next 10 years to produce an average figure so far above the NPPF apportionment figure that it could be considered 'out of date'

Fig 7 Comparison of past alluvial sand and gravel production with apportionments, 1973-2013 (million tonnes)



N.B Apportionment data is unavailable pre-1994 as a different system was in place before this date

5.6 On the face of it the NPPF figure therefore tries to address both the periods of growth and recession and produce a stable and robust figure for future planning.

Other factors to take account of over the plan period

- 5.7 In order to understand if the proposed NPPF figure is the most suitable approach for the Minerals Local Plan to adopt, a broad range of issues need to be assessed which may influence future local demand. This include population forecasts, house building projections, new road construction or other large building projects.

Population forecasts

- 5.8 The population of Nottinghamshire (the Geographic County, including Nottingham City) is expected to grow over the plan period by almost 140,000 to about 1.23m; a rate of around 13%. Theoretically it is likely that this rate of growth can easily be accommodated in the apportionment figure as it takes into account the large export market for Nottinghamshire aggregates. However it is difficult to make a direct comparison between the figures.

Future house building

- 5.9 Future house building over the plan period will be a significant element of the use of the County's aggregates. Planned levels are high in relation to current and recent past house-building. Consequently the steady growth in planned provision over the plan period, along with the current economic circumstances would suggest a slow and steady increase from current levels towards the planned average figures by the end of the period.
- 5.10 Planned house-building for the County (including Nottinghamshire) is 86,500. This is an annual rate of 4,325, somewhat higher than that achieved over the 10 years to 2010 (3,600).

Major transport projects

1) A453

- 5.11 Work on upgrading the A453 linking Nottingham to Junction 24 of the M1 to a dual carriageway is planned to start in 2014. Given the location of the road it is likely that the scheme will use aggregate mineral from Derbyshire and Leicestershire as well as Nottinghamshire. (Crushed rock in particular is most likely to come from Derbyshire and Leicestershire as there are limited reserves in Nottinghamshire.) The actual source of the minerals will be a commercial decision by the contractors involved in the scheme.

2) Nottingham Express Transit (NET) phase two

- 5.12 Construction is currently underway on NET phase two to Clifton and Beeston. The construction phase is likely to bring about a small, short term increase in

demand for aggregates however construction is expected to be completed by the end of 2014.

Are there adequate reserves to meet demand?

- 5.13 A call for sites has been undertaken which has resulted in sites containing approximately 79 million tonnes of sand and gravel being put forward. The sites put forward have yet to be fully assessed however it is clear that in theory there are adequate reserves to meet the apportionments.
- 5.14 Using the NPPF figure would mean that any shortfall over the plan period would drop to 32 million tonnes from 46 million tonnes for the current apportionment (see Table 5). Thus there would be a greater opportunity for the best and most suitable sites to be selected to best meet demand over the plan period. The specific background papers identify all those sites that have been put forward.

Table 5 Impact of different apportionments on overall alluvial sand and gravel supply (million tonnes)

	Proposed Annual provision	Total provision 2011 - 2030 inclusive	Permitted reserves 21 Dec 2011	Shortfall (surplus) As at 31 December 2030
NPPF	2.58	51.6	19.3	32.3
Adopted figure	2.65	53.0		33.7
Draft RSS figure	3.25	65.0		45.7

Conclusion for Sand and Gravel

- 5.15 Based on current evidence the NPPF 10 year average sales methodology appears to produce a robust set of apportionment figures with no need for any local adjustment.

Sherwood Sandstone

- 5.16 Sherwood Sandstone production is much lower than sand and gravel and historically has been in steady decline. The landbank is also well above the minimum amount required which means that the shortfall over the plan period is likely to be relatively small raising few issues. As with sand and gravel there are two previous apportionment figures that can be compared against the NPPF figure which are included in table 6.
- 5.17 As can be seen in table 7 the NPPF 10 year average figure is significantly below the current and draft 2009 apportionment levels. Compared to the draft RSS figure the projected shortfall would be reduced from 4.56 million tonnes to 2.36

million tonnes. The lower apportionment figure is a result of the declining output over the last 10 years.

Table 7 Impact of different apportionments on overall Sherwood Sandstone supply (million tonnes)

	Proposed Annual provision	Total provision 2011 - 2030 inclusive	Permitted reserves 21 Dec 2011	Shortfall (surplus) As at 31 December 2030
NPPF figure	0.46	9.2		2.36
Adopted figure	0.7	14	6.84	7.16
Draft RSS figure	0.57	11.4		4.56

- 5.18 Other than those highlighted under the sand and gravel section there are currently no further factors that are likely to see production of Sherwood Sandstone increase significantly over the plan period.
- 5.19 In terms of reserves to meet demand a call for sites has been undertaken which has identified x million tonnes. The sites put forward have yet to be fully assessed however it is clear that with such a wealth of capacity in viable sites there are likely to be adequate reserves to meet the apportionments.

Conclusion on Sherwood Sandstone

- 5.20 Based on current evidence the NPPF 10 year average sales methodology appears to produce a robust apportionment figure.



- 5.21 Limestone is only worked from one quarry in Nottinghamshire and production has been very low partly due to the seasonal working of the site and abundance of limestone worked in Derbyshire and Leicestershire. There are two previous apportionment figures for limestone that can be compared to the NPPF figure which are included in table 8.
- 5.22 As can be seen in table 9 the NPPF figure is lower than either the current or draft RSS figure; this reflects the overall decline in production in recent years. The table shows that only the current apportionment would indicate any shortfall in reserves.

Table 9 Impact of different apportionments on overall limestone supply

	Proposed Annual	Total provision	Permitted reserves 21	Shortfall (surplus) As at
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	provision	2011 - 2030 inclusive	Dec 2010	31 December 2030
NPPF figure	0.08	1.6		(1.75)
Adopted figure	0.26	5.2	3.35	1.85
Draft RSS figure	0.10	2		(1.35)

- 5.23 As part of the call for sites, a potential quarry has been put forward at Steetley near Worksop which would directly supply a recently built pre-cast concrete works. This would be in addition to the existing site at Nether Langwith. If the proposed quarry was permitted, and the projected output from the site was achieved it would increase to levels not seen since 1993.

Conclusion

- 5.24 Whilst the potential site at Steetley needs to be taken into account there is no guarantee that the site will be permitted or that the expected output is met. Therefore the NPPF sales methodology appears to produce a robust apportionment figure

DRAFT

30 October 2012**Agenda Item: 5****REPORT OF GROUP MANAGER, PLANNING****ASHFIELD DISTRICT COUNCIL LOCAL PLAN 2010-2023 PREFERRED
APPROACH CONSULTATION****Purpose of the Report**

1. To consider a response to Ashfield District Council (ADC) who are currently consulting on their Local Plan 2010-2023 Preferred Approach on which the County will need to provide detailed comments by the 9th November 2012. This report will be verbally updated at this committee on the 30th October 2012.

Information and Advice***Introduction***

2. The Ashfield Local Plan will be Ashfield District Council's key planning document and performs the following functions, it
 - defines a spatial vision for Ashfield to 2023;
 - sets out a number of objectives to achieve the vision;
 - sets out key strategic policies both for the District and Area Based (split into Hucknall, Kirkby-in-Ashfield and Sutton-in-Ashfield and the villages of Selston, Jacksdale and Underwood);
 - indicates the numbers and locations of new homes to be built over the plan period; and provides policies which will guide the determination of planning applications.
3. ADC have previously held consultations on the review of the ADC Local Plan (2002), these were undertaken as part of the Local Development Framework (LDF) process. Since this there have been significant changes to the way councils undertake planning, most significantly the Government's introduction of the National Planning Policy Framework (NPPF) and the Localism Agenda. As such all councils are now required to produce Local Plans.
4. The ADC Local Plan Preferred Approach relies and builds upon relevant information received from previous rounds of consultation, these include ADC Core Strategy Issues and Options (June 2009), Spatial Growth Options (October 2009) and Core Strategy Preferred Options (March 2010). The County Council has previously commented on these stages.

5. The ADC Local Plan Preferred Approach contains 14 objectives to help it realise its overall vision for the District and these include issues such as economic prosperity, protecting the environment, addressing climate change, housing and being environmentally responsible.

Strategic Policies

6. The ADC Local Plan Preferred Options document contains 3 strategic policies:
- SP1 Sustainable Development Principles – which sets out a general strategy so that new development contributes towards achieving sustainable development;
 - SP2 Strategy for Growth – which sets out that development will primarily be focussed on Hucknall, Kirkby-in-Ashfield and Sutton-in-Ashfield; and
 - SP3 Settlement and Town Centre Hierarchies – that identifies Hucknall, Kirkby-in-Ashfield and Sutton-in-Ashfield as the major centres for growths, with the villages of Selston, Jacksdale and Underwood accommodating a smaller level of growth and the smaller settlement of Teversal supporting limited infill development.

Area Based Policies

7. The ADC Local Plan Preferred Options document contains a number of area based policies, they include anticipated new homes required for the period 2010-2023, employment requirements, town centre priorities and green infrastructure priorities.

Hucknall

8. The Local Plan identifies that 2,284 new dwellings will be provided in Hucknall, principally located at Rolls Royce with no sites being identified for development outside the existing urban boundary. Additional employment land for Hucknall is also identified at Rolls Royce. Town Centre projects include the redevelopment of Piggins Croft, the delivery of the Town Centre Improvement Scheme and improvements to Station Approach. Green Infrastructure priorities include improving links along the Lee Corridor, South Hucknall and Central Hucknall former railway lines.

Kirkby-in-Ashfield and Sutton-in-Ashfield

9. The Local Plan identifies a housing requirement of 4,121 homes for the period 2010-2023 in Kirkby-in-Ashfield and Sutton-in-Ashfield. This will require a number of new housing allocations to be identified. Employment land requirements will be met by existing allocated employment sites.

Selston, Jacksdale and Underwood

10. In Selston, Jacksdale and Underwood 689 new homes have been proposed. This will necessitate amendments to the settlement boundaries and the Green Belt. The emphasis is on retaining existing employment sites with support for economic development appropriate to the character of the villages. The Green Infrastructure priorities include links to and from Kirkby-in-Ashfield, along the Erewash Valley and between Jacksdale and Ironville.

Development Management Policies and Site Allocation Policies

11. The ADC Local Plan Preferred Approach document contains a number of Development Management and Site Allocation Policies that provide the basis for the determination of planning applications, sets out sites that are proposed for development and sites that are proposed to be protected from development or specific aspects of development. These include policies on renewable and low carbon energy generation, water resource management, flood risk, retail, the natural and built environment, design, amenity, traffic and parking and the location of housing and employment development.

Issues for Nottinghamshire County Council

Housing

12. The plan period covered by the Ashfield Preferred Approach is 2012-2023, a period of 10 years, this compares with 2006 to 2026 of the Regional Strategy. With regard to planning strategically for Nottinghamshire it is helpful to plan over a long period. The NPPF at paragraph 157 states that Local Plans, in order for them to be positively planned should cover an appropriate time scale, preferably 15 years to take into account longer term development requirements. It is considered that the plan period although sufficient, would benefit from being longer to allow planning across the whole of Nottinghamshire to be broadly similar for example the Aligned Core Strategy June 2012 produced by Broxtowe Borough Council, Nottingham City Council and Gedling Borough Council has a plan period of 2011-2028. This would allow neighbouring Districts and Boroughs within Nottinghamshire to plan effectively beyond 2023 as they would know what the potential scale of development within Ashfield District is likely to be.
13. Overall the proposed number of dwellings within the Ashfield Preferred Approach is comparable with the dwellings requirements set out in the Regional Strategy, as such is considered acceptable.

Ecology

14. In terms of ecology, objections to the soundness of the Preferred Approach are raised on the grounds that Policy EV4: Green Infrastructure, Biodiversity and Geological Conservation offers the same level of protection to internationally designated sites as it does to locally designated sites, the policy needs to distinguish between the hierarchy of designated nature conservation sites that exist, to comply with paragraph 113 of the National Planning Policy Framework (NPPF).
15. Reference needs to be made to the preservation, restoration and re-creation of priority habitats and the protection and recovery of priority species as listed in the UK Biodiversity Action Plan, and as required by the NPPF in paragraph 117.
16. Full ecology comments are set out at Appendix 1.

Property Interests

17. Comments in relation to Nottinghamshire County Council's property interests will be circulated prior to Committee.

Historic Environment

18. In terms of the County's Historic Environment a number of concerns are raised, of particular concern is the lack of recognition of the historical nature of Kirkby-in-Ashfield, Sutton-in-Ashfield, Jacksdale, Selston and Underwood. In addition support is provided for Policy EV11 that relates specifically to the Historic Environment, however, would welcome the inclusion of the NCC Buildings at Risk Register in the evidence base.
19. Full historic environment comments are set out at Appendix 1.

Transport

20. Objections to the Preferred Approach are raised on highway grounds as it is considered that the transport evidence is unsound. This can of course be subsequently withdrawn if the transport modelling is satisfactorily completed prior to an Examination in Public (EiP).
21. Full Transport comments are set out at Appendix 1.

Developer Contributions

22. The infrastructure need generated by a proposed development is a material consideration in the determination of a planning application. The capacity of existing infrastructure may be exceeded as a consequence of new development, generating a need for new infrastructure or facilities. The use of planning obligations may be appropriate to require developers to make contributions for the provision of infrastructure to support proposed development.
23. Policy PJ5 is not balanced in that it most frequently refers to "education" in terms of adult education and work skills training. Whilst this is obviously important, the Policy fails to sufficiently recognise the fact that the vast majority of education undertaken in Ashfield is the Primary and Secondary education of young people in its schools.
24. Policy SD4 places an emphasis on "local skills enhancement" at several points, without identifying how this might happen in terms of developer contributions. Clarity on this point would be welcomed.
25. Full Developer Contributions comments are set out at Appendix 1.

Other Options Considered

26. As the consultation requires representations to be made on the soundness of the plan the only other option was not to make representations.

Reasons for Recommendations

27. Having assessed the Preferred Option against the NPPF tests of soundness and as set out above, it is considered that the document does not include or make reference to any evidence to support the stated transport provision and therefore has not been demonstrated as sound as it is not justified on the basis of available evidence.

Statutory and Policy Implications

28. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

29. There are no direct financial implications.

Implications for Sustainability and the Environment

30. The failure to consider the representations of the County Council on strategic planning and transport matters could lead to unsustainable development taking place, possibly without the adequate context of an adopted Local Plan. The education and transport interests of the County Council as a service provider could also be compromised by the lack of a suitable Local Plan.

RECOMMENDATION

1) That the issues raised above in paragraphs 12 to 25 and in Appendix 1, together with additional property comments circulated prior to Committee, form the basis of a response to Ashfield District Council.

Sally Gill
Planning Group Manager

For any enquiries about this report please contact: Nina Wilson, Planning Policy Team, 0115 977 3793

Constitutional Comments (MA 22.10.12)

31. There are no direct financial implications.

Financial Comments (DJK 22.10.2012)

32. The contents of this report are duly noted; there are no financial implications.

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

The Ashfield Local Plan Preferred Approach 2010-2023 Consultation.

Electoral Division(s) and Member(s) Affected

Fiona Asbury – Sutton in Ashfield West
Steve Carroll – Sutton in Ashfield East
Michelle Gent – Sutton in Ashfield Central
Reverend Tom Irvine – Hucknall
John Knight – Kirkby in Ashfield North
Rachel Madden – Kirkby in Ashfield South
Mick Murphy – Hucknall
Kevin Rostance – Hucknall
Gail Turner – Selston
Jason Zadrozny – Sutton in Ashfield North

Appendix 1 – Internal Officer Comments

Ecology Comments

From: Nick Crouch, Senior Practitioner Nature Conservation, Conservation Team, Floor 6, TBH
To: Nina Wilson, Strategic Planning
Date: 8 October 2012

Re: Ashfield Local Plan 2010-2023 – Preferred Approach: ecology Comments

Thank you for consulting the Nature Conservation Unit of the Conservation Team on the above matter. We have the following comments regarding nature conservation issues:

Introduction

Reference is made in paragraphs 1.16 and 1.17 to the production of a Habitats Regulations Assessment, but I cannot find this on the ADC website. It is assumed that Natural England have been/will be consulted on this.

A Portrait of Ashfield

Although not a matter of soundness or legal compliance, I would suggest that the information in section 2.28 regarding the natural environment is rather scant, and that it might be appropriate to include some of the information contained in the supporting text for Policy EV4 (e.g. appropriate sections of paragraphs 8.53 to 8.63) at this location.

The Vision for Ashfield

The penultimate paragraph deals with the natural environment in the context of growth; it is suggested that this should be reframed to read something like:

“Ashfield will be a place rich in wildlife, and growth will be accommodated in a manner that achieves the protection, restoration, enhancement and management of environmental assets, including Green Infrastructure networks, priority habitats and populations of priority species.”

Policy SP1 – Sustainable Development Principles

It is assumed that ‘sustainable development’, as referenced in section 4(a) of this policy, is defined as per the NPPF. This may need clarifying.

Policy EV4: Green Infrastructure, Biodiversity and Geological Conservation

Overall, this policy is supported. However;

1. The policy needs to clearly distinguish between the hierarchy of designated nature conservation sites that exist. As currently worded, the policy offers the same level of protection to internationally designated sites as it does to locally designated sites. This change is required to ensure compliance with paragraph 113 of the NPPF.

2. As worded, the policy may not be compliant with the Habitats Regulations (in relation to internationally designated sites), but this would have to be assessed in the Habitats Regulations Assessment.

3. Reference needs to be made to the preservation, restoration and re-creation of priority habitats and the protection and recovery of priority species as listed in the UK Biodiversity Action Plan, and as required by the NPPF in paragraph 117. Ecological networks, wildlife corridors and stepping stones (as also referenced in paragraph 117 of the NPPF) are considered to be adequately addressed through the section of the policy that deals with Green Infrastructure, although it might be helpful to explicitly highlight these in section 1 of the policy.

4. The policy should refer to avoiding harm to geological conservation interests, which it currently does not mention.

5. In section 5, reference to priority species and habitats should be added in, in addition to protected species.

Proposals Map

Paragraph 8.54 states that “The protection and enhancement of ... locally designated areas such as ... Sites of Importance for Nature Conservation (SINC) ... is vital.” In addition, paragraphs 4.4, 5.4 and 6.4 which support the Green Infrastructure policy within the Strategic Area Based Policies for each of the three areas states that “to ensure that existing areas maintain or enhance Green Infrastructure and Biodiversity it is important to protect existing assets...”. However, the proposals map appears to contradict this approach, with at least five SINC areas included within proposed housing or employment land allocations (four wholly, and one partially):

Regarding the Rolls Royce site in Hucknall, which affects Hucknall Airfield SINC 5/918, Section 2 of Policy SPH2 (Hucknall Housing Growth) states that the protection and enhancement of areas of biological importance will be required to achieve sustainable development. However, given that a large proportion of the allocation is designated as a Local Wildlife Site/SINC, it is unclear how this can be achieved. Significant compensatory habitat works may be required, which could feasibly be delivered through an approach such as Biodiversity Offsetting.

Regarding the two employment land allocations at Huthwaite, it is assumed that the two SINC areas (Hucknall Disused Railways SINC 2/181 and New Hucknall Sidings Grasslands SINC 2/146) can be accommodated within the developments; clarification of this would be welcomed (as would a redrawing of the allocation boundaries to exclude the SINC areas).

Regarding the Summit Colliery site (Kirkby Wasteland SINC 2/221), this site is subject to an ongoing planning proposal, through which compensation for habitat loss is being sought.

Of particular concern is the allocation for housing of a SINC between Selston and Pinxton, called Hall Green Grassland SINC 1/49. This is described as 'a classic Coal

Measures grassland', and forms an area of diverse grassland, scrub and woodland on a steep bank. The site is small and the whole SINC is included within the designation, and it appears that development is unlikely to be accommodated without complete loss of the SINC. The inclusion of this 'new' site appears to run contrary to policies and their supporting text elsewhere in the Local Plan, and as such I strongly object to its inclusion on the Proposals Map. It should also be noted that the site sits within one of the District Strategic Corridors identified in the Green Infrastructure Strategy. In addition, one allocation in particular (Rushley Farm) is likely to have the potential to conflict with the prospective Sherwood SPA (of which I can find no reference in the Local Plan). The site abuts an area known to support breeding Nightjar (and potentially also breeding Woodlark), and as such the development of this site would have to be very carefully planned to avoid impacts on these species.

Green Infrastructure Strategy

The GI Strategy is welcomed and supported, and its role in underpinning a number of the policies in the Local Plan is recognised. However, the following points are raised:

The list of priority habitats provided on page 23 has a number of errors in it, as it includes a number of habitats which are not (or are no longer) priorities, or which have been amalgamated with other habitats. It is suggested that the list is updated with reference to (<http://www.nottsbag.org.uk/projects.htm#bap>).

Biodiversity comes out strongly as a theme in the GI Strategy, especially in terms of maintaining what it is already present, but it is felt the strategy could go further in meeting some of the objectives outlined in "Making Space for Nature" (Lawton 2009) and Biodiversity 2020 (Defra 2011) – that is Better, Bigger, More and Joined. In particular, reference to the targeted creation of new areas of habitat, perhaps with reference to the forthcoming county Biodiversity Opportunity Map, should be made, especially where this will increase connectivity between existing areas of habitat.

As far as I can tell the District Strategic Corridors appear to be largely based on access corridors, and as a result, it is felt that a number of important GI corridors (of a strategic nature) have been omitted from the strategy (i.e. as shown on Figure 9.10). In particular, reference to Figure 9.2 suggests that a strong network of sites of ecological value cuts across the district, running north-east from Morning Springs to Harlow Wood (linking into Bagthorpe grasslands, Bentinck Void, Newstead and Annesley Country park, Newstead Park/Leen Corridor, and Coxmoor Golf Course/Stobnehills Palntation along its route), which would particularly benefit from strengthening, but which has been overlooked in large part. In addition, the following areas also appear to be of importance:

- Teversal north-west to Harwick Hall (via Silverhill and Dovedale Wood)
- Pinxton north-east into Sutton-in-Ashfield, along the 'The Dumbles'
- Bagthorpe grasslands east through Millington Springs to Davis's

Bottom/Sherwood Business Park and then north-west to Bentinck Void

We trust you will find the above comments of use, but if you require any further information, please do not hesitate to contact us.

Nick Crouch

Nature Conservation Leader

For more information please contact: Nick Crouch (0115 969 6520)

Historic Environment Comments

Prepared by: **Jason Mordan,**
Senior Practitioner Historic Buildings,
Notts County Council

Oct 2012

These comments are based on the guidance provided in NPPF, relevant sections will be referenced to highlight this as appropriate.

Environmental Characteristics

2.28 may be the right place to add a reference to the districts designated and undesignated heritage of the district. The figures for Ashfield, based on the National Heritage list and draft local interest database are as follows:

	Listed Buildings	Undesignated historic buildings	Conservation areas	Scheduled Ancient Monuments	Undesignated archaeological sites	Registered and (unregistered historic parks)
Ashfield	79	376	4	8	<i>Discuss with Ursilla</i>	2 (check with V Baddeley)

No. of heritage assets by type in Ashfield DC

Objectives for Realising the Vision

S012 – this is welcomed and should be cross referenced to the information I have provided above.

S013 - the 'local distinctiveness, settlement identity and measures that might be used to develop a strong sense of place requires research through proper historic characterisation project. NCC is happy to contribute expertise to a project that would do this. The county council is in discussion with English Heritage and British Geological Survey regarding Strategic Stone Assessment that would potentially act as an important evidence for identifying and securing access to vernacular stone within the district.

Policy SP2: Strategy for Growth

3.30 – the Council's '*commitment to protecting, conserving and enhancing the natural and historic environment*' is directly linked to quality of life indicators and local economics. Regeneration of heritage at risk, in particular the Annesley Hall site, is crucial element of any strategy for growth. Despite the low number of designated heritage assets in the district, the rate of Buildings At Risk is the second highest in the county at 11.4%, way above the national average of c.7% (source – Nottinghamshire County Council Buildings At Risk Register in). The condition of Annesley Hall not only impacts on economic opportunity of the district but directly threatens the condition of recently HLF scheme of repairs to All Saints Church.

Policy SP3: Settlement and Town Centre Hierarchies

3.40 Recognises that the conservation areas of Bagthorpe and Teversal are further reasons/restrictions to growth, BUT there is no reference to the conservation area of Kirkby (and in particular to the restriction on expansion to the south resulting from the need to protect the setting of the conservation area), nor is there any reference to New Annesley conservation area.

Policy SPH1 – Green Infrastructure Ina and around Hucknall

4.5 acknowledges the multifunctional aspect of 'green Infrastructure' but nowhere does it acknowledge that the infrastructure overlaps with the historic environment and, for instance along the Leen Valley, contains designated heritage of international significance.

Policy SPH4: Hucknall Town Centre

4.19 states that Hucknall has a rich heritage, but the policy does not mention the many buildings of architectural interest (designated and undesignated). The policy misses the opportunity to indicate that it will preserve buildings that contribute to the heritage and local distinctiveness.

Policy SPKS1: Green Infrastructure In Kirkby in Ashfield and Sutton In Ashfield

5.5 – see comments above against 4.5.

Policy SPKS4: Kirkby in Ashfield and Sutton in Ashfield Town Centres

5.23 - why is there no reference to the heritage and local distinctiveness of these towns? Unlike Hucknall, where the heritage is acknowledged, Kirkby has a designated conservation area, and arguably, the Market Place in Sutton is worthy of a conservation area designation. See also 5.30 and 5.38 which fail to reference local distinctiveness as a driver to underpin quality of design and 5.35 which fails to note the quality of Sutton's Market Place as a desirable environment for markets and independent shopping/small retailers....

Policy SPV1: Green Infrastructure in and around Selston, Jacksdale and Underwood

See comments under 4.5 above

Policy EV2: Reuse or adaptation of Existing Buildings in the Green Belt

g) the recognition that these buildings may have 'historic or architectural value' is appropriate. The statement that the proposed scheme will 'preserve and enhance' the building requires expert historic building conservation input to deliver. Issues such as appropriate materials and detailing are a key component of preservation and enhancement – without which these claims will be unfounded/undelivered. 8.33 acknowledges some of the key issues for historic/listed farm buildings but the use of appropriate materials and craft skills (both to preserve significance and enhance local traditions and distinctiveness) is missed.

Policy EV11: The Historic Environment

This policy is welcomed, the section is extensive and possibly a little longer than it needs be, however, most points are covered. With reference to the comments above under 'Environmental Characteristics' it would be appropriate to list the 'local/ non-designated heritage assets).

8.117 Refers to the NCC Buildings At Risk Register but does not include the published on-line register in the list of Evidence base. The figures for Ashfield are as follows:

Ashfield B@R Figures

Grade I Listed Buildings	0	
Grade II* Listed Buildings	0	
Grade II Listed Buildings	9	11.4% at risk rate
Local Interest Buildings	2	
Total number of Listed Buildings in district	79	

Transport Comments

Nina, we have discussed this document within the team and have the following observations / comments to make.

It is hard to decipher the housing land allocations as policy HG1 seems to include all the existing permissions and partly built out sites. It would be helpful if plans / tables separately identify sites with existing approvals to newly promoted sites.

Policy SP2 7 & 8 advise that new sustainable transport infrastructure will be provided and a hierarchical approach to sustainable transport networks will be adopted. This is good but stronger links to cross reference additional detail in the Local Transport Plan would be beneficial.

Policy SPKS4 re Kirkby town centre doesn't explicitly mention the proposed transport improvements around Ellis Street in 2013/14. This scheme is included in NCC programme of works but should it also be detailed within the LP to protect the interests of the District and support their Masterplanning exercise.

Policy SD4 re developer contributions and CIL is was particularly good and picks up some of the issues and concerns that NCC raised re Gedling's CIL. NB the IDP and CIL consultations are currently a work in progress.

Policy SD8 Traffic Management and Highway Safety, page 280 examines the thresholds used for requiring submission of travel plans – these need clarification with respect to the commercial definition which should vary by land use and not only be for any development over 1000 sq m.

Policy SD8 Traffic Management and Highway Safety. 1b) Parking provisions conform to local standards and or can be shown to satisfy the requirements of the development: This is weak and provides an easy get out and needs strengthening to reinforce the aims of sustainability.....1g) 'Suitable provision is made for cyclists and people with a disability' and not 'Provision is made for cyclists and people with a disability where necessary' for the same reasons as above.

Policy SD8 Traffic Management and Highway Safety. 2) Where development places.... paid towards transport improvements - needs strengthening to reflect the necessary mitigation of any worsening and not just a contribution towards such proposals.

Policy SD8 Traffic Management and Highway Safety. 2&3) These refer to new development, either singularly, or in combination providing a sufficient package of transport measures to ensure the wider transport system is not compromised. However, the necessary transport study to demonstrate that this can be achieved is not yet completed. Consequently, an objection must be raised on highways grounds pending satisfactory completion of this work, prior to any examination in public.

Policy SD8 Traffic Management and Highway Safety. This policy does not specify the LTP transport schemes that need to be delivered to bring about the ADC 'vision'. This policy probably should name the transport schemes that need to be safeguarded and implemented eg Hucknall Town centre improvement scheme, Kirkby Town Centre improvement scheme and any other committed LTP schemes in Ashfield for 2012/13 and beyond, but should at least reference

the schemes as detailed in the Local Transport Plan and its supporting implementation/delivery plans.

Regards,
Kevin Sharman
Transport Plans and Programmes Team Manager
Nottinghamshire County Council

Developer Contributions Comments

Ashfield District Council Local Plan – Preferred Approach comments re Policy PJ5 (Education, Skills and Training) and Policy SD4 (Infrastructure Provision and Developer Contributions)

Policy PJ5 (page 190) Comments.

General:

The Policy is not balanced in that it most frequently refers to “education” in terms of adult education and work skills training. Whilst this is obviously important, the Policy fails to sufficiently recognise the fact that the vast majority of education undertaken in Ashfield is the Primary and Secondary education of young people in its schools.

More Specific comments:

Policy Para a). Several adult education facilities are individually identified, but the overwhelming majority i.e. local schools, are referred to simply as “other educational establishments”. A more balanced and appropriate approach would be to refer to “Supporting Ashfield’s schools and adult education establishments”.

Policy Paras b,c,d. No comment other than there should be another paragraph inserted before a) and b), which refers to schools, replacing the current para e).

Policy Para e) wrongly refers “Planning for the provision of schools of sufficient size for future population requirements”. In fact, this is a statutory role which is the responsibility of the County Council. I would therefore suggest that this paragraph should be changed to read “working with those statutorily responsible for pupil place planning to ensure new residential developments fully contribute to the provision of additional school places they create, where existing capacity is insufficient to satisfy this”. This paragraph should then be changed from para e) to para b) and other succeeding paragraphs re-numbered accordingly.

Policy SD4 (page 258) – Infrastructure and Developer Contributions

General:

The Policy places an emphasis on “local skills enhancement” at several points, without identifying how this might happen in terms of developer contributions. Clarity on this point would be welcomed.

It is highly likely that the majority of developer contributions, either through s106 or CIL, will relate to the list of services to be mitigated against the adverse impact(s) of a development, detailed in para 5. It would therefore make sense if this paragraph was moved up to paragraph 2 of the Policy, but amended to take into account the comments below.

Policy Para 1.

This paragraph should be slightly changed to recognise that it is likely that not all development which will take place over the life of the Local Plan period will be detailed in the final document – i.e. it does not account for Departures from the Local Plan. The end of the paragraph after “provided” should thus be deleted and should read ***“in relation to all developments taking place within the Local Plan period”***.

Policy Para 5.

As mentioned previously, this important paragraph should be more prominent in the Policy and moved to Para 2. It should also be edited to recognise that (particularly in times when the commercial viability of developments is a significant issue and a judgement may sometimes have to be made regarding for what and for how much developer contributions should be levied) priority should be given to mitigation to services which are the **Statutory** responsibility of a third party, such as the provision of sufficient school places. Otherwise, there is a real risk that monies would be spent on the provision and maintenance of open spaces within a development, at the expense of local children being educated in overcrowded conditions, thereby potentially exacerbating the current education under-performance referred to elsewhere in the Plan.

Elsewhere within this section:

To provide for greater clarity going forward, the Policy should make clear what the Council's priorities are for developer contributions, because as at it stands, the Policy makes no judgement between “must haves” and “nice to haves”. This is particularly important given the recent proposal by Government that s106 agreements signed before April 2010 could be reviewed where issues of “viability” prevent a development from happening. In these circumstances, the Policy should make clear the Council's priorities and it is suggested that one important factor that should be recognised is that where a third party has a statutory responsibility for the provision of a service, the planning contributions to mitigate for the impact of a development on that service (e.g. provision of education places), should take precedence over non-statutory and/or more flexible requirements such as the provision of affordable housing, or open space. Para 12.43 refers to the relaxing of a requirement to meet contributions in “exceptional circumstances” and a clear view of the Council's priorities within the Policy would provide a helpful framework for how this process might take place.

In Summary

The document appears generally “sound” and is welcomed, subject to the comments above.

Tom Rawsterne
Developer Contribution Manager

ENVIRONMENT & SUSTAINABILITY COMMITTEE**TUESDAY 30TH OCTOBER 2012 AT 2.30PM****ADDENDUM TO REPORT 5 – ASHFIELD DISTRICT COUNCIL LOCAL PLAN
2010-2023 PREFERRED APPROACH CONSULTATION**

As per paragraph 17 of the report, please find below comments in relation to Nottinghamshire County Council's property interests.

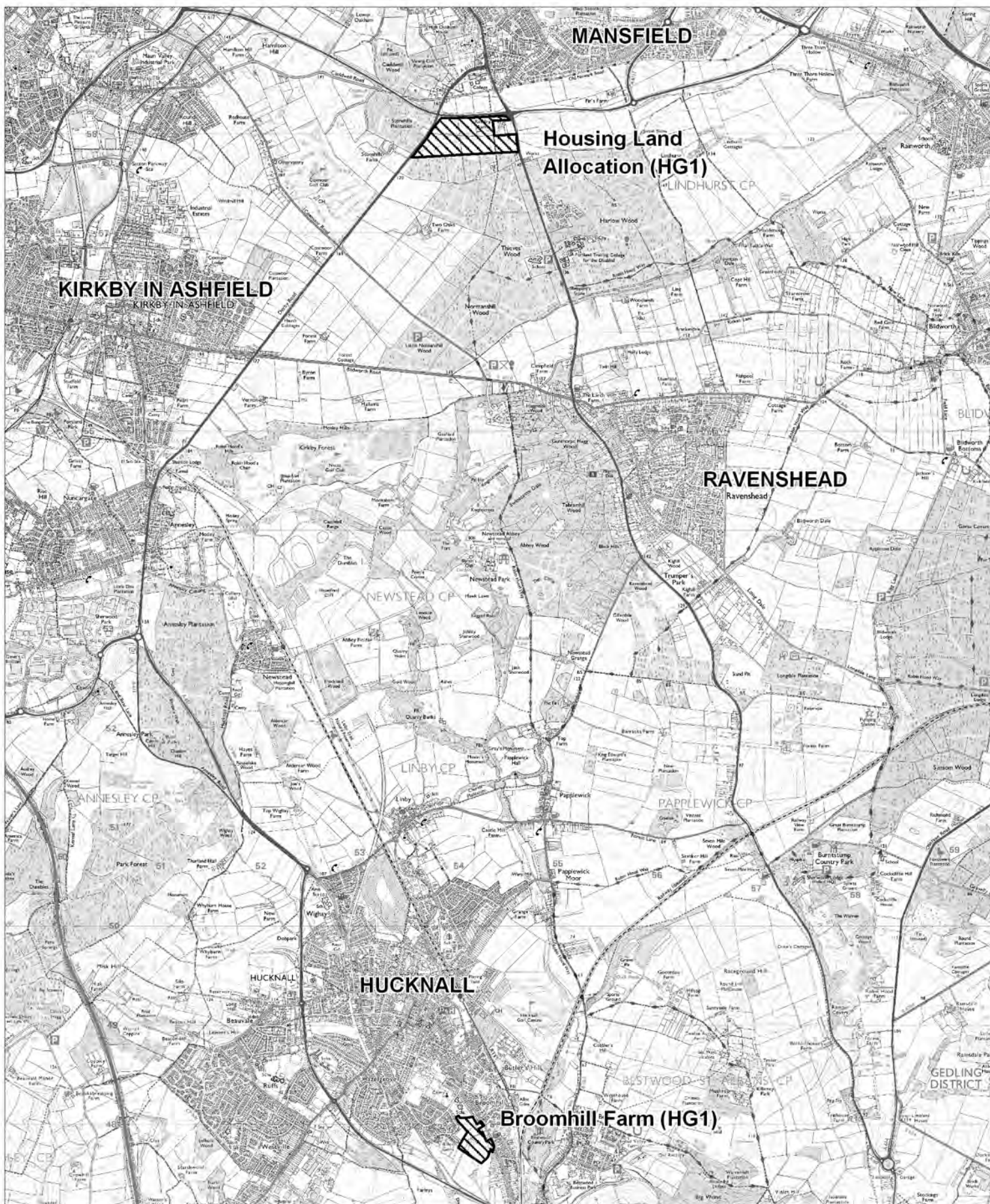
Property Interests

Strong objections are raised in respect of Policy SPH2 paragraph 3 and Policy HG1Hr which seek to include Land at Broomhill Farm, Nottingham Road, Hucknall (see Location Plan) as a 'phased' residential development. Ashfield District Council seek to reserve the site for use in the later stage of the Plan period on the basis that they consider it to be less likely to assist in achieving their objectives of economic growth and also due to the district council's view that it is less sustainable compared to other identified large allocated sites contained within the Plan.

The Broomhill Farm site is, however, allocated within the Adopted Ashfield Local Plan Review as a housing land site and the above policies, which propose its identification as a 'phased' residential development site, are opposed on the grounds that this is unjustified, impractical and unreasonable. The site lies wholly within the main urban area, is well located in terms of public transport linkages, is deliverable and therefore continues to represent a wholly sustainable allocation.

In addition to this objections are raised in respect of the exclusion of a relatively small triangle of land east of Nottingham Road (A60) and to the south of the Mansfield Ashfield Regeneration Route (see Appendix 1). The inclusion of this land is considered to represent a logical 'rounding off' of the Rushley Farm (HG1Sv) allocation and the adjoining Lindhurst site in Mansfield, which has the benefit of planning permission for mixed use development including residential, and which would facilitate and strengthen the future development of the site as a whole.

It should be noted that more detailed objections concerning these two sites will be submitted directly to Ashfield District Council on behalf of the County Council from a land owning perspective.

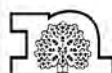


APPENDIX 1

Scale: 1:50,000

Produced by: JRW

NOV 2012



Trent Bridge House, Fox Road
Nottinghamshire West Bridgford, Nottingham, NG2 6J
County Council Tel: 0115 982 3823

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30 October 2012**Agenda Item: 6**

REPORT OF GROUP MANAGER, PLANNING STRATEGIC PLANNING OBSERVATIONS

Purpose of the Report

1. To provide a summary of the current status of planning consultations received, and being dealt with, by the County Council from Nottinghamshire District and Borough Councils and central government.

Information and Advice

2. Policy, Planning & Corporate Services has received 14 planning consultations during the period 31st August to the 28th September 2012.
3. Appendix A contains a list of all the planning consultations received during the above period.

Other Options Considered

4. There are no alternative options to consider as the report is for information only.

Reason for Recommendation

5. This report is for information only.

Statutory and Policy Implications

6. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION

- 1) This report is for information only.

Sally Gill
Planning Group Manager

For any enquiries about this report please contact: Nina Wilson, Planning Policy Team, ext 73793

Background Papers

Individual Consultations and their responses.

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Constitutional Comments

7. As this report is for noting only constitutional comments are not required.

Financial Comments (MA 03/10/12)

8. There are no direct financial implications arising from the contents of this report.

Electoral Division(s) and Member(s) Affected

All.

Appendix A – List of Planning Consultations Received
Nottinghamshire County Council: Planning Consultations Received – August/September 2012

Date Received	ID	Address	Details	Officer Dealing	Response Type	Notes
31.08.12	Gedling Borough Council 2012/0840	Burntstump Landfill Site, Ollerton Road, Arnold	Installation comprises one 11 kW wind turbine, 18m to hub, 24.5m to tip	KH	O	On-going
03.09.12	Gedling Borough Council 2012/1039	117 Main Street, Woodborough	Erect conservatory to side elevation, plus internal alterations	KH	O	Letter sent 13 September
04.09.12	North Lincolnshire Council		Lincolnshire Lakes Area Action Plan as part of the North Lincolnshire LDF	NW	O	On-going
07.09.12	Gedling Borough Council 2012/1043	Hideaway, Haggnook Wood, Ravenshead	Retain rear extension forming enclosure over staircase	NW	O	Letter sent 13 September
10.09.12	Gedling Borough Council 2012/1050	Elysium, Newstead Abbey Park,	Use of land as residential curtilage	KH	O	Letter sent 18 September
13.09.12	Fichtner		Proposed Centrica Glanford Biomass (CGBB) Power Station, Brigg, North Lincolnshire	SOJ (Waste)	O	No response required at this stage.
13.09.12	The Planning Inspectorate		Application for development consent by Able Humber Ports Ltd for the proposed Able Marine Energy Park	NW	O	No response required at this stage.
17.09.12	Gedling Borough Council 2012/1078	Knights Way, Newstead Abbey Park	Erect detached garage and store	NW	O	On-going

Date Received	ID	Address	Details	Officer Dealing	Response Type	Notes
18.09.12	Gedling Borough Council	Gedling Borough	Community Infrastructure Levy	TR	O	On-going
20.09.12	Gedling Borough Council 2012/1087	Old Coach House, Wood Lane, Gedling	A new single storey front porch, replacement of a dilapidated rear conservatory built off the existing brick base	NW	O	On-going
24.09.12	Bassetlaw District Council 12/01362/FUL	Development at Manor Farm Access to Manor Farm Church Laneham	Conversion of redundant traditional farm buildings to create three residential units. Alterations to existing dwelling. New garages and boiler house	NW	O	On-going
27.09.12	Gedling Borough Council 2012/1098	Goosedale Conference & Banqueting, Goosedale Lane, Bestwood Village	Extensions and alterations to provide a new service/link extension to the rear of the existing hall	KH	O	On-going
27.09.12	Newark & Sherwood D.C		Newark & Sherwood Allocations & Development Management Development Plan Document (DPD)	NW	O	On-going
28.09.12	Ashfield D.C.		Ashfield Local Plan – Preferred Approach Public Consultation	NW	C	Going to Environment and Sustainability Committee 30 th October 2012

Response type

- C Committee
- O Officer

30 October 2012**Agenda Item: 7****REPORT OF THE SERVICE DIRECTOR FOR TRANSPORT, PROPERTY AND
ENVIRONMENT****PROGRESS REPORT FROM OUTSIDE BODIES****Purpose of the Report**

1. This report provides an update to Committee on two outside bodies: The Waste Recycling Environmental (WREN) Limited Advisory Panel and the Nottinghamshire Joint Waste Management Committee (JWMC), on which the Chairman of Environment and Sustainability Committee is the County Councils nominated representative.

Information and Advice

2. WREN is a non profit making environmental body (EB) registered to fund eligible projects in communities located close to landfill sites through the Landfill Communities Fund. The majority of the funding for WREN comes from landfill tax levied by FCC Environment (formerly Waste Recycling Group - WRG). The Regional Advisory Panels are responsible for recommending the allocation of funds to the WREN Board, and are made up of local people with experience within community, conservation and heritage organisations. County Councillor Richard Butler represents Nottinghamshire County Council on the Lincolnshire and Nottinghamshire WREN Regional Advisory Panel.
3. WREN funding can be used for projects for which the primary intent of the project is for the protection of the environment, the provision, maintenance or improvement of a public park; or another public amenity. An amenity is something that makes the environment more pleasant or comfortable and/or improves the aesthetic qualities of an area for the general public. All projects must relate to a park or amenity which protects either the built, natural or social environment. The amenity site must be open and accessible for the general public. It should be somewhere where the general public can go, join or use without any limit or restrictions of use (or with reasonable access costs) being in place. Work must be targeted on a specific amenity at a single location.
4. The Nottinghamshire JWMC was established in July 2009 to allow the various parties to jointly exercise their waste management responsibilities. The JWMC "Board" comprises an executive or other member (as permitted and enabled by the executive arrangements created and enabled by the Localism Act 2011) representing Nottinghamshire County Council, the seven district councils and Nottingham City Council. In addition, Veolia Environmental Services Nottinghamshire (the County Council's Waste PFI Contractor), and a senior officer responsible for waste management within each authority also attends the meetings.

5. Meetings take place approximately four times a year and cover a range of relevant issues as outlined below:
 - develop and implement sustainable waste management policies and practices to achieve best value for the people of Nottinghamshire and Nottingham City;
 - establish a mutually beneficial framework for changes and development of waste collection and disposal services;
 - minimise waste generation in Nottinghamshire and Nottingham City and manage waste in accordance with the waste hierarchy;
 - maximise recycling and recovery levels from waste in order to meet or exceed European Union and United Kingdom targets as far as possible consistent with each party's capacity to fund those processes;
 - maximise value and performance from waste management contracts to the mutual benefit of the parties involved and the people of Nottinghamshire and Nottingham City.
6. Decisions of the Board requiring executive authority are recommended by the Board to each party for decision as appropriate under each party's constitution; the Board does not possess delegated executive powers or duties.

Summary of Progress

7. The WREN Advisory Panel meets 3 to 4 times per year to review potential projects and make recommendations to the WREN Board. So far in 2012/13 there have been two meetings, 19th April and 28th June. WREN only produce annual reports, therefore no quarterly data is available to present to committee.
8. In 2011/12 the following projects were undertaken in Nottingham and Nottinghamshire, using funding from WREN amounting to £950,760:

Small Grant Scheme	
Askham Village Hall Improvements	£14,422
Farnsfield Methodist Church Refurbishment	£14,950
Netherfield – Bethesda Community Church Hall Upgrade	£15,000
Radcliffe on Trent – Upper Saxondale Play Park	£6,600
Rainworth Methodist Church Boiler Replacement	£4,000
Rempton Village Hall Upgrade	£10,053
Whetton Jubilee Hall Roof	£13,483
Main Grant Scheme	
Arnold – St Mary's Community Youth Club Renovation	£50,000
Attenborough Nature Reserve Visitor Support	£19,649
Beckingham – Old Willow Works Restoration	£50,000
Clifton Angell Green Park	£50,000
Eaton & Gamston Active Ancient Woodlands	£20,000
Elston Village Hall New Heating & Lighting	£50,000
Everton Playground Upgrade	£49,218
Gedling – Roberts Recreation Ground	£49,999
Newark Friary Gardens Access Improvements	£25,480
North Leverton – Blacksmith Playing Field MUGA	£49,000
Nottingham BMX Track Upgrade	£50,000
Nottingham – Forest Recreation Ground Promenade Refurbishment	£50,000
Nottingham - St Nicholas Church Lift Installation	£17,000
Nottingham Sycamore Park Revitalisation	£48,200

Nottingham – City College All Weather Sports Arena	£47,500
Nottingham – Robin Hood Chase Play Area	£49,999
Oxton Playspaces	£26,155
Retford – Oaklands Pavilion Refurbishment	£50,000
Silverdale Play Area Improvements Phase 2	£29,300
Sutton cum Lound Village Hall Refurbishment	£45,800
Worksop – Priorswell Community Centre Refurbishment	£25,952
Worksop – Langold Bandstand Refurbishment	£19,000
Total	£950,760

Source: WREN Annual Review 2011

9. To date in 2012/13, the JWMC Board has met on 17th April, 11th July and 10th October. Each meeting has included an update to all parties on the Nottinghamshire Waste PFI Contract and an update on service developments and pressures faced by each of the local authorities. This year the Board has specifically agreed the mechanism for 2012/13 trade waste disposal rates for the Nottinghamshire district councils; considered contamination rates in the dry recycling bin and a campaign to improve the levels of contamination; and is in the process of commissioning a University project to looking at synergies across the Waste Collection Authorities to consider potential service efficiencies and joint working.
10. At the meeting on 17th April, the role of the JWMC was formalised by the signing of the Nottinghamshire Waste Partnership Agreement. The Waste Partnership Agreement is included in **Appendix 1** for information.

Analysis

11. WREN provides a significant source of funding for suitable small and medium sized projects within appropriate geographic areas within the County and beyond. The use of WREN funding to support such projects should be encouraged where appropriate.
12. The JWMC continues to provide a useful forum to collectively oversee waste collection and disposal in Nottinghamshire. The signing of the Waste Partnership Agreement demonstrates the ongoing commitment and support of all of the parties.
13. On 10th October, the JWMC district Members provided the following statement regarding the value of the JWMC:

“The Joint Waste Management Committee is a successful partnership between the County Council, the seven district councils, Nottingham City Council and Veolia Environmental Services Nottinghamshire. It is probably the most successful example of partnership working in waste management. It provides a highly effective forum for enabling discussions and developments amongst all of the parties, and also provides a valuable link between officers and councillors for sharing an understanding of political aspirations and operational realities”.

Other Options Considered

14. None – this is an information report.

Reasons for Recommendations

15. The benefits resulting from the direct involvement of the County Council in the Waste Recycling Environmental (WREN) Limited Advisory Panel and the Nottinghamshire Joint Waste Management Committee (JWMC) are substantial, and Committee is therefore asked to note the report, and support the ongoing involvement of the Chair of Environment and Sustainability Committee in both of these external bodies.
16. Going forward, it is recommended that information from JWMC and WREN is reported to Committee on an annual basis, following the publication of WREN's annual review.

Statutory and Policy Implications

17. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

18. The significant contribution of WREN funding to the delivery of appropriate projects should be noted.
19. The JWMC has no direct financial implications for the County Council or any of the parties involved. Any financial impacts resulting from discussions held at the JWMC Board will need to be agreed by the appropriate decision making bodies within the partner authorities.

Implications for Service Users

20. WREN funding makes a significant contribution to service users through the delivery of local environmental and community projects.
21. The JWMC helps to shares developments and best practice in waste management, and encourages collaborative working amongst the parties to the benefit of the wider population of Nottinghamshire.

Recommendation

22. That Committee note the contents of the report and agree to further reports from outside bodies being submitted on an annual basis.

Mick Allen
Group Manager, Waste and Energy Management

For any enquiries about this report please contact:
Mick Allen, Group Manager, Waste and Energy Management

Constitutional Comments

23. The contents of this report fall within the remit of Environment and Sustainability Committee.

Financial Comments

24. There are no direct financial implications contained in the report.

Background Papers

None.

Electoral Divisions

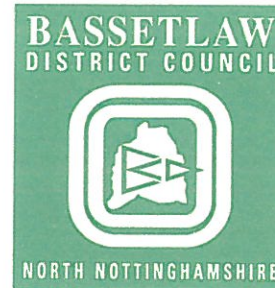
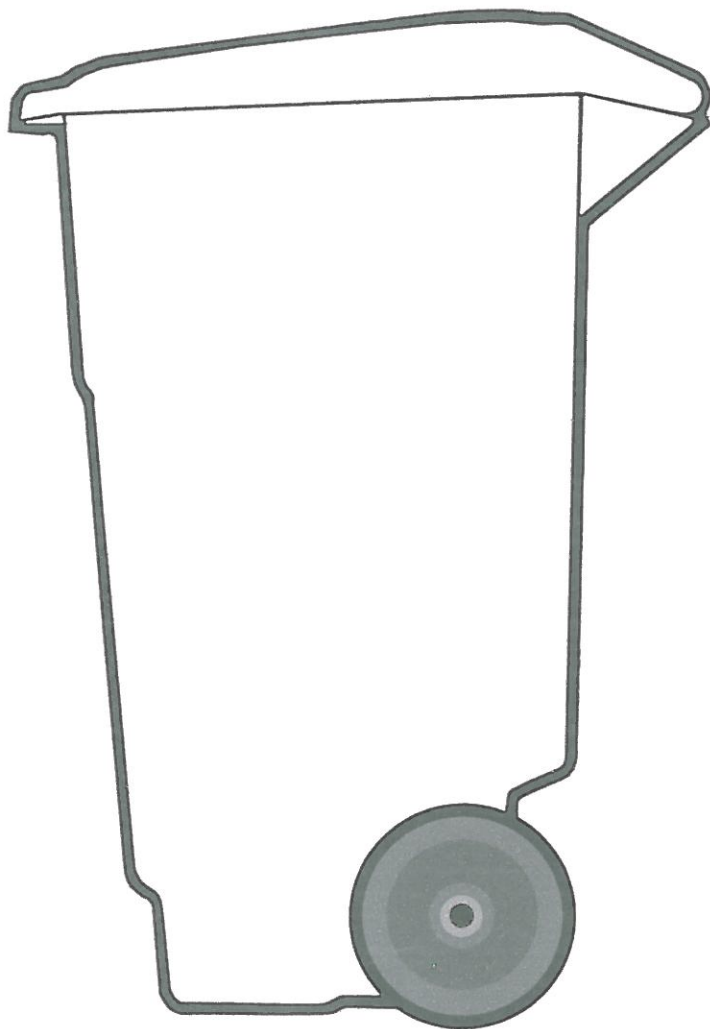
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NOTTINGHAMSHIRE

WASTE

PARTNERSHIP

AGREEMENT



Positive People - Positive Leadership - Positive Partnerships



Nottingham
City Council



THIS AGREEMENT is made the

17th day of April

Two Thousand and Twelve **BETWEEN:**

- (1) **NOTTINGHAMSHIRE COUNTY COUNCIL** ('County') of County Hall West Bridgford Nottingham NG2 7QP
- (2) **NOTTINGHAM CITY COUNCIL** of Loxley House, Station Street, Nottingham. NG2 3NG
- (3) **ASHFIELD DISTRICT COUNCIL** of Council Offices Urban Road Kirkby-in-Ashfield Nottinghamshire NG17 8DA
- (4) **BASSETLAW DISTRICT COUNCIL** of Queen's Buildings Potter Street Worksop Nottinghamshire S80 2AH
- (5) **BROXTOWE BOROUGH COUNCIL** of Council Offices Foster Avenue Beeston Nottinghamshire NG9 1AB
- (6) **GEDLING BOROUGH COUNCIL** of Civic Centre Arnot Hill Park Arnold Nottinghamshire NG5 6LU
- (7) **MANSFIELD DISTRICT COUNCIL** of Civic Centre Chesterfield Road South Mansfield Nottinghamshire NG19 7BH
- (8) **NEWARK & SHERWOOD DISTRICT COUNCIL** of Kelham Hall Newark Nottinghamshire NG23 5QX
- (9) **RUSHCLIFFE BOROUGH COUNCIL** of The Civic Centre Pavilion Road West Bridgford Nottingham NG2 5FE

WHEREAS:

1. THE parties wish to exercise their waste management responsibilities jointly in order to:

- develop and implement sustainable waste management policies and practices to achieve best value for the people of Nottinghamshire and Nottingham City
- establish a mutually beneficial framework for changes and development of waste collection and disposal services
- minimise waste generation in Nottinghamshire and Nottingham City and manage waste in accordance with the waste hierarchy

- maximise recycling and recovery levels from waste in order to meet or exceed European Union and United Kingdom targets as far as possible consistent with each party's capacity to fund those processes
- maximise value and performance from waste management contracts to the mutual benefit of the parties involved and the people of Nottinghamshire and Nottingham City

NOW IT IS AGREED as follows:

1. Definitions

- 'executive member' means a member of the executive of one of the parties for the purposes of section 11 of the Local Government Act 2000
- Scrutiny means such arrangements as each party has in place to implement the overview and scrutiny provisions of the Local Government Act 2000

2. Duration & Termination

This agreement will continue for two years from its signing to enable the Board (as defined in clause 3 below) to be established in order to review and propose modification of existing operational waste management arrangements. It will continue after the two years until such time as it is amended or revoked or until one party serves notice on each other party terminating its participation in the agreement. In the event of such notice being served the Board will consider the effect of such notice on the remaining parties and this agreement

3. Joint Management Committee (the 'Board')

- 3.1 The parties hereby establish a joint management committee (the 'Board') whose purpose is to:
- keep under review this agreement and make any necessary recommendations to the parties for its amendment
 - monitor the provision of waste management services by the parties and relevant contractors

- work towards the development of a county wide waste management strategy, inclusive of both Waste Disposal Authority and Waste Collection Authority targets and aspirations.
- consider how to share any benefits between the Waste Disposal Authorities and Waste Collection Authorities obtained from the reduction of residual waste and/or improvements in recycling and composting performance
- consider how national and European indicator targets and local targets can best be achieved including contractual performance indicators
- consider how best to minimise contamination of waste
- propose promotional publicity and advertising to secure the objectives of this agreement
- review relevant performance and financial reports provided by all relevant parties
- recommend measures to secure continuous improvement of waste management
- consider and propose expansion and development of services
- provide considered responses and guidance to any change or proposed change in policy or legislative framework

- 3.2 The Board shall comprise an executive or other member (as permitted and enabled by the executive arrangements created and enabled by the Localism Act 2011) representing each party who shall be entitled to vote. In addition an officer of each party will attend the meeting. Meetings will not be quorate unless at least four such executive members are present, including one executive member from each Waste Disposal Authority.
- 3.3 The Board will meet at quarterly intervals in the first year, and thereafter at a frequency to be agreed by the Board. Adequate written notice of meetings will be given to each party's representatives of at least five clear working days specifying the agenda for the meeting. The Board will invite such persons (e.g. contractual representative) to any meeting as may assist in the conduct of business.
- 3.4 The Board will be chaired and serviced administratively by the hosting authority, which will rotate between the parties as may be agreed by the Board.
- 3.5 Decisions of the Board shall require a unanimous vote of those present and voting. The Board does not possess delegated executive powers or duties. Decisions of the Board requiring executive authority will be recommended by the Board to each party for decision as appropriate under each party's constitution.

- 3.6 The Board shall conduct a comprehensive review of the operations envisaged by this agreement 12 months after the signing of this agreement.

4. Miscellaneous

- 4.1 It is hereby agreed and declared that the parties retain their entire discretion as to the fulfilment of their respective statutory responsibilities unfettered by the terms of this agreement
- 4.2 The parties will maintain sufficient records of their waste management operations as are necessary and provide those records as required to the Board to enable the Board to carry out its duties and specifically its duties of monitoring and review of performance and recommending how the burden of costs and income should fall
- 4.3 Each party shall co-operate fully with each other party in responding to any requests received under the Data Protection Act, Freedom of Information Act, or the Environmental Information Regulations
- 4.4 Nothing in this agreement shall be construed as making one council liable for any acts or omissions of another
- 4.5 Any dispute arising out of this agreement or the arrangements envisaged by it shall in the first instance be referred to the chief executives of those parties in dispute. If the chief executives are unable to resolve the dispute within a period they consider reasonable they shall determine an appropriate mechanism for resolving the dispute
- 4.6 Nothing in this agreement shall be construed as creating a separate legal entity or private partnership
- 4.7 The provisions of this agreement and the arrangements envisaged by them are open to scrutiny by the scrutiny committees of each party
- 4.8 The terms of this agreement will be kept under regular review by the Board and any of its terms may be varied by agreement of the parties

SIGNED ON BEHALF OF of NOTTINGHAMSHIRE

COUNTY COUNCIL in the presence of:-



Partnership Member

SIGNED ON BEHALF OF of NOTTINGHAM

CITY COUNCIL in the presence of:-



Chair

Partnership Member

SIGNED ON BEHALF OF of ASHFIELD

DISTRICT COUNCIL in the presence of:-



E DE COBLY
SERVICE DIRECTOR

Chair

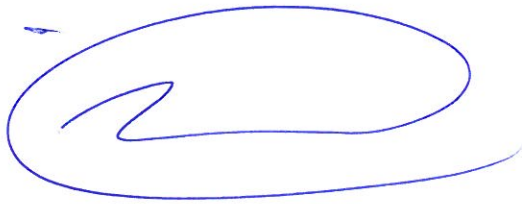
Partnership Member



CHUR W.T. NOTTALL

SIGNED ON BEHALF OF of BASSETLAW

DISTRICT COUNCIL in the presence of:-



]]]]



Chair

Partnership Member

SIGNED ON BEHALF OF of BROXTOWE

BOROUGH COUNCIL in the presence of:-

]]]]



~~Mayor~~



Partnership Member

SIGNED ON BEHALF OF of GEDLING

BOROUGH COUNCIL in the presence of:-



]]]]



Mayor

Partnership Member

SIGNED ON BEHALF OF of MANSFIELD

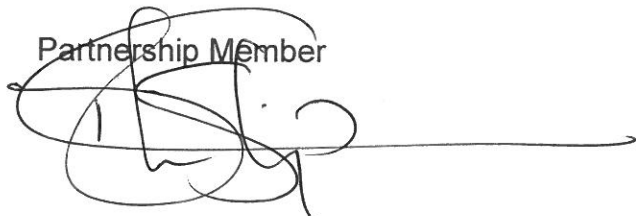
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DISTRICT COUNCIL in the presence of:-



Chair

Partnership Member



SIGNED ON BEHALF OF of NEWARK & SHERWOOD

]]]]

DISTRICT COUNCIL in the presence of:-



Chair

Partnership Member



SIGNED ON BEHALF OF of RUSHCLIFFE

]]]]

BOROUGH COUNCIL in the presence of:-



Portfolio Holder for Environment

Partnership Member

cllr. Debbie Mason

30 October 2012**Agenda Item: 8****REPORT OF CORPORATE DIRECTOR, POLICY, PLANNING AND
CORPORATE SERVICES****WORK PROGRAMME****Purpose of the Report**

1. To consider the Committee's work programme for 2012/13.

Information and Advice

2. The County Council requires each committee to maintain a work programme. The work programme will assist the management of the committee's agenda, the scheduling of the committee's business and forward planning. The work programme will be updated and reviewed at each pre-agenda meeting and committee meeting. Any member of the committee is able to suggest items for possible inclusion.
3. The attached work programme has been drafted in consultation with the Chairman and Vice-Chairman, and includes items which can be anticipated at the present time. Other items will be added to the programme as they are identified.
4. As part of the transparency introduced by the new committee arrangements, each committee is expected to review day to day operational decisions made by officers using their delegated powers. The Committee may wish to commission periodic reports on such decisions where relevant.
5. Committee Members have previously requested the opportunity to hold Committee meetings at sites of interest in terms of sustainable development and environmental benefits. As such, it is proposed that the 29th November meeting of the Committee takes place at Worksop Library at a revised start time of 1.30pm, to be followed by a site visit for Members.

Other Options Considered

5. None.

Reason/s for Recommendation/s

6. To assist the committee in preparing its work programme.

Statutory and Policy Implications

7. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) That the Committee's work programme be noted, and consideration be given to any changes which the Committee wishes to make.
- 2) That the change of venue and start time of the 29th November 2012 Committee meeting be noted.

Jayne Francis-Ward
Corporate Director, Policy, Planning and Corporate Services

For any enquiries about this report please contact: Keith Ford, Senior Democratic Services Officer on 0115 9772590

Constitutional Comments (HD)

8. The Committee has authority to consider the matters set out in this report by virtue of its terms of reference.

Financial Comments (PS)

9. There are no financial implications arising directly from this report.

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- New Governance Arrangements report to County Council – 29 March 2012 and minutes of that meeting (published)

Electoral Division(s) and Member(s) Affected

All

ENVIRONMENT & SUSTAINABILITY COMMITTEE - WORK PROGRAMME

<u>Report Title</u>	<u>Brief summary of agenda item</u>	<u>For Decision or Information ?</u>	<u>Lead Officer</u>	<u>Report Author</u>
29th November 2012 – alternative venue and start time to be confirmed				
Statement of Community Involvement	For consideration ahead of approval by Full Council / Policy Committee.	Decision	Sally Gill	
Waste PFI Contract – Draft Revised Project Plan – progress report	Overview of Project Plan ahead of seeking approval of Policy Committee / Full Council.	Information	Mick Allen	
Wind Turbines	To consider the advantages and disadvantages of wind turbines	Information	Sally Gill	
Energy & Carbon Management	Review of day to day decisions / key issues and wider consideration of the relative merits of various types of renewable energy production.	Information	Mick Allen	
Quarterly Progress Report	Review of performance (Jul – Sep).	Information	Various	
Local Improvement Scheme Programme Process	Determine process for future project selection	Decision	Sue Jaques	
Strategic Planning Observations	Summary of applications received.	Decision.	Sally Gill	
Update on Services	An update on the Committee's relevant service areas, including operational decisions taken by officers.	Information	Jas Hundal	
17th January 2013				
Quarterly Progress Report	Review of performance (Oct - Dec).	Information	Various	
Strategic Planning Observations	Summary of applications received.	Decision.	Sally Gill	
Update on Services	An update on the Committee's relevant service areas, including operational decisions taken by officers.	Information	Jas Hundal	
14th February 2013				
Minerals & Waste Planning	Review of day to day decisions.	Information	Sally Gill	
Strategic Planning Observations	Summary of applications received.	Decision	Sally Gill	
Minerals Local Plan Preferred Approach	The Preferred Approach will set out the options which would go forward into the new plan and will set out the next stages of consultation.	Decision	Sally Gill	
Local Improvement Scheme Programme 2013/14	Approval of projects for forthcoming year.	Decision	Sue Jaques	

<u>Report Title</u>	<u>Brief summary of agenda item</u>	<u>For Decision or Information ?</u>	<u>Lead Officer</u>	<u>Report Author</u>
Update on Services	An update on the Committee's relevant service areas, including operational decisions taken by officers.	Information	Jas Hundal	
14th March 2013				
Local Improvement Scheme	Review of day to day decisions / key decisions	Information	Sue Jaques	
Strategic Planning Observations	Summary of applications received.	Decision.	Sally Gill	
Update on Services	An update on the Committee's relevant service areas, including operational decisions taken by officers.	Information	Jas Hundal	
18th April 2013				
Quarterly Progress Report	Review of performance (Jan - Mar.)	Information	Various	
Strategic Planning Observations	Summary of applications received.	Decision.	Sally Gill	
Update on Services	An update on the Committee's relevant service areas, including operational decisions taken by officers.	Information	Jas Hundal	

Dates and Deadlines for Environment & Sustainability Committee

<u>Report deadline</u>	<u>Date of pre-agenda</u>	<u>Agenda publication</u>	<u>Date of Committee</u>
10 October – 10am	15 October 2012 – 2pm	22 October 2012	30 October 2012
8 November – 10am	13 November 2012 – 2pm	21 November 2012	29 November 2012
20 December – 10am	7 January 2013 – 2pm	9 January 2012	17 January 2013
28 January - 10am	31 January 2013 – 2pm	6 February 2013	14 February 2013
20 February 2013 – 10am	25 February 2013 – 2pm	6 March 2013	14 March 2013
25 March 2013 – 10am	28 March 2013 – 2pm	10 April 2013	18 April 2013

*Early due to Bank Holidays

