

REPORT OF THE CORPORATE DIRECTOR, PLACE

NOTTINGHAMSHIRE MINERALS LOCAL PLAN - PUBLICATION VERSION

Purpose of the Report

1. To endorse the Nottinghamshire Minerals Local Plan Publication Version (Regulation 19) (“the Publication Version”) in light of the outcome of consultation on a Draft Plan and other considerations.
2. To recommend to Council that the Publication Version be published to enable representations to be received prior to submission of the Plan to the Secretary of State for independent examination.

Information and Advice

3. The Minerals Local Plan is a statutory document that all Minerals Planning Authorities must prepare. It identifies sites and sets out policies against which all minerals development proposals are assessed and determined by the County Council. The overall aim of the Plan is to ensure that sufficient minerals are provided to meet expected demand in the most sustainable way and to safeguard proven mineral resources from being unnecessarily sterilised by other development.
4. The current Minerals Local Plan was adopted in December 2005 and was prepared under previous Government legislation. This document is now out of date and work has begun on a new plan to replace it. The new plan will look ahead to 2036.
5. The preparation of the Plan began by carrying out an informal public consultation on the issues and options faced over the new plan period. The feedback from this consultation fed into the development in 2018 of the Draft Plan version of the Minerals Local Plan, which was published for consultation between the 27th July and the 28th September 2018.
6. In total 1744 representations were received from a total of 1101 organisations and individuals. This included statutory bodies, district and parish councils, neighbouring county councils, the minerals industry, interest groups and members of the public.

7. An overview of the comments received on each policy of the Draft Plan is set out in Appendix 1 together with an summary response to the comments and an indication of how the policy has been changed, where this is the case. Full copies of responses can be viewed online [here](#) by clicking on the “view comments” icon next to each question.
8. Since the consultation on the Draft Plan, the National Planning Policy Framework (NPPF) has been updated and was published in a revised form in February 2019. It has been necessary to ensure that the Plan remains in accordance with the revised NPPF and some changes have been made to ensure this is the case.
9. The Publication Version, which incorporates changes in response to the consultation on the Draft Plan and to the NPPF, is appended to this report at Appendix 2.
10. Preparation of the Publication Version has been informed by a significant body of evidence, with the relevant documents listed as Background Papers. Should the Council decide to publish and thereafter submit the Publication Version to the Secretary of State, these documents will need to be updated and/or supplemented in order to meet ongoing statutory requirements and to demonstrate that the Plan remains up to date and consistent with national policy and guidance. As documents are updated or created, they will be added to the Minerals Local Plan page of the Council’s website.

Next steps

11. The Publication Version is the final stage in the development of the Minerals Local Plan prior to submission to the Secretary of State. It sets out the approach that the County Council considers is the most appropriate approach for future minerals development in Nottinghamshire. Under the constitution of the County Council, this is a decision of the County Council itself and therefore it is for this Committee to recommend subsequent approval by Council at its July meeting.
12. Subject to approval by Council, the Publication Version will be published for a period of six weeks between 30th August and the 11th October 2019 to allow for formal representations on the soundness of the plan.
13. A Guidance Note will be published on the Minerals Local Plan webpage providing information on the tests of soundness along with a specific template/form to help respondents reply to the consultation.
14. Following this six week period, the Council will be able to submit the Publication Version to the Secretary of State for examination. The Local Development Scheme (March 2018) currently identifies that the Council will submit the Minerals Local Plan for Independent Examination to the Minister for Housing, Communities and Local Government in January 2020 with the Examination commencing in March 2020.
15. At the Examination, the Inspector will consider the Publication Version, the evidence supporting it and representations received at the Publication (Regulation 19) stage and judge whether it is sound and whether it meets the legal and duty to cooperate requirements. The Inspector may suggest that the Council makes further modifications to the Plan in order to make it sound, before it is formally adopted by the Council.

16. It is currently anticipated that the Plan will be adopted in Autumn 2020.

Other Options Considered

17. Preparation of the Minerals Local Plan is a statutory requirement. Without an up to date planning policy framework in place, planning applications for minerals development could be submitted and decided on an ad-hoc / first come first served basis, resulting in a lack of certainty for local communities and the minerals industry. The only other option would be stop preparation of the Plan with the above consequence and this is not considered appropriate.

Reason/s for Recommendation/s

18. To make the Committee aware of the response to the Draft Plan consultation stage and the changes or otherwise to policies and proposals considered necessary.

19. To ensure that the Minerals Local Plan is approved and published in accordance with the constitution of the County Council.

20. To provide delegated authority for officers to make necessary minor changes considered necessary associated with publication.

Statutory and Policy Implications

21. This report has been compiled after consideration of implications in respect of finance, the public-sector equality duty, 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

22. The costs of preparing and examining the Minerals Local Plan will be met through a reserve which has been established to cover these costs.

RECOMMENDATION/S

It is recommended that Committee:

1. Accepts the summary of the main issues raised during the consultation on the Draft Plan Stage (Appendix 1) and how these have been addressed;

2. Endorses the Nottinghamshire Minerals Local Plan – Publication Version (Appendix 2) and recommends to Council that it be published for formal representations, and thereafter submitted to the Secretary of State for independent examination.

3. Authorises the Corporate Director, Place, in consultation with the Chair and Vice Chair of the Communities and Place Committee to make non-material typographical, formatting,

mapping and other minor amendments to the Nottinghamshire Minerals Plan prior to publication.

Adrian Smith
Corporate Director, Place

For any enquiries about this report please contact Steven Osborne-James, Principal Planning Officer, Planning Policy Team, 0115 977 2109 or Stephen Pointer Team Manager Planning Policy

Constitutional Comments (RHC 22/5/2019)

23. Communities and Place Committee is the appropriate body to consider the contents of this report by virtue of its terms of reference.

Financial Comments (RWK 08/05/19)

24. The costs of preparing and examining the Minerals Local Plan will be met through a reserve which has been established to cover these costs. The current balance of the reserve is £164,180.

Background Papers and Published Documents

A series of technical assessment documents have been prepared to support the development of the Nottinghamshire Minerals Local Plan and these can be found in full at:

<http://www.nottinghamshire.gov.uk/minerals>

Electoral Division(s) and Member(s) Affected

All