



SUMMONS TO COUNCIL

date Thursday, 25 March 2021 venue Virtual Meeting
commencing at 10:30

You are hereby requested to attend the above Meeting to be held at the time/place and on the date mentioned above for the purpose of transacting the business on the Agenda as under.

Chief Executive

- | | | |
|----|--|----------|
| 1 | Minutes of the last meeting held on 25 February 2021 | 7 - 18 |
| 2 | Apologies for Absence | |
| 3 | Declarations of Interests by Members and Officers:- (see note 3) | |
| | (a) Disclosable Pecuniary Interests | |
| | (b) Private Interests (pecuniary and non-pecuniary) | |
| 4 | Chairman's Business | |
| 5 | Constituency Issues (see note 4) | |
| 6a | Presentation of Petitions (if any) (see note 5) | |
| 6b | Responses to Petitions Presented to the Chairman of the County Council | 19 - 26 |
| 7 | Nottinghamshire County Council's Pay Policy Statement 2020-21 | 27 - 106 |

8 Nottinghamshire Minerals Local Plan - Receipt of Inspector's Report and Adoption 107 - 342

9 Questions

a) Questions to Nottinghamshire and City of Nottingham Fire Authority

b) Questions to Committee Chairmen

10 NOTICE OF MOTIONS

Business carried over from 17th December 2020 meeting

Motion six has been withdrawn

Motion One

This Council welcomes the publication of the Government White Paper, *'Integration and innovation: working together to improve health and social care for all'*, and authorises the Council Leader to write to the Secretary of State for Health & Social Care stating that this authority:-

- supports the proposal to remove the *'barriers'* and *'transactional bureaucracy'* that prevent the current health system working with councils to join up planning, commissioning and service delivery, including social care for all ages;
- supports the Government's vision of Integrated Care System (ICS) NHS and local government social care services *'forming dynamic partnerships to address some of society's most complex health problems'*, including a stronger platform to tackle the health inequalities we see across the County;
- believes that the proposals set out in the White Paper can deliver a better integrated planning and commissioning system in the NHS, able to work with the County Council in a more responsive way, building on what has already been achieved 'at blistering pace' during the Coronavirus pandemic.

Councillor Tony Harper

Councillor Kevin Rostance

Motion Two

This Council is concerned about the rising levels of child poverty across Nottinghamshire. This council notes that the majority of these children have working parents who are struggling to make ends meet, as highlighted in the excellent campaign by Marcus Rashford. This council believes that no child should go to bed hungry.

This Council agrees to task the Children and Young Peoples committee to review the provision of free school meals to those entitled throughout the year, to include the school holidays on an ongoing basis for the foreseeable future.

Councillor John Peck

Councillor Liz Plant

Motion Three

On the roads of England - we drive on the left. In places like the Ashfield District, Broxtowe Borough and Mansfield District people drive on what's left of the road.

This Council notes with dismay the state of our broken roads and pavements across Nottinghamshire.

This Council believes that funding should be allocated by road usage and not the length of roads.

We therefore call for whoever forms the next administration of Nottinghamshire County Council to carry out a full review of the processes involved in highway's maintenance and the process for allocating funding at the earliest opportunity.

Councillor Jason Zadrozny

Councillor David Martin

Motion Four

This Council notes that despite more than £100m having been spent since April 2017 on roads maintenance and renewals across this County, Nottinghamshire's roads are ranked as the worst in the country, as demonstrated in 2019, when the highest number of potholes across the UK was recorded.

This council therefore commits to reviewing the practises and procedures which are currently in place to improve the quality of maintenance and pothole repairs and provide our residents with a guarantee of better value for money.

Councillor Alan Rhodes

Councillor Kevin Greaves

Motion Five

This council strives to do its utmost to ensure safe outdoor environments for children, young people, families, elderly and all our residents.

To this end, this council agrees to task the Communities and Place committee with a review which will seek to extend the 20mph advisory speed limit countywide to any road situated outside a play park, leisure centre or youth centre.

Councillor Mike Pringle

Councillor Errol Henry

Motion Six

This Council thanks our Chief Executive, Corporate Leadership Team and all of our employees for their outstanding response to the COVID-19 pandemic during the past year, often going above and beyond the call of duty to protect and support Nottinghamshire residents affected by Coronavirus.

Councillor John Knight

Councillor Reg Adair

Councillor Mrs Kay Cutts MBE

NOTES:-

(A) For Councillors

- (1) Members will be informed of the date and time of their Group meeting for Council by their Group Researcher.
- (2) Lunch will usually be taken at approximately 12.30pm.
- (3)
 - (a) Persons making a declaration of interest should have regard to the Code of Conduct and the Procedure Rules for Meetings of the Full Council. Those declaring must indicate whether their interest is a disclosable pecuniary interest or a private interest and the reasons for the declaration.
 - (b) Any member or officer who declares a disclosable pecuniary interest in an item must withdraw from the meeting during discussion and voting upon it, unless a dispensation has been granted. Members or officers requiring clarification on whether to make a declaration of interest are invited to contact the Monitoring Officer or Democratic Services prior to the meeting.

- (c) Declarations of interest will be recorded and included in the minutes of this meeting and it is therefore important that clear details are given by members and others in turn, to enable Democratic Services to record accurate information.
- (4) At any Full Council meeting except the budget meeting and an extraordinary meeting Members are given an opportunity to speak for up to three minutes on any issue which specifically relates to their division and is relevant to the services provided by the County Council. These speeches must relate specifically to the area the Member represents and should not be of a general nature. They are constituency speeches and therefore must relate to constituency issues only. This is an opportunity simply to air these issues in a Council meeting. It will not give rise to a debate on the issues or a question or answer session. There is a maximum time limit of 15 minutes for this item.
- (5) At any Full Council meeting except the budget meeting and an extraordinary meeting Members may present a petition to the Chairman of the County Council on any matter affecting the residents of their division, and in relation to which the County Council has powers or duties. The Member presenting the petition can introduce and speak about the petition for up to one minute. Members are reminded that there is a time limit of 15 minutes for the presentation of petitions, after which any petitions not yet presented will be received en bloc by the Chairman.
- (6) In relation to questions to the Nottinghamshire and City of Nottingham Fire Authority and Committee Chairmen; after receiving an answer to their question, the Councillor asking the original question may ask one supplementary question on the same matter. There will be no additional supplementary questions.
- (7) Members are reminded that these papers may be recycled. Appropriate containers are located in the respective secretariats.
- (8) Commonly used points of order
- 26 – Constituency issues must be about issues which specifically relate to the Member's division and is relevant to the services provided by the County Council
- 51 – Only 1 supplementary question per question is allowed from the Councillor who asked the original question and supplementary questions must be on the same matter
- 61 – The Mover or Secunder has spoken for more than 10 minutes when moving the motion
- 64 – The Member has spoken for more than 5 minutes
- 66 – The Member is not speaking to the subject under discussion
- 67 – The Member has already spoken on the motion

86 – Points of Order and Personal Explanations

96 – Disorderly conduct

(9) Time limit of speeches

Motions

64 – no longer than 5 minutes (subject to any exceptions set out in the Constitution)

Constituency Issues

26 – up to 3 minutes per speech allowed

29 – up to 15 minutes for this item allowed

Petitions

33 – up to one minute per petition allowed

37 – up to 15 minutes for this item allowed

Questions

45 – up to 60 minutes for this item allowed

(B) For Members of the Public

- (1) 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 0300 500 80 80.

- (2) The papers enclosed with this agenda are available in large print if required. Copies can be requested by contacting the Customer Services Centre on 0300 500 80 80. Certain documents (for example appendices and plans to reports) may not be available electronically. Hard copies can be requested from the above contact.
- (3) This agenda and its associated reports are available to view online via an online calendar – <http://www.nottinghamshire.gov.uk/dms/Meetings.aspx>



Meeting COUNTY COUNCIL

Date Thursday, 25 February 2021 (10.30 am – 7.35 pm)

Membership

Persons absent are marked with 'A'

COUNCILLORS

Stuart Wallace (Chairman)
Andy Sissons (Vice-Chairman)

Reg Adair
Pauline Allan
Chris Barnfather
Joyce Bosnjak
Ben Bradley
Nicki Brooks
Andrew Brown
Richard Butler
Steve Carr
John Clarke
Neil Clarke MBE
John Cottee
Jim Creamer
Mrs Kay Cutts MBE
Samantha Deakin
Maureen Dobson
Dr John Doddy
Boyd Elliott
Sybil Fielding
Kate Foale
Stephen Garner
Glynn Gilfoyle
Keith Girling
Kevin Greaves
John Handley
Tony Harper
Errol Henry JP
Paul Henshaw
Tom Hollis
Vaughan Hopewell
Richard Jackson
Roger Jackson

Eric Kerry
John Knight
Bruce Laughton
John Longdon
Rachel Madden
David Martin
Diana Meale
John Ogle
Philip Owen
Michael Payne
John Peck JP
Sheila Place
Liz Plant
Mike Pringle
Francis Purdue-Horan
Mike Quigley MBE
Alan Rhodes
Kevin Rostance
Phil Rostance
Mrs Sue Saddington
Helen-Ann Smith
Tracey Taylor
Parry Tsimbirdis
Steve Vickers
Keith Walker
Muriel Weisz
Andy Wetton
Gordon Wheeler
Jonathan Wheeler
Yvonne Woodhead
Martin Wright
Jason Zadrozny

OFFICERS IN ATTENDANCE

Anthony May	(Chief Executive)
Melanie Brooks	(Adult Social Care and Health)
Jonathan Gribbin	(Adult Social Care and Health)
Sara Allmond	(Chief Executives)
Luke Barrett	(Chief Executives)
Angie Dilley	(Chief Executives)
David Hennigan	(Chief Executives)
Anna O'Daly-Kardasinska	(Chief Executives)
Marjorie Toward	(Chief Executives)
Nigel Stevenson	(Chief Executives)
James Silverward	(Chief Executives)
Colin Pettigrew	(Children and Families)
Adrian Smith	(Place)

OPENING PRAYER AND MINUTE SILENCE

Upon the Council convening, prayers and a minute silence in memory of former County Councillor Edward Llewellyn-Jones were led by the Chairman's Chaplain.

1. MINUTES

RESOLVED: 2021/001

That the minutes of the last meeting of the County Council held on 17 December 2020 be agreed as a true record and signed by the Chairman.

2. APOLOGIES FOR ABSENCE

None

3. DECLARATIONS OF INTEREST

None

4. CHAIRMAN'S BUSINESS

FORMER COUNTY COUNCILLOR EDWARD LLEWELLYN-JONES

Councillors Alan Rhodes, Mrs Kay Cutts, Parry Tsimbiridis, Jason Zadrozny, Steve Carr, John Clarke and Joyce Bosnjak spoke in memory of former County Councillor Edward Llewellyn-Jones.

5. ANNUAL BUDGET 2021/22
ADULT SOCIAL CARE PRECEPT 2021/22
COUNCIL TAX 2021/22
MEDIUM TERM FINANCIAL STRATEGY 2021/22 TO 2024/25
CAPITAL PROGRAMME 2021/22 TO 2024/25
CAPITAL STRATEGY 2021/22

Councillor Richard Jackson introduced the report and moved a motion in terms of resolution 2021/002 below, which was jointly seconded by Councillor Mrs Kay Cutts MBE and Councillor Reg Adair.

Council Jason Zadrozny moved the Ashfield Independent Group's amendment which is set out in Appendix A to the minutes which was seconded by Councillor Tom Hollis.

The Council adjourned from 11.41am to 12.00pm, to enable the amendment to be circulated and read by members, followed by the mover and seconder of the amendment speaking to their amendment.

Following an adjournment from 12.24pm to 1.00pm to consider the amendment and break for lunch, Councillor Richard Jackson, the Mover of the Motion, confirmed that he would not accept the amendment. The Motion and amendment were then debated.

Following the debate, the amendments and motion were put to the meeting. A recorded vote was legally required for the amendment and the motion.

A recorded vote was taken on the Ashfield Independent Group's amendment and it was ascertained that the following 7 Members voted '**For**' the amendment:-

Steve Carr	David Martin
Samantha Deakin	Helen-Ann Smith
Tom Hollis	Jason Zadrozny
Rachel Madden	

The following 37 Members voted '**Against**' the amendment:-

Reg Adair	Vaughan Hopewell
Chris Barnfather	Richard Jackson
Ben Bradley	Roger Jackson
Andrew Brown	Eric Kerry
Richard Butler	John Knight
Neil Clarke MBE	Bruce Laughton
John Cottee	John Longdon
Mrs Kay Cutts MBE	John Ogle
Maureen Dobson	Philip Owen
Dr John Doddy	Francis Purdue-Horan
Boyd Elliott	Mike Quigley MBE
Stephen Garner	Kevin Rostance
Keith Girling	Phil Rostance
John Handley	Mrs Sue Saddington
Tony Harper	Andy Sissons

Tracey Taylor
Steve Vickers
Keith Walker
Stuart Wallace

Gordon Wheeler
Jonathan Wheeler
Martin Wright

The following 22 Members '**Abstained**' from the vote:-

Pauline Allan
Joyce Bosnjak
Nicki Brooks
John Clarke
Jim Creamer
Sybil Fielding
Kate Foale
Glynn Gilfoyle
Kevin Greaves
Errol Henry JP
Paul Henshaw

Diana Meale
Michael Payne
John Peck JP
Sheila Place
Liz Plant
Mike Pringle
Alan Rhodes
Parry Tsimbiridis
Muriel Weisz
Andy Wetton
Yvonne Woodhead

The Chairman declared that the Ashfield Independent Group's amendment was lost.

A recorded vote was then taken on the original motion and it was ascertained that the following 34 Members voted '**For**' the motion:-

Reg Adair
Chris Barnfather
Ben Bradley
Andrew Brown
Richard Butler
Neil Clarke MBE
John Cottee
Mrs Kay Cutts MBE
Dr John Doddy
Boyd Elliott
Stephen Garner
Keith Girling
John Handley
Tony Harper
Richard Jackson
Roger Jackson
Eric Kerry

John Knight
Bruce Laughton
John Longdon
John Ogle
Philip Owen
Francis Purdue-Horan
Mike Quigley MBE
Kevin Rostance
Phil Rostance
Mrs Sue Saddington
Andy Sissons
Tracey Taylor
Steve Vickers
Keith Walker
Stuart Wallace
Gordon Wheeler
Jonathan Wheeler

The following 31 Members voted '**Against**' the amendment:-

Pauline Allan
Joyce Bosnjak
Nicki Brooks
Steve Carr
John Clarke
Jim Creamer

Samantha Deakin
Sybil Fielding
Kate Foale
Glynn Gilfoyle
Kevin Greaves
Errol Henry JP

Paul Henshaw
Tom Hollis
Vaughan Hopewell
Rachel Madden
David Martin
Diana Meale
Michael Payne
John Peck JP
Sheila Place
Liz Plant

Mike Pringle
Alan Rhodes
Helen-Ann Smith
Parry Tsimbiridis
Muriel Weisz
Andy Wetton
Yvonne Woodhead
Martin Wright
Jason Zadrozny

The following Member '**Abstained**':-

Maureen Dobson

The Chairman declared the motion was carried and it was:-

RESOLVED: 2021/002

- 1) That the Annual Revenue Budget for Nottinghamshire County Council be set at £530.317 million for 2021/22 as set out in paragraph 14 of the report.
- 2) That the principles underlying the Medium Term Financial Strategy be approved as set out in table 9 in the report.
- 3) That the Finance and Major Contracts Management Committee be authorised to make allocations from the General Contingency for 2021/22 as set out in paragraph 16 of the report.
- 4) That the 1.00% Adult Social Care Precept be levied in 2021/22 to part fund increasing adult social care costs as set out in paragraph 25 of the report.
- 5) That the County Council element of the Council Tax be increased by 1.99% in 2021/22. That the overall Band D tax rate be set at £1,580.85 with the various other bands of property as set out in paragraph 27 of the report.
- 6) That the County Precept for the year ending 31 March 2022 shall be £402,934,099 and shall be applicable to the whole of the District Council areas as General Expenses as set out in paragraph 29 of the report.
- 7) That the County Precept for 2021/22 shall be collected from the District and Borough councils in the proportions set out in table 7 of the report with the payment of equal instalments on the dates set out in table 8 of the report.
- 8) That the Capital Programme for 2021/22 to 2024/25 be approved at the total amounts below and be financed as set out in the report:

Year	Capital Programme
2021/22	£108.523m
2022/23	£58.400m
2023/24	£40.190m
2024/25	£39.155m

- 9) That the variations to the Capital Programme set out in paragraphs 48 – 57 of the report be approved.
- 10) That the Minimum Revenue Position policy for 2021/22 be approved as set out in appendix C of the report.
- 11) That the Capital Strategy including the 2021/22 Prudential Indicators and Treasury Management Strategy be approved as set out in appendix D of the report.
- 12) That the Service Director – Finance, Infrastructure and Improvement be authorised to raise loans in 2021/22 within the limits of total external borrowings as set out in paragraph 63 of the report.
- 13) That the Treasury Management Policy for 2021/22 be approved as set out in appendix E of the report.
- 14) That the Council delegates responsibility for the setting of Treasury Management Policies and Practices relating to Pension Fund cash to the Pension Fund Committee as set out in paragraph 62 of the report.
- 15) That the report be approved and adopted.

The Chairman declared the meeting closed at 7.35 pm.

CHAIRMAN

COUNTY COUNCIL MEETING – THURSDAY 25th FEBRUARY 2021

ASHFIELD INDEPENDENT GROUP AMENDMENT

ANNUAL BUDGET 2021/22

That the following amendment to the Capital Programme be approved.

1. An additional £3m be added to Highway Maintenance, £1 million each for highways improvements, above the current allocation, to be spent within the district boundaries of Ashfield District, Broxtowe Borough and Mansfield District Councils. The detailed scheme allocation of this funding will be determined by the appropriate Committee.

The increased capital programme will be funded by utilisation of the uncommitted contingency allocation in 2021/22 of £2.3m and acceleration of £0.7m of the 2022/23 contingency.

The amendment will result in updated capital information in the report as set out below.

Para 57) A number of capital bids described above are proposed to be funded from uncommitted contingency. The levels of contingency funding remaining in the capital programme are as follows:-

2021/22	£0m
2022/23	£2.1m
2023/24	£2.8m
2024/25	£2.9m

Table 11 – Summary Capital Programme

	Revised 2020/21	2021/22	2022/23	2023/24	2024/25	TOTAL
	£m	£m	£m	£m	£m	£m
Committee:						
Children & Young People*	29.553	24.335	16.377	11.301	11.301	92.867
Adult Social Care & Public Health	1.266	0.241	0.000	0.000	0.000	1.507
Communities & Place	67.033	47.135	23.249	20.893	20.390	178.700
Policy	26.109	37.332	15.794	5.016	4.430	88.681
Finance & MCM	0.180	0.180	0.180	0.180	0.180	0.900
Personnel	0.354	0.000	0.000	0.000	0.000	0.354
Contingency	0.000	0.000	2.100	2.800	2.854	7.754
Capital Expenditure	124.495	109.223	57.700	40.190	39.155	370.763
Financed By:						
Borrowing	42.924	63.174	25.609	12.016	11.432	155.155
Capital Grants	78.465	45.286	30.714	27.223	27.223	208.911

Revenue / Reserves	3.106	0.763	1.377	0.951	0.500	6.697
Total Funding	124.495	109.223	57.700	40.190	39.155	370.763

RECOMMENDATION

The Recommendations moved by the Chairman of the Finance and Major Contracts Management Committee as shown on pages 19 and 20 of the report be deleted and replaced by the following:

Recommendations

It is recommended that:

Reference

- | | |
|--|--------------------|
| 1) The Annual Revenue Budget for Nottinghamshire County Council is set at £530.317 million for 2021/22. | Para. 14 |
| 2) The principles underlying the Medium-Term Financial Strategy are approved. | Table 9 |
| 3) The Finance and Major Contracts Management Committee be authorised to make allocations from the General Contingency for 2021/22. | Para. 16 |
| 4) That the 1.00% Adult Social Care Precept is levied in 2021/22 to part fund increasing adult social care costs. | Para. 25 |
| 5) The County Council element of the Council Tax is increased by 1.99% in 2021/22. That the overall Band D tax rate is set at £1,580.85 with the various other bands of property as set out in the report. | Para. 27 |
| 6) The County Precept for the year ending 31 March 2022 shall be £402,934,099 and shall be applicable to the whole of the District Council areas as General Expenses. | Para. 29 |
| 7) The County Precept for 2021/22 shall be collected from the District and Borough councils in the proportions set out in Table 7 with the payment of equal instalments on the dates set out in Table 8. | Table 7
Table 8 |

8) The Capital Programme for 2021/22 to 2024/25 be approved at the total amounts below and be financed as set out in the report. **The additional capital funding of £3m for Highway Maintenance to be allocated as £1million each for highways improvements, above the current allocation, to be spent within the district boundaries for Ashfield District, Broxtowe Borough and Mansfield District Councils. Detailed scheme allocation to be determined by the appropriate Committee.**

Table 11

Year	Capital Programme
2021/22	£109.223m
2022/23	£57.700m
2023/24	£40.190m
2024/25	£39.155m

- 9) The variations to the Capital Programme be approved. Para. 48-57
- 10) The Minimum Revenue Provision policy for 2021/22 be approved. Appx. C
- 11) The Capital Strategy including the 2021/22 Prudential Indicators and Treasury Management Strategy be approved. Appx. D
- 12) The Service Director – Finance, Infrastructure and Improvement be authorised to raise loans in 2021/22 within the limits of total external borrowings. Para. 63
- 13) The Treasury Management Policy for 2021/22 be approved. Appx. E
- 14) The Council delegates responsibility for the setting of Treasury Management Policies and Practices relating to Pension Fund cash to the Pension Fund Committee. Para. 62
- 15) The report be approved and adopted.

Cllr Jason Zadrozny
Leader, Ashfield Independent
Group

Cllr Tom Hollis
Ashfield Independent Group

FINANCIAL AND CONSTITUTIONAL IMPLICATIONS OF THE ASHFIELD INDEPENDENT GROUP'S AMENDMENT - COMMENTS OF THE SERVICE DIRECTOR – FINANCE, INFRASTRUCTURE AND IMPROVEMENT AND THE SERVICE DIRECTOR – CUSTOMERS, GOVERNANCE AND EMPLOYEES

1 Purpose

- 1.1 The purpose of this report is to set out the financial and constitutional implications of the Ashfield Independent Group's Budget Amendment and provide an opinion on whether it meets the funding requirements contained in the Local Government Finance Act 1992, the Local Government Act 2003, the CIPFA Prudential Code for Capital Finance, and is in accordance with the legal requirements and the Council's constitution.

2 Financial Implications

- 2.1 The impact of the Amendment is to increase the Communities and Place Committee Capital Programme by £3m to fund additional Highway Maintenance, £1million each for highways improvements, above the current allocation within the district boundaries of Ashfield District, Broxtowe Borough and Mansfield District Councils.
- 2.2 It is proposed that this increase will be funded from a reduction in the uncommitted contingency in 2021/22 of £2.3m and acceleration of uncommitted contingency of £0.7m from 2022/23.

3 Commentary on the Proposals

- 3.1 A small contingency has historically been retained within the overall capital programme each year to allow for funding of unavoidable increased scheme costs or emergencies as they arise. This proposal utilises some of this contingency and increases the risk that the Capital Programme may be overcommitted if such a situation arises.
- 3.2 Recent years have seen slippage in the Capital Programme which would enable potential additional costs to be offset, but clearly this cannot be guaranteed.
- 3.3 If an overspend or additional requirement arose, and there was insufficient underspends or slippage to offset this, then an in-year review of the capital programme would be required. This would need to identify savings or slippage, which may include the additional allocation referred to in the amendment.

- 3.4 The proposal does not impact the overall Capital Programme across the MTFS and hence the corresponding overall prudential indicators set out in Appendix C would not change. If approved, there would be small amendments within years and revised yearly indicators would be brought to a future Finance & Major Contracts Management Committee for approval.

4 Conclusion

- 4.1 In the opinion of the Service Director – Finance, Infrastructure and Improvement, this Amendment meets the requirements of the Local Government Finance Act 1992, the Local Government Act 2003 and the CIPFA Prudential Code.
- 4.2 In the opinion of the Service Director – Customers, Governance and Employees, the proposals contained in the Ashfield Independent Group's Amendment are in accordance with the law and the County Council's Constitution.

NIGEL STEVENSON

SERVICE DIRECTOR – FINANCE, INFRASTRUCTURE AND IMPROVEMENT

MARJORIE TOWARD

SERVICE DIRECTOR – CUSTOMERS, GOVERNANCE AND EMPLOYEES

REPORT OF THE CHAIRMAN OF COMMUNITIES AND PLACE COMMITTEE**RESPONSES TO PETITIONS PRESENTED TO THE CHAIRMAN OF THE COUNTY COUNCIL****Purpose of the Report**

1. The purpose of this report is to inform Council of the decisions made by the Communities and Place Committee concerning issues raised in petitions presented to the Chairman of the County Council on 15th October and 17th December 2020.

Information**A.Traffic safety measures, Bingham (Ref:2019/0398)**

2. A 267 signature petition was presented to the 15th October meeting of the County Council by Councillor Neil Clarke, requesting that traffic calming features be installed on the busy roads in Bingham (including Carnarvon Place).
3. The petition was initiated following an unfortunate road traffic incident on Carnarvon Place in September 2020.
4. The Authority actively promotes road safety on the County's roads, with an emphasis on locations such as Carnarvon Place, where there are an increased number of vulnerable highway users. We have previously implemented a number of features at this site in a bid to lower traffic speeds and improve road safety. For example, 'Children' warning signage, SLOW road markings and a school 20mph zone.
5. In the last 3 years, Via's Safer Highways Team have also delivered road safety education to all years at Bingham Robert Miles Infant School. The team were hopeful of booking a further session with the school in July 2020, but due to the Covid-19 pandemic were unable to deliver the package. The school have however been approached to reschedule this visit.
6. The Authority is of course sorry to learn of the recent incident on Carnarvon Place, but following investigations of the site must confirm that its safety record does not meet criteria for physical traffic calming measures. Unfortunately therefore the request to install these features on this road has been declined. We will of course, continue to monitor the situation and take any necessary action if there are any significant changes.
7. In respect of installing traffic calming at other locations in Bingham, Via's Safer Highways Team work closely with Nottinghamshire Police to proactively identify and treat sites that have an existing injury accident problem. There are currently no such schemes proposed in Bingham. However, the Authority are always happy to assess locations that are brought to its attention on a case to case basis. We will however, due to the concern of the Community,

install additional road markings, signage and reflective marker posts on Carnarvon Place. These measures will be delivered as part of the 2021/22 programme.

8. It was agreed that the lead petitioner be informed accordingly

B. Retaining road markings – Keyworth (Ref:2020/0403)

9. A 57 signature petition was presented to the 17 December 2020 meeting of the County Council by Councillor John Cottee, as a result of a recent consultation proposing the removal of the single yellow line outside Numbers 5 to 17 Selby Lane, Keyworth (No Waiting – Monday to Saturday 8am to 6pm). The petition requested that the parking restrictions are retained.

10. The single yellow line was originally implemented in 1968 to prevent parking causing access and egress issues to a bus depot that used to be situated on the opposite side of the road from Numbers 5 to 17 Selby Lane. The bus depot no longer exists and has been replaced by new housing. In May 2019, the Authority received a petition requesting the removal of the single yellow line restrictions, which subsequently instigated the recent consultation.

11. It is acknowledged that the petition of May 2019 did not reflect the opinion of the majority of local residents and there is strong belief in the community that the removal of these parking restrictions will result in obstructive parking affecting both vehicles and pedestrians.

12. It has therefore been decided that the single yellow lining and its associated traffic regulation order will remain in place. The Authority now only intends to implement junction protection markings (double yellow lines) at Selby Lane's junctions with Elm Avenue and Windmill Court.

13. It was agreed that the lead petitioner be informed.

C. Speed and road safety measures – Upton Road, Southwell (Ref:2020/0404)

14. A 21 signature petition was presented to the 17 December 2020 meeting of the County Council by Councillor Roger Jackson requesting the speed limit be lowered from 50mph to 30mph on Upton Road between Southwell and the Normanton Road/Galley Hill junction; along with various signing, lining and drainage improvements. This request was based on the road layout not meeting current design standards and 15 accidents being observed in the last five years.

15. Speed limit reviews are conducted in line with the Department for Transport guidance 'Setting Local Speed Limits' which is applicable to assessing existing road networks, not design standards which are used to control the design of new road construction. The speed limit on the A612 at this location is due to be assessed in the programme year 2021/22. In order to assess the speed limit, traffic surveys are required to establish traffic speeds and vehicle volumes. Such surveys, however, are not currently being undertaken due to the current Covid-19 safeguarding restrictions which are impacting on the ability to collect meaningful traffic data that reflect traffic conditions (due to reduced traffic volumes). Accordingly, a traffic survey will be undertaken as soon as conditions permit.

16. An inspection and assessment of the bollards (verge marker posts) has been requested and will be undertaken as soon as is practicably possible. Replacement advance warning signs for the bends and side road junction have been ordered and are due to be installed by the end of February.

17. To ensure consistency and compliance, carriageway lines and carriageway markings are installed in accordance with current legislation. There are strict guidelines as to where double white centre lines are permitted, the bend to which the petition refers will be assessed using these guidelines and any necessary action taken. Work to refresh carriageway edge lines and verge marker posts in the vicinity were completed in August 2019.
18. Routine drainage maintenance is scheduled for 2021/22 as part of the cyclical programme. Investigatory work has been ordered and will be carried out at the earliest opportunity.
19. It was agreed that the lead petitioner be informed.

D. Request for speed cameras – Nabbs Lane, Hucknall (Ref:2020/0408)

20. A petition of 287 signatures was presented to the 17 December 2020 meeting of the County Council by Councillor Phil Rostance requesting speed cameras on Nabbs Lane, Hucknall, between Totnes Close and Salterford Road. This request was based on there having been several incidents of children attending Holgate School being struck by speeding vehicles.
21. In line with guidance from central government, speed cameras are only installed in response to high numbers of speed related collisions resulting in serious injury and only after other measures have been tried and failed. Between 1 January 2017 and 31 July 2020, there were three reported collisions, on the whole length of Nabbs Lane, resulting in very minor injuries (cuts and bruises treated at the scene). Subsequently, speed cameras cannot be justified on this basis.
22. In February 2017, traffic calming was installed on the eastern end of Nabbs Lane between Seymour Road and Watnall Road in response to reported accidents resulting in injury. Since the installation, there have been no further injury accidents reported on this part of Nabbs Lane which covers one of the accesses to the school. Previous to this scheme, consultation was carried out regarding traffic calming along the whole route which includes another access to the school. This consultation resulted in additional pedestrian refuges and two ramped zebra crossings being installed as an alternative. The current accident record would not justify any further traffic calming measures at this time.
23. A previous speed survey did not support any intervention however as soon as traffic has returned to normal levels a further survey can be carried out and any measures if necessary can be investigated.
24. It was agreed that the lead petitioner be informed.

E. Request for speed limit change on Main Street, Ragnall (Ref:2020/0402)

25. A 49-signature petition was submitted to the 17 December 2020 meeting of the County Council by Councillor John Ogle on behalf of residents requesting that the County Council reduces the speed limit on Main Street, Ragnall from 40mph to 30mph.
26. This section of highway has been the subject of a previous request (submitted in 2016) at which time the County Council agreed to assess the speed limit. An investigation was carried out using government guidance as set out in the Department for Transport Circular 01/2013 'Setting Local Speed Limits'.

27. The speed limit on single carriageway rural roads should take into account the history of collisions, the road's function, existing mean traffic speed, use by vulnerable road users, the road's geometry and engineering, and the road environment including level of road-side development.
28. Following the advice set out in the national guidance, the investigation noted the following:
1. The existing average speed was recorded as 37.6mph.
 2. There have been no reported accidents in the three-year period prior to the assessment.
 3. The road's primary function is that of a through route.
 4. Due to the small but very spread population, the number of vulnerable road users is likely to be low.
 5. There is relatively little roadside development and very few places where there are properties on both sides of the road. Consequently, the road has a more rural than village feel.
29. As average speeds only tend to fall by 1 or 2mph for every 10mph reduction in the speed limit, it is considered unlikely that they would fall sufficiently to ensure that the majority of road users complied with the new limit without the need for additional enforcement. This is a key principle of speed limit assessment. Introducing a 30mph limit would also require the removal of the existing speed limit repeater signs because 30mph repeater signs are not allowed.
30. Taking all of the above these findings into account, it is considered that the present speed limit is appropriate.
31. It was agreed that the lead petitioner be informed.

F. Request for a TRO and speed limit change on Station Road, Southwell (Ref:2020/0405)

32. A 111-signature petition was submitted to the 17 December 2020 meeting of the County Council by Councillor Roger Jackson on behalf of residents requesting that the County Council introduce a lorry ban and 20mph speed limit on Station Road, Southwell.
33. The road is residential but lies to the edge of the town, close to open countryside. There is an industrial estate to the northeast of Station Road.
34. With regards to the speed limit request, the County Council is required to consider national guidance on setting local speed limits. As well as noting that speed limits should be self-enforcing (that is, they should not require police enforcement in order to maintain appropriate speeds thereby requiring speeds to already be at, or in the region of, the proposed limit), the guidance also states that the minimum length of a speed limit should be 600m (this can be reduced to 400m in extreme cases).
35. However, the section of Station Road over which a 20mph limit would be appropriate is under 300m, meaning that any proposed 20mph limit would have to extend at least 100m beyond the edge of the town or, ideally, as far as Corkhill Lane, Normanton. The majority of this length is rural and presently subject to a 60mph limit. A 20mph limit on this rural section is not considered appropriate, would not command the respect of motorists and would not, therefore, be self-enforcing. As a result, a 20mph limit cannot be considered on Station Road.
36. With regard to the request for a 7.5t environmental weight limit for vehicles, the County Council introduced such restrictions across Southwell and nearby villages in 2014, which includes Station Road. Weight restrictions are not, however, able to ban vehicles exceeding the weight

limit from accessing premises/businesses within the area they cover; and it is not possible to specify which routes vehicles may or may not take inside a restricted area. Modifying the extent of the existing restriction may be possible but even then, vehicles would still be able to use Station Road if accessing premises that were within the restriction. Given the difficulties that would arise from amending the existing area-wide weight restriction and the uncertainty that this modification would achieve any benefit (and may possibly be to the detriment of other residents due to vehicles re-routing), it is not considered appropriate to modify the existing weight restriction.

37. It was agreed that the lead petitioner be informed.

G. Request for road safety measures outside Richard Bonington Primary School, Arnold (Ref:2020/0406)

38. An 866-signature petition was submitted to the 17 December 2020 meeting of the County Council by Councillor Michael Payne requesting that the County Council improves road safety on Calverton Road outside the Richard Bonington Primary and Nursery School.

39. Calverton Road is a residential road. At this location it is subject to a 30mph speed limit with an advisory 20mph limit outside the school. There is not currently an established school crossing patrol site at this location but there is a zebra crossing. In addition to the advisory speed limit, there is a permanent speed camera nearby at the Rannoch Rise junction; and anti-skid surfacing and high standard warning signs on both approaches to the zebra crossing. The accident history in the vicinity of the school prior to the incident that preceded this petition had been very good, in that there had been only one minor collision reported in the last ten years, and this did not involve children, pedestrians, or occur during school times.

40. Following a review of the road safety features in the area it is, however, proposed that the County Council will undertake the following improvements to provide additional warning to approaching motorists, increase the conspicuity of the zebra crossing, and reduce vehicle speeds as they approach the crossing point:

- Install a ramp at the zebra crossing
- Replace the existing combined belisha beacon posts / lanterns with new 'Moduposts' and 'Midustar' LED beacons
- Upgrade five existing street lights on the approaches to the zebra crossing, and
- Install an additional crossing warning sign with distance plate.

41. Delivery of the above proposals was approved by Communities and Place Committee at its 7 January 2021 meeting as part of the provisional 2021/22 Highways programmes (subject to DfT and County Council 2021/22 budget allocation decisions; as well as the necessary consultation, detailed scheme investigation and design).

42. It was agreed that the lead petitioner be informed.

H. Request for a pedestrian crossing on Musters Road, West Bridgford (Ref:2020/0407)

43. A 326-signature petition was submitted to the 17 December 2020 meeting of the County Council by Councillor Liz Plant on behalf of residents requesting that the County Council install a pedestrian crossing on Musters Road near its junction with George Road.

44. Musters Road is a residential road and at this location is subject to a 30mph speed limit with an advisory 20mph limit due to its proximity to West Bridgford Infant and Junior School. The

site of the proposed crossing is also near the St George's Medical Practice access and pharmacy.

45. The County Council receives far more requests for formal crossings (such as puffin or zebra crossings) than it is able to fund. Requests for crossings are therefore prioritised based on the numbers of people crossing and the volume of traffic at a proposed location so that the available funding helps the greatest number of people. Surveys are therefore undertaken to determine whether a crossing at a location should be prioritised for future funding.
46. A formal crossing at this location has been requested (and considered) before and therefore surveys have been undertaken previously. The surveys undertaken at this location identified that the volume of traffic travelling through the site is very low when compared to other locations that have requested a formal crossing. Traffic passing through a site is counted to determine if there are sufficient gaps in the traffic to enable people to cross – the higher the number of vehicles passing through the site the shorter the gaps in the traffic which makes it more difficult for pedestrians to cross the road. The low numbers of vehicles recorded passing through the site means that while pedestrians may occasionally have a slight delay when crossing, there is little difficulty seeking gaps in the traffic. The average speed of vehicles on the road is also low, 23mph and slightly less at school drop off times.
47. Formal crossings are also provided where they are identified as the most effective means of addressing a history of reported collisions resulting in injuries involving pedestrians. Fortunately our records show that there have been no reported injury collisions (involving any road users) at this location during the last five years.
48. For the reasons set out above the provision of a formal crossing at this location on Musters Road is not currently considered a priority. At locations where formal crossings aren't provided alternative measures are also considered to help overcome issues raised.
49. The petition states that this section of Musters Road has "*vehicles parked in places which reduce the visibility for road users to cross safely.*" The road is straight and visibility is unlikely to be an issue from the western side but the parking bays on the eastern side of Musters Road, which are used to access the medical practice, could restrict visibility when occupied. It may therefore be possible to construct a footway build-out in the vicinity that would help overcome the issues raised in the petition by improving visibility and reducing the distance people have to cross. A study will therefore be undertaken to determine the feasibility and cost of this option to determine if it should be considered for inclusion in a future years' integrated transport programme.
50. It was agreed that the lead petitioner be informed.

Statutory and Policy Implications

3. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment 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

It is recommended that the contents of the report be noted.

Councillor John Cottee – Chairman of Communities and Place Committee

For any enquiries about this report please contact:

Adrian Smith, Corporate Director, Place
adrian.smith@nottsc.gov.uk

Background Papers and Published Documents

- Responses to Petitions Presented to the Chairman of the County Council – Communities and Place Committee, 4 February 2021
- Responses to Petitions Presented to the Chairman of the County Council – Communities and Place Committee, 4 March 2021

Electoral Division(s) and Member(s) Affected

- Arnold North – Councillor Michael Payne and Councillor Pauline Allan
- Bingham East – Councillor Francis Purdue-Horan
- Blidworth – Councillor Yvonne Woodhead
- Eastwood – Councillor Tony Harper
- Stapleford and Broxtowe Central – Councillor John Doddy and Councillor John Longdon
- Sutton Central and East – Samantha Deakin
- West Bridgford South – Councillor Jonathan Wheeler

REPORT OF THE LEADER OF THE COUNCIL

NOTTINGHAMSHIRE COUNTY COUNCIL'S PAY POLICY STATEMENT 2020/21

Purpose of the Report

1. To seek the approval of the County Council to the updating and publishing of the authority's Pay Policy Statement for the financial year 2021-2022, which reflects the known situation as at 1st February 2021.

Information

Background

2. Nottinghamshire County Council is committed to good governance and openness to public scrutiny and accountability. As part of this commitment the Council wishes to demonstrate that decisions on the pay and reward packages for its Chief Executive and senior officers have been made in an open, transparent and accountable manner.
3. Under the terms of the Accounts and Audit Regulations 2015 the Council publishes on its website, and regularly updates, information about its most senior officer's pay, including information relating to the Chief Executive and Corporate Directors.
4. Legislation and supporting Government guidance, identifies the statutory contents of a Pay Policy Statement and how it should be presented.
5. Section 38 of the Localism Act 2011 Act sets out the requirement for all Local Authorities in England and Wales to publish annual Pay Policy Statements with effect from the financial year 2012-13 onward.
6. Additional requirements contained in the Localism Act (Section 40), were set out in further national guidance issued in February 2013. This included a requirement relating to the approval of severance packages for senior officers of, or above, £100,000 to be approved by Full Council. There were no applicable instances in this Council in the 12 months between 1st February 2020 and the end of January 2021.
7. The core requirements of the provisions of the Localism Act are that a Pay Policy Statement (PPS) must set out the Authority's policies relating to senior salaries, remuneration and pay multiples, including the:

- Remuneration of its lowest paid employees
 - Definition used for this group and the reason for adopting this definition
 - Relationship between Chief Officer remuneration and that of other staff
 - Pay multiple relationship between the highest earnings and the lowest earnings and between the median earnings figure for the whole authority workforce.
8. The Act defines Chief Officer remuneration as the level and elements of remuneration for each Chief Officer, including salary, any bonuses/performance related pay, and charges/fees/allowances, benefits in kind, enhancement to pension at termination.
9. The definition of a Chief Officer adopted by the Act, as defined by the Local Government and Housing Act 1989, is any post that reports directly to the statutory Chief Officer or the Chief Executive. In the case of this Authority this currently applies to Corporate Directors and those who report to these posts - that is Service Directors and some other senior posts (see top level structure chart **appendix 1**).
10. The Transparency Code, published by the Department for Communities and Local Government (DCLG), contains legal requirements to publish specific legal, organisational and salary information as follows:
- The Pay Multiple and median earnings information must reflect a particular date in the year (in this case the Council's annual Pay Policy Statement update as at 1st February each year), and include all elements of remuneration, not just taxable earnings. This includes base salary, variable pay allowances and any bonuses or payments in kind but excluding pension
 - A list of the number of employees with remuneration above £50,000, presented within brackets of £5,000, with job title and the functions and the services for which they are responsible. This information is contained in the appendices to the Pay Policy Statement and updated annually
 - Any employees earning in excess of £150,000 must be named. In this Council this currently applies only to the post of Chief Executive as reflected in the Council's updated Pay Policy Statement for 2021-22
 - An organisation chart for the top 3 organisational tiers must be published. A chart reflecting the Council's current senior structure, indicating where posts are filled on a temporary rather than permanent basis and where these are vacant, is available on the public website and will be updated to reflect the recent structural changes.
11. The Pay Policy Statement must by law be approved by Full Council in advance of the financial year to which it relates and must be published in the public domain on the Council's website by 1st April each year. This updated annual Statement reflects the situation as at 1st February 2021.

Pay Policy Statement

12. All mandatory requirements of the relevant legislation as set out in both the Act and the Code have been reflected in the Council's updated Pay Policy Statement. The statement does not cover employees directly engaged in a school. The information provided is in line with the guidance published by the Department for Communities and Local

Government (now the Ministry of Housing, Communities and Local Government and the Local Government Association).

13. The focus of the legislation relates to the overall pay policy and not individual post holders. The guidance does however allow Local Authorities discretion over some additional areas of supporting content. As part of the County Council's commitment to transparency and public accountability, the Council's Pay Policy Statement extends beyond the basic statutory requirements and pulls together a wide and comprehensive range of information on pay and remuneration in one place and presents it in a simple, consistent format in order that the public can understand:

- How the Council determines pay and terms and conditions for all staff
- What the Council pays its employees
- The context and rationale behind decisions
- How senior officer remuneration relates to that of other employees.

14. The key principles underpinning the Pay Policy Statement are that the Council currently:

- Has the right to determine senior officer pay locally
- Has ensured that senior officer pay and terms and conditions are in line with those applicable to other employees
- Needs sufficient flexibility to cope with a variety of changing circumstances such as market factor supplements
- Is committed to openness, transparency and public accountability
- Needs to reflect local circumstances such as shortage of particular key skills
- Is committed to equity and fairness of treatment across the whole workforce.

15. A copy of Nottinghamshire County Council's updated annual Pay Policy Statement 2021-2022, which sets out the position as at 1st February 2021, is attached as the **Appendix** to this report.

Other Options Considered

16. The focus of the Pay Policy Statement is to ensure the Council complies with the requirement under the Localism Act to have a Pay Policy Statement; the content of which complies with all mandatory legal requirements and to publish this annually. In addition, the Council has sought to pull together all of the information on its policies relating to pay and remuneration and to publish this for public scrutiny.

17. This Statement can be amended during the financial year as necessary to reflect the prevailing legislation at the time or as emerging practice or clarification of guidance necessitate.

Reason for Recommendation

18. To ensure that Nottinghamshire County Council is legally compliant in terms of the publication of a Pay Policy Statement and accountable to the public of Nottinghamshire.

Statutory and Policy Implications

19. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Data Protection and Information Governance

20. There is a statutory requirement for the information contained in this annual Pay Policy Statement to be published on the Council's website prior to 1st April which overrides any individual's rights to confidentiality.

Financial Implications

21. There are none arising directly as a result of the requirement to publish an annual Pay Policy Statement.

Human Resources Implications

22. The HR implications are contained within the body of the report. The Pay Policy Statement pulls together existing policies in relation to pay and terms and conditions, which have previously been agreed by the recognised Trades Unions and Elected Members and publishes these for wider public scrutiny.

Public Sector Equality Duty implications

23. The Council's pay and grading structure is based on a "points to pay" relationship determined through Job Evaluation as a mechanism to ensure the consistent evaluation of the relative value of job roles across the Council. This in turn ensures a fair, open and transparent pay and reward structure that is affordable and supports the equal treatment of all employees in respect of their pay, terms and conditions; is compliant with Equal Pay legislation and Single Status requirements. The Council's policies on pay and terms and conditions apply equally to employees at all levels of seniority across the authority.

RECOMMENDATION

It is recommended that Full Council:

- 1) Approve the Pay Policy Statement, **as appended**, for publication on the Council's website by 1st April 2021.

Councillor Kay Cutts
Leader of Nottinghamshire County Council

For any enquiries about this report please contact:

Gill Elder, Head of Human Resources on 0115 9773867 or gill.elder@nottsc.gov.uk

Human Resources Comments (GME 02/03/2021)

The Council is fulfilling its legal responsibilities in publishing a Pay Policy statement and associated policy documents. The recognised trades unions have been informed and have noted the information contained in the Pay Policy Statement. This statement includes the changes arising from the full implementation of the NJC National Pay Award applicable from 1 April 2020 applicable to Grade 1 to Hay Band J.

Constitutional Comments (KK 16/03/2021)

The proposal in this report is within the remit of Full Council.

Financial Comments (SES 16/03/2021)

There are no specific 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:

- Openness and Accountability in Local Pay: Guidance under Section 40 of the Localism Act – DCLG 17th February 2012
- Localism Act 2011- Chapter 8 “Pay Accountability” – 15th November 2011
- Code of Recommended Practice for Local Authorities on Data Transparency (DCLG) – September 2011
- The Hutton Report on Fair Pay in the Public Sector – 2011
- Equality Impact Assessment
- Transparency Code 2014 – DCLG 1st May 2014
- Local Government Transparency Code and Guidance 2015 – DCLG February 2015. 27 February 2015

Electoral Division(s) and Member(s) Affected

- All



Pay Policy Statement

2021 – 2022

1st February 2021

CONTENTS:

- 1. Background**
- 2. Purpose and Scope**
- 3. Organisational context**
- 4. Determination of pay and terms and conditions**
- 5. Relationship between highest and lowest paid employees**
- 6. Level and elements of remuneration of Chief Officers**
- 7. Employees with a Total Remuneration of £50,000 or more**
- 8. Appendices:**

Appendix A- Nottinghamshire County Council's Organisational and Salary Information

- (1) Nottinghamshire County Council Top Level Structure Chart February 2021
- (2) Chief Officer Pay at Nottinghamshire County Council February 2021
- (3) List of NCC Employees with Total Remuneration of £50,000 or more.

Appendix B - Nottinghamshire County Council's Pay Related Employment Policies as at February 2021

(Please note some of the following are currently under review)

- (1) Local Government Salary Scales 2020/21
- (2) Grading Policy
- (3) Process for Assessment and Approval of Market Factor Supplements
- (4) Honoraria Payments
- (5) Redundancy and Early Retirement
- (6) Redundancy Payment Calculator
- (7) Flexible Retirement
- (8) Re-employment or Re-engagement of Former Employees
- (9) Travelling Allowances
- (10) Subsistence Allowances
- (11) Pay Protection
- (12) Car Leasing
- (13) Nottinghamshire County Council's Constitution - Employment Procedure Rules

1. BACKGROUND:

1.1 Section 38 (1) of the Localism Act 2011 continues to require all local authorities in England and Wales to produce and publish a Pay Policy Statement for each financial year before 1 April each year.

1.2 The Department for Communities and Local Government (DCLG) Transparency Code 2015 replaced all previous Codes, adding to, but not replacing the requirements of the Localism Act.

1.3 The requirements of the Act and the Code do not extend to schools and the scope of the Council's Pay Policy Statement does not therefore extend to school-based employees.

1.4 This updated Pay Policy Statement will be published on the Council's website as soon as possible following consideration by Full Council.

1.5 This Statement will be reviewed annually and amended as necessary to reflect the prevailing legislation at the time; with Full Council approval as required.

1.6 The information and data in this Statement is current as at 1st February 2021.

2. PURPOSE AND SCOPE:

2.1 The purpose of a Pay Policy Statement is to provide accountability in relation to payments made to senior employees in the public sector, in particular those in local authorities, by enabling public scrutiny.

2.2 The requirements of the Localism Act in respect of transparency about senior pay, build on the Accounts and Audit (England) Regulations 2011 with which the County Council is also compliant. Published details of the remuneration of its Chief Executive and Corporate Directors can be found on the Council's public website.

2.3 The Localism Act requires that a Pay Policy Statement (PPS) must articulate the Council's own policies towards a range of issues relating to the pay of its workforce, in particular its Chief Officers, as defined by the Local Government and Housing Act 1989 and to its lowest paid employees.

2.4 The core requirements of the provisions of the Localism Act are that a Pay Policy Statement must set out the Authority's policies relating to senior salaries, remuneration and pay multiples, specifically:

- The remuneration of its lowest paid employees
- The definition used for this group and the reason for adopting this definition
- The relationship between Chief Officer Remuneration and that of other staff

- The Pay Multiple relationship between the highest and lowest earnings and between the highest earnings and the median earnings figure for the whole authority workforce.

2.5 The Act defines Chief Officer remuneration as the level and elements of remuneration for each Chief Officer (including salary, any bonuses/performance related pay, charges/fees/allowances, benefits in kind, enhancement to pension at termination).

2.6 The Transparency Code carries specific legal requirements to publish some organisation and salary information which include the following:

- The Pay Multiple to reflect a particular date in the year (in this case the Council's annual Pay Policy Statement update is at 1st February each year), and include all elements of remuneration including earnings, that is, base salary, variable pay allowances and any bonuses or payments in kind, but excluding pension
- Clarification that median remuneration should be used in Pay Multiple information
- A list of the number of employees with remuneration above £50,000 grouped within brackets of £5,000, with job title and the functions and services for which they are responsible
- Any employees earning in excess of £150,000 must be named. In this Council this applies only to the post of Chief Executive
- An up to date mandated structure chart for the top 3 organisational tiers which is published on the Council's Public website.

2.7 Nottinghamshire County Council's current Pay Policy Statement meets the mandatory requirements of both the Act and the Code and provides information on Nottinghamshire County Council's Pay and Conditions of Service for its Chief Officers in comparison to the majority of the workforce employed on Local Government terms and conditions. Specifically, it covers the Council's policy on the following points:

- The level and elements of remuneration for each Chief Officer
- The remuneration of the Council's "lowest paid employees"
- The relationship between the remuneration of Chief Officers and other officers
- Other aspects of Chief Officers' remuneration including remuneration on recruitment, increases and additions to remuneration, use of performance related pay and bonuses, termination payments.

2.8 This Pay Policy Statement includes all direct employees covered by the National Joint Council (NJC) for Local Government Services national agreement on pay and conditions of service and those covered by the Joint Negotiating Committee (JNC) conditions of service for Chief Executives and Chief Officers.

2.9 **Appendix A (1)** contains a structure chart of all Senior Employees (as defined by the Act) as at 1st February 2021, that is:

- Chief Executive

- Corporate Directors
- Service Directors
- Any Group Managers and other senior posts reporting direct to a Corporate Director
- Director of Public Health.

All of these senior employees are directly employed by the Council.

2.10 Nottinghamshire County Council's Pay Policy Statement reflects the wide definition of "remuneration" within the relevant legislation. This includes not just pay but also pay awards, increments, additional contractual payments and allowances and enhancements but excludes pensions. The Council does not pay bonuses or benefits in kind to any of its employees.

3 ORGANISATIONAL CONTEXT:

3.1 As a major employer in Nottinghamshire, the County Council's ambition is to contribute to building a more prosperous local community by modelling good employment practice, including ensuring fairness in the way that it pays and rewards its existing and future employees.

3.2 The Council also wishes to be an attractive source of potential employment to job seekers across its community and is committed to using its resources to create meaningful and fairly remunerated employment opportunities for local people.

3.3 In light of the budget challenges facing the Council a vacancy management process, the 'Vacancy Control Process' has been effective from 3rd June 2013. Consideration is given to holding posts vacant for deletion as savings. Those posts released to be filled will initially be offered to existing employees at risk of redundancy to support efforts to protect their employment and avoid the costs associated with redundancy by retraining or redeploying them into appropriate vacancies.

3.4 The following information outlines the Council's operating basis and general position in respect of employment, pay and conditions of service and is pertinent to the current statutory requirements of the Localism Act and the Transparency Code.

3.5 Nottinghamshire is the 11th largest local authority in England, with an estimated population of around 828,200 (source: ONS mid 2019 population estimates).

3.6 The Council remains amongst the largest employers in the county with a headcount of **7429** directly employed permanent and temporary staff, as at 1st February 2021 (excluding those in schools), a significant proportion of whom directly provide more than 400 statutory and discretionary services to the people of Nottinghamshire.

3.7 The Council's Chief Executive works within the national conditions of service covered by the JNC for Chief Executives. The three posts of Corporate Director

are covered by the JNC for Chief Officers. Together with the Director of Public Health, Service Director, Customers, Governance and Employees and Service Director, Finance, Infrastructure and Improvement, these posts constitute the Council's Corporate Leadership Team

3.8 Employees defined by the Localism Act as Chief Officers, including Service Directors, work within the national conditions of service covered by the JNC for Chief Officers. All other employees, other than a small number covered by national terms and conditions for Soulbury staff or the JNC for Youth and Community Workers (whose pay is also determined through national bargaining), work within the national conditions of service covered by the NJC for Local Government Employees.

4 DETERMINATION OF PAY AND TERMS AND CONDITIONS:

4.1 Nottinghamshire County Council subscribes to the national pay bargaining framework through the National Joint Council (NJC) on which the local government employers are represented by the Local Government Association (LGA). From April 2018 a two year pay award was agreed which required the renumbering of the Council's existing pay spine. The Council applied the national pay award in full and employees from Grade 1 to Band J were assimilated onto the new pay spine from 1 April 2020.

4.2 The Council fully implemented "Single Status" in 2008. This term was designed by the National Employers and Trade Unions to describe the equal treatment of all employees in respect of their pay, terms and conditions. Arising from this the Council has an established pay and grading structure which is based on a "points to pay" relationship determined through a Job Evaluation process.

4.3 Job Evaluation:

4.3.1 The consistent evaluation of the relative value of job roles across the Council ensures a fair, open and transparent pay and reward structure that is affordable and compliant with Equal Pay legislation and Single Status requirements.

4.3.2 The County Council continues to use two job evaluation schemes to evaluate the work of its employees using trained in-house Job Analysts for all posts other than posts at Service Director level which are subject to an independent analysis by an external provider. The work of the internal analysts has been validated by the external provider, Korn Ferry Hay who have confirmed that the Hay scheme is being correctly applied.

- The "Hay" scheme:

4.3.3 This method of job evaluation was selected by the Council for more senior posts as it has been used extensively across the public sector and particularly in local government. It provides a coherent model to compare dissimilar jobs and the characteristics of different levels of work. There are specific criteria for determining if the post should be evaluated using this scheme as outlined in **Appendix B (2)**.

- National Job Evaluation (NJE) scheme:

4.3.4 The evaluated job score equates to a pay band on the Council's Salary Scale which is attached as **Appendix B (1)**. This has been updated to reflect the pay award and new pay spine from April 2019 onwards. It is correct as at 1 February 2021.

4.3.5 The Hay Group and NJE Job Evaluation Schemes will continue to be used to establish pay grades for all jobs covered by the NJC, including Service Directors.

4.3.6 A copy of the Council's Grading Policy is attached as **Appendix B (2)**. The principles outlined in the policy and the schemes used have not changed.

4.3.7 The Council has a Competency Framework which provides a standard set of behaviors applicable to all employees against key role descriptors at a range of levels, including Chief Officers. This assessment informs individuals' learning plans and supports effective service delivery but is not related to pay.

4.4 Pay awards and increases:

4.4.1 Nottinghamshire County Council adheres to national pay bargaining in respect of the national pay spine and any annual cost of living increase negotiated on the pay spine.

4.4.2 As part of the implementation of Job Evaluation NCC 's current pay grades were attached to the nationally determined pay scale from 1st April 2008. Employees progress through the pay bands within their evaluated grade by incremental annual progression.

4.4.3 The national pay award for Chief Executives agreed for the period 2020-2021 equates to a 2% increase in each financial year concerned. An equivalent 2% national pay award for 2020-2021 was also agreed for Chief Officers and has been applied to Corporate Directors and Service Directors.

4.4.4 As part of its overall ambition to model good employment practice, Nottinghamshire County Council formally adopted the "Living Wage" rate determined by the Living Wage Foundation for the U.K (outside London) from 1st April 2014. The current nationally set Living Wage Foundation Living Wage rate is £9.30 per hour. This applies to all of the Council's direct employees on spinal column point 2 or below on its current pay scale. The Living Wage rate is paid as an allowance on top of existing pay rates, as the minimum basic rate of pay paid on the Council's pay spine, applied to all hours worked, including enhancements and overtime payments. The new rate applied from 1 November 2020.

4.4.5 In addition, as part of its commitment to fair pay and stimulating local economic growth from 1st April 2014, the Council ensures that all Apprentices are paid the

evaluated rate for the job. For those in supernumerary placements within the authority, they are paid the current age related national Minimum Wage rate for their age.

4.5 Incremental Salary Progression:

4.5.1 The Chief Executive and Corporate Directors are on fixed salaries, which means that no incremental progression applies.

4.5.2 The LGA recommend that local authorities continue to pay contractual annual increments within their agreed pay bands. Nottinghamshire County Council has complied with this and all other employees continue to receive contractual annual increments up to the maximum spinal column point of the evaluated salary band for their post.

4.6 Pensions:

4.6.1 The directly employed staff who are the subject of this Pay Policy Statement, including Chief Officers, are covered by the Local Government Pension Scheme. Employees who are members of the Local Government Pension Scheme (LGPS) pay contributions from their salary dependent on their actual earnings on a 9-band basis as set out in the LGPS Regulations in the table below:

Local Government Pension Scheme Member Contributions - Standard pay band table 2020/2021 (applies as at 1st February 2021)

Band	Actual pensionable pay for an employment	Contribution rate for that employment	
		Main section	50/50 section
1	Up to £14,600	5.5%	2.75%
2	£14,601 to £22,800	5.8%	2.9%
3	£22,801 to £37,100	6.5%	3.25%
4	£37,101, to £46,900	6.8%	3.4%
5	£46,901 to £65,600	8.5%	4.25%
6	£65,601 to £93,000	9.9%	4.95%
7	£93,001 to £109,500	10.5%	5.25%
8	£109,501 to £164,200	11.4%	5.7%
9	£154,201 or more	12.5%	6.25%

4.6.2 The pay band ranges are periodically reviewed.

4.6.3 Under current LGPS Regulations, from 1st April 2014, the standard employee contribution rate is assessed on actual pensionable pay, including non-contractual overtime. Those employees who have taken the 50/50 option allowable under the revised LGPS regulations will pay half of the contribution rate shown in return for a proportionate reduction on benefits. These provisions apply equally to Chief Officers whose salaries place them in the top 4 of the band ranges.

4.6.4 By law, workplace pension provisions are required to include an employer contribution. The Council's employer's contribution rate is determined locally by the Actuary for the Nottinghamshire Pension Fund following a 3-yearly valuation. Taking deficit into account, the Council's employer contribution to the pension of all employees at all levels is increased to 22.2% with effect from 1st April 2017.

4.6.5 Currently NJC terms and conditions apply to the Public Health employees who transferred into the County Council on 1st April 2013. However, under the provisions of a national Directions Order, certain categories of employees working in Public Health have been able to remain in the NHS pension scheme. This is currently a 7-tier contributory pension scheme under which employees currently contribute between 5 % and 14.5 % of their salary dependent on seniority as set out in the table below:

NHS Pension Scheme Member Contributions April 2016 – March 2022

Contribution Rates before tax relief (gross) Tier	Full-time pensionable pay/earnings used to determine contribution rate	Contribution rate (before tax relief) (gross) 1 April 2015 to 31 March 2020
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1	Up to £15,431.99	5%
2	£15,432.00 to £21,477.99	5.6%
3	£21,478.00 to £26,823.99	7.1%
4	£26,824.00 to £47,845.99	9.3%
5	£47,846.00 to £70,630.99	12.5%
6	£70,631.00 to £111,376.99	13.5%
7	£111,377.00 and over	14.5%

4.7 Professional fees:

4.7.1 The professional fees of qualified Solicitors and Legal Executives employed by the Council are paid annually by the Council to enable them to continue to practice.

4.7.2 Payment of fees to cover the cost of registration with their professional body (Social Work England, formerly Health Care Professionals Council) for Social Workers and Occupational Therapists are a matter of personal responsibility.

4.7.3 No professional fees are paid for any other employee groups, including Chief Officers.

4.8 Acting-up Allowances and Honoraria:

4.8.1 Nottinghamshire County Council's current policy on the payment of Acting-up Allowances and Honoraria is set out in **Appendix B (4)**. Such payments are only made on an exception basis on the submission of a full business case, at the discretion of the appropriate Chief Officer.

4.9 Overtime and other additional payments:

4.9.1 In line with the NJC national agreement on pay and conditions of service, employees on spinal column point 23 (£26,999) and below are entitled to additional payments when required to work:

- on Saturday or Sunday
- on public holidays
- at night
- sleeping in duty
- split shifts
- beyond the full-time equivalent hours for the week in question.

4.9.2 Members of the Corporate Leadership team are expected to be on call at all times as part of their duties and responsibilities and receive none of the additional payments available to other employees.

4.10 Car Leasing Scheme:

4.10.1 The Council's scheme (**Appendix B (12)**) applies to all employees including Chief Officers. At present no Chief Officers are using vehicles leased under the provisions of the scheme as indicated in **Appendix A (2)**. The scheme is currently the subject of a review which will be reflected in next year's Pay Policy Statement.

4.11 Payment of expenses:

4.11.1 Where claimed, expenses incurred by staff, including Chief Officers, in the course of carrying out their duties are paid in line with the Council's Travel and Accommodation Policy. This is part of the nationally agreed terms and conditions of service supplemented by the Council's local conditions as laid down in its policies on Travelling Allowances (**Appendix B (9)**), and Subsistence Allowance (**Appendix B (12)**). All expenses claimed by the Chief Executive and Corporate Directors are published on the County Council's website.

4.12 Pay Protection:

4.12.1 The Council's current Pay Protection Policy as at February 2021 is attached as **Appendix B (11)**.

4.12.2 This policy is used in circumstances where the duties of a post change and following re-evaluation the grade for the post goes down and may also be applied in some circumstances where, to protect their ongoing employment, individuals are redeployed to a lower graded post.

4.12.3 All employees currently receive salary protection for a period of two years, with salary being frozen at the point at which pay protection starts, i.e., employees will not receive any subsequent incremental increases, or any annual cost of living pay awards. At the end of the protection period the employee reverts to the maximum spinal column point or spot point of the substantive grade of their post.

4.12.4 Any changes to the rates of pay included in this policy are subject to national negotiations and any changes will be reflected in next years pay policy statement.

4.13 Redundancy compensation payments:

4.13.1 Contractual notice and redundancy pay in relation to a redundancy is as set out in the Council's policy on Redundancy and Early Retirement which currently applies to all employees of the Council, including Chief Officers **Appendix B (5)**.

4.13.2 Local Authorities are able to grant, at their discretion, benefits in excess of the statutory provisions for payments to employees who cease their employment prematurely on the grounds of redundancy. Under the Equality Act 2010, Local Authorities are required to develop and publish their own policy on the award of any discretionary redundancy payments for loss of employment.

4.13.3 Nottinghamshire County Council has exercised this discretion to apply to all employees a multiplier of 1.65 on the statutory redundancy formula based on age and local government service, capped at 30 years reckonable service. A copy of Nottinghamshire County Council's current redundancy payment calculator is contained in **Appendix B (6)**.

4.13.4 Contractual redundancy payments are therefore calculated using the discretionary formula which already includes the statutory element. This allows up to 40 weeks actual salary (dependent on age and length of service) regardless of whether the individual is under or over 55 years of age or whether the individual concerned is in the LGPS pension scheme.

4.13.5 No other additional payments or enhancements are payable.

4.13.6 This policy currently applies to all direct employees, including Chief Officers. It is also the subject of negotiations with the recognised trades unions. Any changes agreed will be reflected in the Pay Policy Statement for 2021/22.

4.14 Payment on retirement:

4.14.1 Employees may also leave the employment of the Council under the following types of termination:

Efficiency of the Service - As set out in the Council's policy on Redundancy and Early Retirement this provision would only be used in very exceptional circumstances.

Flexible Retirement - As set out in the Council's policy on Flexible Retirement (**Appendix B (7)**) employees may apply for employer permission to access their pension from age 55 but remain working at the Council either on reduced pay or reduced hours. Due to the

associated Pension Strain costs this provision has not been applied to Chief Officers.

4.14.2 Under the terms of the LGPS Regulations employees may also retire on the basis of age:

Age Retirement - Under Pension Regulations employees, including Chief Officers, may automatically access their pension benefits, currently from age 55 on an actuary reduced basis, when they leave employment. As permitted under the Employment Equality (Age) Regulations 2006, the Council does not operate a default retirement age whereby employees are dismissed at age 65.

Early Retirement - As set out in the Council's policy on Redundancy and Early Retirement, under LGPS regulations, employees can request access to their pension from age 55 with the Council's consent. An actuarial reduction will normally apply unless the Council chooses to waive this.

4.15 Re-engagement of former employees:

4.15.1 Nottinghamshire County Council's policy on the Re-employment and Re-engagement of Former Employees is set out in full in **Appendix B (8)** and currently applies to all employees, including Chief Officers. Where the former employee has previously received a voluntary or compulsory redundancy payment, part or all of the compensatory element of the redundancy payment may be recovered and abatement of pension could apply.

5 RELATIONSHIP BETWEEN HIGHEST AND LOWEST PAID EMPLOYEES:

5.1. Highest and lowest paid employees:

5.1.1 The Council's highest paid employee is its Chief Executive, Anthony May, who, following the application of the national pay award for Chief Officers from April 2020 earns a fixed annual salary of **£185,386**.

5.1.2 For the purpose of this Pay Policy Statement, the definition of "Lowest Paid Employee" at Nottinghamshire County Council are employees on Grade 1 spinal column point 1. On the national pay spine this equates to **£17,842**, annual basic pay (£9.25 per hour) which exceeds the age related statutory National Living Wage, currently set at a maximum of £8.72 per hour for employees aged 25 years or over. The Council's current Living Wage allowance reflects the Living Wage Foundation Living Wage Rate and brings its minimum pay rate up to £9.30 an hour for all employees.

5.1.3 As previously stated, the Council has paid a Living Wage Allowance from 1st April 2014, based on the Living Wage Foundation rate. This benefitted just over 2,200 of its lowest paid direct employees living in some of the most deprived parts of the County. The subsequent implementation of nationally determined annual increases in this rate have brought the current lowest rate of pay offered for a substantive post at the Council to **£9.30 per hour**. This is paid to all substantive employees on point 2 and below on the current pay spine, bringing their annual pay to **£17,941**.

5.2 Relationship between the Pay of the Highest and Lowest Earner:

5.2.1 When expressed as a multiplier of pay, the Chief Executive's salary as at 1st February 2021 is **10 times** greater than that of the Council's lowest earner when the Living Wage Allowance is included.

5.3 Median Pay of Workforce:

5.3.1 For the purpose of this Pay Policy Statement, Nottinghamshire County Council has updated this calculation to ensure it is compliant with the definition set out in the Local Government Transparency Code 2014 which includes all elements of taxable earnings inclusive of variable pay and allowances.

5.3.2 The Council does not pay bonuses or offer any benefits in kind.

5.3.3 As at 1st February 2021 the Council's Full Time Equivalent **Median Pay**, that is the mid-point on the range of pay points, was: **£21164** per annum (approximately spinal column point 10 on the Council's pay scale).

5.4 Pay Multiple:

5.4.1 As at 1st February 2021, the relationship between the Chief Executive's pay and that of the Council's median (mid-point), earner (£21164), was a ratio of **8.75:1**.

5.4.2 Nottinghamshire County Council does not currently have a policy of maintaining or reaching a specific pay multiple target, but this figure is in line with Government recommendations.

6 LEVEL AND ELEMENTS OF REMUNERATION OF CHIEF OFFICERS:

6.1 The definition of a Chief Officer adopted by the Act is, as defined by the Local Government and Housing Act 1989, any post that reports directly to the statutory Chief Officer, the Chief Executive. In the case of this Authority this currently applies to Corporate Directors, and those who report to them (Service Directors).

6.2 The pay of Chief Officers at Nottinghamshire County Council is determined by its democratically elected representatives through its Personnel Committee which, under current constitutional arrangements, has delegated authority from the County Council to make decisions on behalf of the Council relating to pay, terms and conditions (**see Appendix B (13)**)

6.3 Under current Constitutional arrangements, Chief Officer appointments are made by elected members on the Senior Staffing Sub Committee which is a sub-committee of Personnel Committee. These Committees refer appointments in respect of the Chief Executive, Monitoring Officer and Section 151 Officer to Full Council as such appointments are subject to this ratification.

6.4 The comparative level of remuneration of each Corporate Director is decided on the basis of their particular accountabilities and responsibilities (including any statutory responsibilities) and the size of the job, taking into account the range of services provided the number of employees and the size of the population within their

remit. This is supported by information from Korn Ferry on median pay rates for comparative roles of a similar size in a range of public sector organisations across the country.

6.5 The table at **Appendix A (2)** sets out a comprehensive breakdown of all pay related terms and conditions offered to the County Council's senior employees, including Chief Officers, which are in line with those which apply to other members of staff.

6.6 In compliance with the Accounts and Audit (England) Regulations 2011 the detail of the remuneration of all members of the Chief Officers Leadership Team is also set out in the individual profiles on the Council's public website under "Council and Democratic - Council Structure - About Senior Officers and Pay Policy Statement".

6.7 In compliance with the Transparency Code 2015 the appendix to this Statement also now contains an up to date, as at 1st February 2021, senior structure chart with an associated pay table in bands of £5,000.

6.8 Statutory guidance to the Localism Act (section 40), requires that any severance packages for senior officers on, or above, £100,000 are approved by Full Council. For the period February 2020 to January 2021 no such payments have been made.

6.9 Remuneration of Chief Officers on recruitment:

6.9.1 The starting salary of the Council's Service Directors falls within the pay band for their job, as set out in **Appendix A (2) and Appendix B (1)** and is subject to annual incremental progression to the top point of the pay band.

6.9.2 The starting salary offered will not be more than the maximum of the pay band for the evaluated grade of the job unless another policy, such as Market Factor Supplements **Appendix B (3)**, is applicable.

6.9.3 On appointment, a Chief Executive or Corporate Director will be appointed to the agreed fixed spot salary for their post.

6.10 Returning / Counting Officer's Fee:

6.10.1 In Nottinghamshire, the County Council's Chief Executive is the Chief Officer nominated as Returning Officer in charge of the running of Local, European, Parliamentary Elections and National Referenda. The Council does not govern the fee payable for these elections as it is funded by central government and is therefore not related to Nottinghamshire County Council's terms and conditions. The Chief Executive receives no additional remuneration for Returning Officer duties.

6.11 Deputy Chief Executive:

6.11.1 The Council makes an additional payment of £416.67 per month that is £5,000 per annum (gross), to the Corporate Director appointed to undertake the additional duties involved in formally deputising for the Chief Executive. Currently this is the Corporate Director for Place.

6.12 Monitoring Officer's Fee:

6.12.1 The Council's Service Director – Customers, Governance and Employees currently fulfils the statutory obligations of the Monitoring Officer to ensure Nottinghamshire County Council, its officers, and its elected Councillors maintain the highest standards in all they do. The Monitoring Officer's legal basis is found in Section 5 of the Local Government and Housing Act 1989; as amended by the Local Government Act 2000. This duty was taken into consideration in the evaluation of the salary of this Service Director post under the Hay Job Evaluation scheme. The post holder also undertakes the Monitoring Officer role to the Police and Crime Panel but receives no additional remuneration for this work. The Deputy Monitoring Officer is currently the Group Manager – Legal, Complaints and Democratic Services.

6.13 Section 151 Officer:

6.13.1 In Nottinghamshire County Council this responsibility under the local Government Act 1972 is undertaken by the Service Director Finance, Infrastructure and Improvement. This duty was taken into consideration in the evaluation of the salary of the Service Director Finance, Infrastructure and Improvement under the Hay Group Job Evaluation scheme. No separate payment is made for undertaking this function.

6.14 Public Health transfer:

6.14.1 The Director of Public Health and their direct reports were initially paid on NHS pay and terms and conditions for Consultants on a transitional basis under Statutory Instrument for a period of two years from the date of transfer, which was 1st April 2013. Following a structural review all public health posts were established in the Adult Social Care and Health structure on the Council's terms and conditions.

6.15 Payments to Chief Officers on ceasing to hold office or be employed by Nottinghamshire County Council:

6.15.1 To ensure accountability is maintained Under Part 6c of the Council's current Constitution **Appendix B (13)**, under delegated powers from Full Council, the Senior Staffing Committee is responsible for the appointment and dismissal of and the taking of disciplinary action against senior employees that is the Chief Executive, Corporate Directors and Service Directors.

6.15.2 The Council's payment to Chief Officers leaving the Council is made under the same types of termination and same rules as for other employees as set out in **section 4 above** and the relevant policies apply. Any such terminations are reported to Personnel Committee and published in the annual Statement of Accounts.

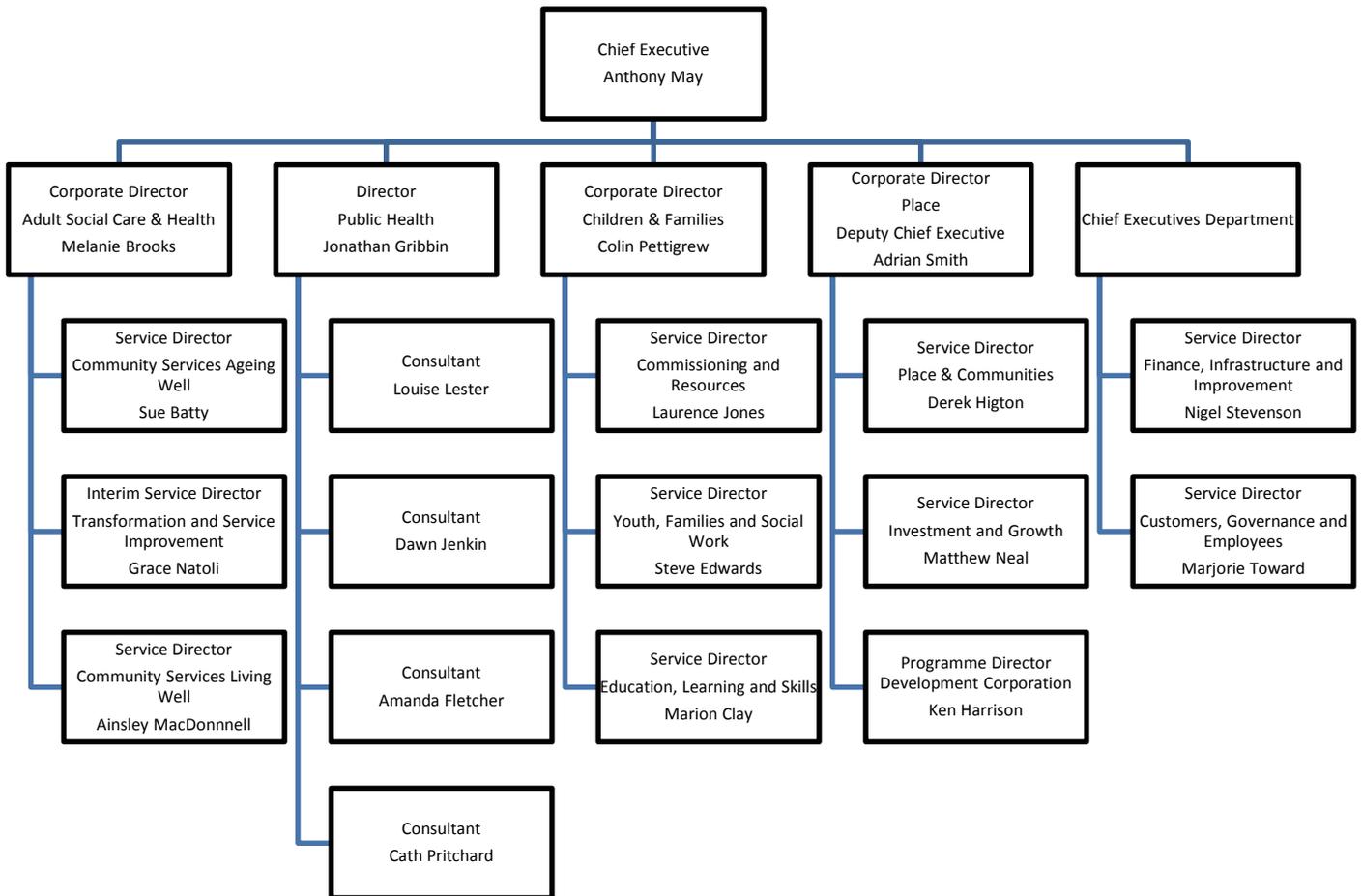
6.15.3 In compliance with the supplementary statutory guidance to the Localism Act (section 40), any severance packages for senior officers of £100,000 or more will be subject to approval by Full Council.

7 EMPLOYEES WHOSE REMUNERATION IS £50,000 OR ABOVE:

7.1 In compliance with the requirements of the Transparency Code 2014, a list of the

number of employees with a total remuneration, including salary and allowances above £50,000, along with the job title and area of responsibility, is set out in **Appendix A (3) b**. At 1st February 2021 the total number of employees in scope was **132**. Remuneration is expressed in brackets of £5,000, with job title and the functions and services for which they are responsible.

Appendix A (1) Nottinghamshire County Council's Top-Level Structure Chart



Appendix A (2): Chief Officer pay at Nottinghamshire County Council 1st February 2021

Chief Officer post (See structure chart at appendix 1)	Current annual basic pay	Salary scale (see appendix 3)	Increase and additions including any Honoraria or MFS	Bonuses	Benefits in kind	Increase / enhancements to pension	Amount payable of cessation of employment	Car lease (Y/N)
Chief Executive – Head of Paid Service	£185,386	CE	Nil	Not applicable under single status agreement	Not applicable – not paid	Not applicable – LGPS provision apply to all NCC staff (see section 4 of PPS)	As agreed, redundancy compensation provisions applicable to all NCC staff (see appendix 8)	N
Corporate Director Children and Families	£147,118	CO	Nil					N
Corporate Director Place	£132,356	CO	£5000 additional allowance per year for Deputy Chief Executive duties					N
Corporate Director Adult Social Care and Health	£132,356	CO	Nil					N
Service Director – Finance Infrastructure & Improvement	£102,974	Band J	Nil					N
Service Director – Customers Governance & Employees	£102,974	Band J	Nil					N
Service Director Community Services - Ageing Well - Adult Social Care and Health	£96,816	Band I						N
Service Director Community Services - Living Well - Adult Social Care and Health	£96,816	Band I	Nil					N
Director – Public Health	£98,869	Band J	Nil			NHS pensions provisions under TUPE transfer	As per agreed redundancy compensation provisions	N
Development Corporation Programme Director	£102,974	Band J	Nil					N
Service Director – Place and Communities	£96,816	Band I	Nil					N
Service Director – Investment and	£96,816	Band I	Nil					N

Growth								
Service Director – Youth, Families and Social Work	£96,816	Band I	Nil					N
Service Director – Education, Learning and Skills	£96,816	Band I	Nil					N
Service Director – Commissioning and Resources	£96,816	Band I	Nil					N
Consultant in Public Health	£77,198	Band H	Nil			NHS pensions provisions under TUPE transfer	As per agreed redundancy compensation provisions	N
Consultant in Public Health	£77,198	Band H	Nil			NHS pensions provisions under TUPE transfer	As per agreed redundancy compensation provisions	N
Consultant in Public Health	£77,198	Band H	Nil			NHS pensions provisions under TUPE transfer	As per agreed redundancy compensation provisions	N
Consultant in Public Health	£73,870	Band H	Nil			NHS pensions provisions under TUPE transfer	As per agreed redundancy compensation provisions	N

Director – Public Health	£94,224	Band J	Nil		NHS pensions provisions under TUPE transfer	As per agreed redundancy compensation provisions	N
Service Director – Place and Communities	£94,224	Band I	Nil				N
Development Corp Programme Director	£98,216	Band J	Nil				N
Group Manager Planning, Place	£68,657	Band G	Nil				N
Group Manager – Growth and Development, Place	£56,932	Band F	Nil				N
Service Director – Youth, Families and Social Work	£94,224	Band I	Nil				N
Service Director – Education, Learning and Skills	£94,224 (pro rata)	Band I	Nil				N
Service Director – Commissioning and Resources	£88,493	Band I	Nil				N
Consultant in Public Health Children and Families	£70,277	Band H	Nil		NHS pensions provisions under TUPE transfer	As per agreed redundancy compensation provisions	N

Appendix A (3)

NCC Employees with a total remuneration of £50,000 p.a. or greater as at 01/02/2021 (named as indicated where this exceeds £150,000 p.a)

Job Title and area of responsibility	FTE Salary in band of £5000	Number of employees
Chief Executive - Anthony May	£185,000 - £189,999	1
Corporate Director - Children & Families	£145,000 - £149,999	1
Corporate Director - Adult Social Care and Health	£130,000 - £134,999	1
Corporate Director - Place	£130,000 - £134,999	1
Development Corp Programme Director - Place	£100,000 - £104,999	1
Service Director Finance Infrastructure & Improv - Chief Executive's	£100,000 - £104,999	1
Service Director Governance & Employees - Chief Executive's	£100,000 - £104,999	1
Director of Public Health - Adult Social Care and Health	£95,000 - £99,999	1
Director Education, Learning & Skills - Children & Families	£95,000 - £99,999	1
Service Director Children's Social Care - Children & Families	£95,000 - £99,999	1
Service Director Investment & Growth - Place	£95,000 - £99,999	1
Service Director Place & Communities - Place	£95,000 - £99,999	1
Service Director Community Services - Adult Social Care and Health	£95,000 - £99,999	2
Service Director Commission, Resources & Culture - Children & Families	£90,000 - £94,999	1
Group Manager Legal Democratic Info Governance - Chief Executive's	£80,000 - £84,999	1
Consultant in Public Health - Adult Social Care and Health	£75,000 - £79,999	3
Consultant in Public Health - Adult Social Care and Health	£70,000 - £74,999	1
Group Manager Adoption - Children & Families	£70,000 - £74,999	1
Group Manager Assessment - Children & Families	£70,000 - £74,999	1
Group Manager District Child Protection - Children & Families	£70,000 - £74,999	1
Group Manager Planning - Place	£70,000 - £74,999	1
Group Manager - Property Asset Management - Place	£70,000 - £74,999	1
Group Manager Early Childhood Services - Children & Families	£70,000 - £74,999	1
Group Manager Finance Strategy & Compliance - Chief Executive's	£70,000 - £74,999	1
Group Manager Highways & Transport - Place	£70,000 - £74,999	1
Group Manager Place Commissioning - Place	£70,000 - £74,999	1
Group Manager Transformation & Change - Chief Executive's	£70,000 - £74,999	1
Team Manager Psychology Services - Children & Families	£65,000 - £69,999	1
Group Manager Fieldwork Social Work Team South - Children & Families	£65,000 - £69,999	1
Group Manager Catering & Facilities Management - Place	£65,000 - £69,999	1
Group Manager Youth & Families - Children & Families	£65,000 - £69,999	1

Group Manager Assurance - Chief Executive's	£65,000 - £69,999	1
Head of Human Resources - Chief Executive's	£65,000 - £69,999	1
Group Manager Mid Notts Living Well - Adult Social Care and Health	£65,000 - £69,999	1
Group Manager Procurement & Contract Mgmt - Chief Executive's	£65,000 - £69,999	1
Group Manager Support to Schools Service - Children & Families	£65,000 - £69,999	1
Education Adviser - Children & Families	£60,000 - £64,999	1
Team Manager Education Improvement - Children & Families	£60,000 - £64,999	1
Group Manager LAC & Regulated Services - Children & Families	£60,000 - £64,999	1
Group Manager Communications - Chief Executive's	£60,000 - £64,999	1
Group Manager Maximising Independence Serv - Adult Social Care and Health	£60,000 - £64,999	1
Group Manager Mid Notts Ageing Well - Adult Social Care and Health	£60,000 - £64,999	2
Group Manager North Notts Living Well - Adult Social Care and Health	£60,000 - £64,999	1
Group Manager South Notts (Hosp) Ageing Well - Adult Social Care and Health	£60,000 - £64,999	1
Group Manager South Notts Living Well - Adult Social Care and Health	£60,000 - £64,999	1
Education Improvement Advisor - Children & Families	£60,000 - £64,999	4
Group Manager Provider Services - Adult Social Care and Health	£60,000 - £64,999	1
Education Improvement Advisor SEND - Children & Families	£60,000 - £64,999	1
Group Manager Business Support - Chief Executive's	£55,000 - £59,999	1
Group Manager Business Support Centre - Chief Executive's	£55,000 - £59,999	1
Group Manager - Growth & Development - Place	£55,000 - £59,999	1
Group Manager - Integrated Disability Service - Children & Families	£55,000 - £59,999	1
Group Manager Commissioning & Placements - Children & Families	£55,000 - £59,999	1
Group Manager Customers - Chief Executive's	£55,000 - £59,999	1
Group Manager Emergency Planning & Registration - Place	£55,000 - £59,999	1
Group Manager Safeguarding, Assurance and Improvement - Children & Families	£55,000 - £59,999	2
Group Manager Trading Standards - Place	£55,000 - £59,999	1
Programme Manager - Chief Executive's	£55,000 - £59,999	5
Senior Public Health & Commissioning Manager - Adult Social Care and Health	£55,000 - £59,999	8
Team Manager Principal Solicitor Litigation - Chief Executive's	£55,000 - £59,999	1
Team Manager Principal Solicitor C & E Law - Chief Executive's	£55,000 - £59,999	1
YPS Service Manager - Children & Families	£55,000 - £59,999	1
Group Manager Historic Abuse - Children & Families	£55,000 - £59,999	1
Team Manager Schools & Family Specialist Services - Children & Families	£55,000 - £59,999	1
Manager Development & Partnerships - Place	£55,000 - £59,999	1
Senior Accountant - Chief Executive's	£55,000 - £59,999	1
Transport & Travel Services Manager - Place	£55,000 - £59,999	1
Senior Educational Psychologist - Children & Families	£55,000 - £59,999	6

Team Manager - Children & Families	£55,000 - £59,999	1
Specialist Educational Psychologist - Children & Families	£55,000 - £59,999	1
Educational Psychologist - Children & Families	£55,000 - £59,999	1
Group Manager Service Improvement - Children & Families	£55,000 - £59,999	1
Team Manager Learning & Skills - Place	£55,000 - £59,999	1
Senior Public Health & Commissioning Manager - Adult Social Care and Health	£50,000 - £54,999	2
Group Manager Service Improvement - Adult Social Care and Health	£55,000 - £59,999	1
Group Manager Strategic Commissioning - Adult Social Care and Health	£55,000 - £59,999	1
Educational Psychologist - Children & Families	£50,000 - £54,999	22
Assistant Head - Children & Families	£50,000 - £54,999	1
Group Manager QA & Citizen Safety - Adult Social Care and Health	£50,000 - £54,999	1
Consultant EAL/A&E - Children & Families	£50,000 - £54,999	1
RR Teacher Leader - Children & Families	£50,000 - £54,999	2
Service Manager - Children & Families	£50,000 - £54,999	2
Virtual School Coordinator - Children & Families	£50,000 - £54,999	1
HRET Co-ordinators - Children & Families	£50,000 - £54,999	1
	Total	132

Notes
Employees whose remuneration exceeds £150,000 are named
NCC Senior managers do not receive any bonuses or 'benefits in kind'
Pension contributions are as per the LGPS standard pay band are set out in the Pay Policy Statement 2021/2022
NCC policies relating to expense, allowances and loss of office are set out in the Pay Policy Statement 2021/2022

Appendix B (1):

Local Government Salary Scales 2020/2021:

		Annual	Monthly	Hourly 37
NJE Grade 1	1	£17,842	1,486.84	9.25
	2	£18,198	1,516.50	9.43
NJE Grade 2	2	£18,198	1,516.50	9.43
	3	£18,562	1,546.84	9.62
NJE Grade 3	4	£18,933	1,577.75	9.81
	5	£19,312	1,609.34	10.01
	6	£19,698	1,641.50	10.21
NJE Grade 4	7	£20,092	1,674.34	10.41
	8	£20,493	1,707.75	10.62
	9	£20,903	1,741.92	10.83
	10	£21,322	1,776.84	11.05
	11	£21,748	1,812.34	11.27
	12	£22,183	1,848.59	11.50
NJE Grade 5	13	£22,627	1,885.59	11.73
	14	£23,080	1,923.34	11.96
	15	£23,541	1,961.75	12.20
	16	£24,012	2,001.00	12.45
	17	£24,491	2,040.92	12.69
	18	£24,982	2,081.84	12.95
	19	£25,481	2,123.42	13.21
	20	£25,991	2,165.92	13.47
	21	£26,511	2,209.25	13.74
	22	£27,041	2,253.42	14.02
Hay Band A	23	£27,741	2,311.75	14.38
	24	£28,672	2,389.34	14.86
	25	£29,577	2,464.75	15.33
	26	£30,451	2,537.59	15.78
	27	£31,346	2,612.17	16.25
	28	£32,234	2,686.17	16.71
Hay Band B	28	£32,234	2,686.17	16.71
	29	£32,910	2,742.50	17.06
	30	£33,782	2,815.17	17.51
	31	£34,728	2,894.00	18.00
	32	£35,745	2,978.75	18.53
	33	£36,922	3,076.84	19.14
Hay Band C	33	£36,922	3,076.84	19.14
	34	£37,890	3,157.50	19.64
	35	£38,890	3,240.84	20.16
	36	£39,880	3,323.34	20.67
	37	£40,876	3,406.34	21.19
	38	£41,881	3,490.09	21.71
Hay Band D	36	£39,880	3,323.34	20.67
	37	£40,876	3,406.34	21.19
	38	£41,881	3,490.09	21.71
	39	£42,821	3,568.42	22.20
	40	£43,857	3,654.75	22.73
	41	£44,863	3,738.59	23.25
Hay Band E	41	£44,863	3,738.59	23.25
	42	£45,859	3,821.59	23.77
	43	£46,845	3,903.75	24.28
	44	£47,807	3,983.92	24.78
	45	£48,806	4,067.17	25.30
	46	£49,840	4,153.34	25.83

		Annual	Monthly	Hourly 37
Hay Band F	50	£53,981	4,498.42	27.98
	51	£55,047	4,587.25	28.53
	52	£55,723	4,643.59	28.88
	53	£57,111	4,759.25	29.60
	54	£58,498	4,874.84	30.32
	55	£59,884	4,990.34	31.04
Hay Band G	57	£62,788	5,232.34	32.54
	58	£64,316	5,359.67	33.34
	59	£65,837	5,486.42	34.13
	60	£67,361	5,613.42	34.91
	61	£68,890	5,740.84	35.71
	62	£70,546	5,878.84	36.57
Hay Band H	63	£72,210	6,017.50	37.43
	64	£73,870	6,155.84	38.29
	65	£75,537	6,294.75	39.15
	66	£77,198	6,433.17	40.01
	67	£78,996	6,583.00	40.95
	68	£80,796	6,733.00	41.88
Hay Band I	72	£87,097	7,258.09	45.14
	73	£89,014	7,417.84	46.14
	74	£90,927	7,577.25	47.13
	75	£92,842	7,736.84	48.12
	76	£94,762	7,896.84	49.12
	77	£96,816	8,068.00	50.18
Hay Band J	75	£92,842	£7,736.84	£48.12
	76	£94,762	£7,896.84	£49.12
	77	£96,816	£8,068.00	£50.18
	78	£98,869	£8,239.09	£51.25
	79	£100,917	£8,409.75	£52.31
	80	£102,974	£8,581.17	£53.37

Appendix B (2):

Nottinghamshire County Council' s Grading Policy

1. Introduction

This policy explains how posts within the County Council are graded. It covers all staff employed on the National Joint Council for Local Government Services (Green Book) conditions, excluding Corporate Directors.

2. Principles

2.1 The County Council is committed to ensuring that the grading of posts is undertaken to ensure consistency, fairness, openness and equality of treatment. In pursuit of this the following principles will be upheld:

2.1.1 All posts will be evaluated and graded using either the National Joint Council Job Evaluation Scheme or the Hay Job Evaluation Scheme according to the criteria set out in 3.1, and no other method.

2.1.2 Performance related pay will not be a feature.

2.1.3 The grade will relate to the post and not the employee.

2.1.4 There will be equal pay for work of equal value.

2.1.5 All considerations which may discriminate unfairly will be eliminated.

2.1.6 Grades need to accurately reflect the duties and responsibilities of the post, so where these have changed sufficient to be reflected in their evaluation then either managers or employees can request a re-evaluation.

3. Determining the Correct Evaluation Scheme

3.1 The following criteria will be applied to determine the most appropriate job evaluation scheme under which to evaluate a job. Jobs will be evaluated first under the Hay job evaluation scheme if:

3.1.1 The job requires a full professional qualification or an equivalent level of organisational policy and procedural knowledge (i.e. would score level 6 or higher for Knowledge in the NJC scheme or level E for Technical Know-how in the Hay scheme),
OR

3.1.2 The post holder manages a discrete function or activity, OR

3.1.3. The post holder is the Authority's corporate expert on a specialised technical subject.

3.2 If the job scores less than 175 points (Band A) under the Hay scheme, the job will then be evaluated under the NJC scheme and that score will determine the grade.

3.3 All other jobs will be evaluated first under the NJC scheme. If the job scores in excess of 600 points, it will be evaluated under the Hay scheme and that score will determine the grade.

3.4 Disputes regarding the correct scheme to use will be resolved by the Moderating Panel.

4. Process

4.1 The evaluation process will be the same regardless of the job evaluation scheme used.

4.2 Posts will need to be evaluated:

- When they are established
- Where there have been changes in the duties and responsibilities
- At the request of the manager or employee (where they can demonstrate that there has been a significant change to the role)
- Following a restructuring where changes will impact on the post.

4.3 Where employees wish to have their posts re-evaluated, they must first discuss their concerns with their line manager. If the job holder and the line manager disagree about the need for a re-evaluation this should be resolved using normal Council procedures.

4.4 Where managers wish to put the post through a new evaluation, they must first inform the affected employees of their intention.

4.5 Having established the posts to be evaluated the manager will then contact the Job Evaluation Team to request the evaluation. However, it is important to note that where duties have been reallocated all affected posts must be re-evaluated.

4.6 The JE Team will issue a Job Description Questionnaire; the questionnaire will be the same regardless of the evaluation scheme to be applied.

4.7 Where the post is vacant then the manager must fill in the Job Description Questionnaire.

4.8 Where there is a single job-holder the job-holder should fill in the Job Description Questionnaire with the manager. Where the job-holder is a member of a trade union they can have the support of a steward.

4.9 Where the evaluation is for a small group of staff the manager should convene the whole group and complete the form together. Where there is a large group or where it is not possible for all staff to fill in the Job Description Questionnaire then the group must elect a representative to fill in the Job Description Questionnaire on their behalf. The completed Job Description Questionnaire should be shared with the whole group before being submitted for evaluation.

4.10 Completed job description questionnaires will be subject to an initial assessment by a Job Analyst. If any of the information in the form is unclear, incomplete or not

relevant the analyst will contact the line manager and/or the job holder to seek clarification. Any additional information gained will be shared with the job holder.

4.11 The Job Analyst will then evaluate the job using the appropriate job evaluation scheme.

4.12 The evaluation will then be moderated by a joint panel comprising an equal number of management and trade union representatives. The managers and employees will be notified of the evaluation of the post within 10 days of the moderating panel meeting.

4.13 The effective date of the evaluation shall be:

4.13.1 The date of the change / restructuring that triggered the evaluation, although this date cannot be more than 6 months before the request to be evaluated.

4.13.2 Where there are no identifiable points of change the effective date shall be the day the evaluation was requested.

5. Appeals

5.1 Introduction

5.1.1 Where employees are dissatisfied with the evaluation of their post, they have the right to appeal. Employees should normally appeal within 10 working days of written receipt of the outcome of the evaluation, although this may be extended if circumstances warrant it. Where employees appeal the evaluated grade will not be implemented until the outcome of the appeal is known.

5.1.2 The appeals process is the same regardless of the evaluation scheme used.

5.1.3 Appeals can result in job scores going up, staying the same or going down. Any change of grade that arises from the appeals process will be implemented with effect from the date of the changes that triggered the re-evaluation or 6 months, whichever is the less. Whenever the grade of a post is reduced as a result of an appeal, the Council's agreed pay protection scheme will apply.

5.1.4 The outcome of the appeal process will be final. There will be no further right of appeal, either within or outside the County Council.

5.2 Appeals Process

5.2.1 The grounds for appeal are that:

- The wrong job evaluation scheme has been applied; or
- The applicable scheme has been wrongly applied; or
- There is new or better information available to support the evaluation.

5.2.2 Appeals must be registered by the job holder using the published form. Appeals in respect of vacant posts may be registered by the line manager.

5.2.3 Following receipt of the completed registration form, the job evaluation team will request the completion of a job description questionnaire in respect of the relevant factors. The job description questionnaire must be completed by the job holder and counter-signed by their line manager. If in exceptional circumstances the job holder and the line manager disagree about the accuracy of any of the information the job holder has provided, this should be resolved prior to submission of the form. The job holder may be assisted by their trade union representative, at their own discretion, and may seek advice from the job evaluation team.

5.2.4 Where there is more than one job holder in a particular job, a workplace meeting of the whole group of job holders will be convened. That meeting will decide whether or not an appeal should be pursued in respect of the job, on the basis of a simple majority of those present. If the meeting decides to pursue an appeal, members of the group will nominate a representative to complete the job description questionnaire on their behalf, but all members of the group will be given the opportunity to comment on the completed form.

5.2.5 Individuals or sub-groups who are able to demonstrate that their job is different from the rest of the group may be considered for a separate evaluation.

5.2.6 Completed job description questionnaires will be subject to an initial assessment by a Job Analyst. If any of the information in the form is unclear, incomplete or not relevant the analyst will contact the line manager and/or the job holder to seek clarification. Any additional information gained will be shared with the job holder.

5.2.7 Appeals will then be considered by a joint review panel. The joint review panel will comprise three members, two of whom have had no previous involvement in the job evaluation process for the post, with one member being from the joint moderating panel, to support consistent application of the scheme.

5.2.8 The panel will consider the evidence that has been submitted against all relevant factors. Where the panel considers that the evidence submitted impacts on factors other than those identified in the appeal, these will be taken into account by the panel and the appellant will be notified accordingly.

5.2.9 Where the evidence submitted clearly supports the appellant's case, the panel will uphold the appeal. The job evaluation team will notify the job holder and their line manager of the outcome of the panel's deliberations within 10 working days of the panel's meeting.

5.2.10 Where the evidence submitted is less clear cut, the meeting shall be adjourned, and the job evaluation team will write to the job holder setting out the panel's concerns.

5.2.11 The panel will subsequently be reconvened and the line manager, job holder and their representative, where requested, will be invited to attend. Where the appeal is on behalf of a group of job holders, the group's nominated representative(s) will be invited to attend.

5.2.12 This will provide the opportunity to highlight the areas of concern and for the panel to ask questions of the job holder and line manager to clarify areas of difference, following which all parties will be asked to withdraw.

5.2.13 The panel will then determine the outcome of the appeal taking account of any representations made. The outcome of the panel's decision will be notified within 10 working days.

5.2.14 Following completion of the above procedure there will be no further right of appeal.

Note - Where managers are concerned about their ability to recruit or retain staff on the evaluated grade then they may be able to make a case for a Market Factor Supplement (**see Appendix B3**).

Appendix B (3):

Nottinghamshire County Council's Process for Assessment and Approval of Market Factor Supplements (MFS)

1. **Evidence required.**

1.1 Where a Chief Officer believes that there may be a case for the payment of a market factor supplement in relation to a particular job, they will submit evidence to the Pay Board for consideration.

1.2 The Service Director responsible for the job in question or their delegated Group Manager will produce a report setting out the business case for the Board's consideration and may be required to attend a meeting of the Board to present the detail.

1.3 Evidence provided in the report should show that pay is a key factor in relation to the Authority's ability to recruit/retain employees in the job role concerned.

1.4 The evidence submitted will be based on the following criteria and should be shown in a number of these areas in order to give a rounded picture.

- Information from external salary surveys showing that NCC pay is below the market rate for the job;
- Press articles about particular national skills shortages in the related occupational area;
- Information about similar jobs elsewhere that offer greater remuneration packages. These should not be taken simply at face value but should consider:
 - The comparability of the job description and person specification requirements
 - The geographical location of the job(s) and the relative cost of living
 - How typical the job(s) and package are – a review of other external recently advertised, similar jobs should take place to get a balanced view.
- Evidence that employees/potential employees within a particular employment group or geographical area are being attracted to alternative jobs within that employment group, area or other organisation and that pay is the main driving factor in this.
- Evidence of recruitment difficulties. The reasons for such difficulties need to be examined to establish whether or not pay is the key issue. Closer examination should involve:
 - Advertising response rates and the media used.

- Surveys of individuals who have shown an interest (requested job details) but not returned an application to establish their reasons.
- Other supporting evidence may include:
 - Evidence of job offers to individuals
 - Turnover rates within the team/section – there would need to be evidence from exit interviews that pay is the cause of high turnover and not some other factor.

2. Process for approval.

2.1 If Pay Board is not satisfied that sufficient evidence exists to show the need to pay a market factor supplement it may either reject the request, giving reasons to the Chief Officer concerned, or ask that more evidence is provided in order that further consideration may be given before it makes its final recommendation. In the case of partnership posts the Chief Officer of the partners concerned will make the final decision. The grounds for such decisions will be recorded, to help ensure a consistent approach to such cases.

2.2 If the Pay Board is satisfied that sufficient evidence exists (in accordance with the criteria set out above) details of the post and the evidence provided may be forwarded for independent validation. Pay Board may also ask Senior HR Business Partners, or where appropriate external agencies to:

- Advise the Pay Board where, in their experience, this type of job requiring the appropriate skills, experience etc. would attract higher pay than the original evaluation supports, and
- Advise the Pay Board of the appropriate pay band to be awarded as a market factor supplement that they would recommend in relation to this job.

2.3 The Pay Board will consider the advice received from the independent agency, plus any other data (e.g. from the Local Government Information Unit) that may be relevant to that particular job, when drawing up its final recommendation.

2.4 Pay Board will make a recommendation on an appropriate indicative level of payment for the Market Factor Supplement, normally prior to the selection process for the post. Where this results in recruitment difficulties Pay Board may be asked to reconsider the recommended level of payment in the light of additional information arising from the recruitment process.

- 2.5 The recognised trade unions will be informed of all decisions to pay Market Factor Supplements.
- 2.6 The payment of any Market Factor Supplement will be time limited for up to a maximum of three years and subject to annual review. The outcome of the review will normally be applied according to the circumstances of the case. (In the case of a fixed term contract, the Market Factor Supplement will be set for the duration of the contract, subject to a maximum of three years.) Re-assessment of market factor supplement payments will take place through the collection of evidence and process set out in this document.
- 2.7 Where a base grade changes after appeal, any market factor supplements will be assimilated into the pay adjustment for the substantive grade.

Appendix B (4):

Nottinghamshire County Council's Policy on Acting Up and Honoraria Payments

Criteria for Awarding Acting-up and Honoraria Payments

1. Principles

1.1 The policy and payment criteria for both acting up and honoraria payments will apply to all posts, regardless of the amount of payment involved.

1.2 Payment of any acting up or honorarium will only apply to situations of more than four weeks in duration.

1.3 Payment of any acting up or honorarium will usually be for a maximum of 12 months.

1.4 If an honorarium or acting up arrangement is to continue beyond six months, it should be reviewed at six months and in any event, in normal circumstances, should not exceed 12 months.

1.5 Where the change to the job role is permanent, it should be re-evaluated under current job evaluation arrangements to take the new duties into account.

1.6 Senior officers are expected to work flexibly, and honoraria provisions will not normally apply to officers on Hay Band F and above, other than in very exceptional circumstances agreed by the Chief Executive.

1.7 Project work, including cross cutting corporate project work and project work involving external partners is a requirement of all senior officers on Hay Band F and above and will not, normally, merit an honorarium payment.

1.8 Departments will ensure that this requirement is reflected in job descriptions for all posts at third tier level in the new departmental structures, subject to collective agreement.

1.9 Opportunities for discrete and time limited project work, which may be promotional, should **normally** be advertised in accordance with agreed recruitment and selection guidelines and will be appointed to at the evaluated rate for the project duties and responsibilities concerned.

1.10 Honoraria will not usually be paid where additional work is undertaken which is of a like nature to the individual's existing job description i.e. of the same type at the same level.

1.11 A fully documented business case should be made by the department to support all proposals for acting up and honoraria payments.

1.12 The business case will include evidence to illustrate the following:

1.12.1 The reason for the proposed payment, for example to cover a long-term absence or undertake a specific piece of work

1.12.2 Posts affected and grades of the substantive and higher level / alternative duties involved

1.12.3 The extent of different and /or additional duties involved i.e. - full or partial, if partial quote percentage

1.12.4 The duration, specifying dates from and to

1.12.5 Alternatives considered. In many situations the need for extra work of the same type to be undertaken on a temporary basis can be accommodated without the need for additional payment

1.12.6 Cost. The calculation of the amount of payment should be made in accordance with the guidance set out under the criteria for calculating payments.

1.13 These rules should normally be applied in each case, however, where this can be demonstrated by the business case; in very exceptional cases it may be more appropriate to adopt a token payment approach.

2. Process

2.1 The circumstances potentially justifying an honorarium, and where possible the likely period involved, shall be identified at the outset and agreed with the employee.

2.2 The manager should submit their written business case, listing all the elements set out in 1 above, to their departmental management team.

2.3 The advice of the HR team should be sought as necessary and the proposal copied to the Service Head (HR).

2.4 Corporate Directors will apply the criteria at 1 above and decide whether honoraria or acting up proposals should be implemented, seeking the advice of the Service Director Corporate Services (HR) as necessary.

2.5 The Corporate Director's decision on honoraria will be subject to scrutiny through Delegated Decision.

2.6 Decision reports on honoraria should be constructed in such a way as to avoid the need for exemption.

3. Definition

3.1 Acting up

3.11 An “acting up” situation is defined as one where an employee(s), for any reason other than annual leave, is called upon to undertake the full duties and responsibilities of a higher graded post for a continuous period of at least four weeks.

3.12 Acting up may be shared between two parties on a pro- rata basis. To qualify as “acting up”, the employee(s) concerned must undertake **the full duties and responsibilities** of the higher-level post, as set out in the agreed job description, for the duration of the period concerned i.e. 100 percent of the duties for a specified percentage of the time.

3.13 Consideration should be given to advertising more widely in longer term situations such as maternity cover.

3.14 After four weeks, an approved acting up payment commensurate with the evaluated grading of the post temporarily occupied will be made, backdated to the first day of acting up, period, as set out in the delegated decision report.

3.2 Honoraria

3.21 An honorarium payment may be granted in circumstances where employees temporarily undertake a proportion of a higher level of duties and responsibilities outside the scope of their normal post, where these are significant and over an extended period, but short of undertaking the full duties and responsibilities of the higher graded post.

3.22 Such circumstances may include:

3.2.2.1 Shared responsibility with more than one employee undertaking a specific and or separate part of a wider role which has been evaluated as having higher level duties.

3.2.2.2 A substantial addition of some higher-level duties to the employee's job for a specific period and where a permanent re-evaluation as a changed job is deemed inappropriate.

3.2.3 The proposed payment shall be paid in the normal pay cycle and shall have regard to:

3.2.3.1 The evaluated level of the higher graded job. This may necessitate a reference to the Job Evaluation team if the higher-level work has changed significantly.

3.2.3.2 Any additional hours over and above the employees existing contractual hours worked over the applicable period. These will be remunerated at plain time rates, subject to the discounting of four hours each

week or any extra working associated with the employee's substantive job, whichever is greater.

3.2.3.3 Pro rata principles where applicable e.g. two or more employees sharing a higher graded post by undertaking separate and distinct duties within it.

Criteria for the Calculation of Acting Up and Honoraria Payments

1. Acting up payments

1.1 Where an individual undertakes the full duties and responsibilities of a more highly graded job, subject to satisfying the criteria for awarding payments, they should receive the salary appropriate to the bottom point of the evaluated grade of the higher graded job.

1.2 Where there is an overlap between the individual's current spinal column point on their substantive grade and the bottom point of the pay band of the higher graded job, they should be awarded one additional increment.

1.3 Where individuals are in receipt of an agreed salary protection and there is a difference between their protected grade and that of the substantively higher graded job, the acting up payment should be calculated based on the difference between their protected salary and the grade of the higher job for the duration of their ongoing protection period.

1.4 If the protected grade is higher than the grade of the "acting up" in relation to the individuals' substantive post, the higher-level protection will continue to apply for the duration of the remaining protection period, reverting to an acting up situation as and when the protection ends.

1.5 All payments will be back-dated to the start of the arrangement, subject to any annual incremental progression but excluding accelerated incremental pay.

2. Honoraria Payments - Higher Graded Posts

2.1 Where an individual undertakes a proportion, but not all, of the duties of a more highly graded job (i.e., partial acting up), an honorarium payment may be made, subject to satisfying the criteria for awarding payments.

2.2 The total amount payable will be calculated by assessing the proportion, expressed as a percentage, of the higher graded role that is being undertaken, and multiplying this by the difference in pay between the current and higher graded role for the period of partial acting up.

2.3 The honorarium should be paid in monthly instalments (back-dated to the start of the arrangement), particularly where there is uncertainty about the likely duration of the partial acting up.

2.4 The rate used should be the spinal column point that the individual would receive if they were appointed to the higher graded job. This would normally be the minimum of the grade but may be higher (i.e. the next available increment above the individual's own current pay) in the case of overlapping pay bands.

2.5 Where individuals are in receipt of an agreed salary protection, the honoraria payment should be calculated based on the difference between their protected salary and the grade of the higher job for the duration of the ongoing protection period.

3. Undertaking Additional Duties

3.1 An honorarium may also be appropriate where an individual at band E or below undertakes work from a different job type in addition to their own role, with no additional staffing resource, and that work is evaluated on the same pay band.

3.2 Such honorarium payments will normally be based on five percent of the individual's substantive pay (including any ongoing salary protection) for the period of undertaking additional duties.

Appendix B (5):

Nottinghamshire County Council's Policy on Redundancy and Early Retirement

1. Definition

1.1 A “redundancy” occurs where the County Council needs to reduce its workforce, for example where an establishment is closing down, or because fewer employees are needed for work of a particular kind. Normally the job will have disappeared.

1.2 Non-school based employees affected by redundancy, will be considered under the provisions of the Redeployment Policy.

1.3 Agreed process for selection for redundancy of employees on teacher's terms and conditions and support staff based in schools is separate and any changes will be discussed through the School and Soulbury JCNP. Consultation with trade unions on any proposed redundancies will be in accordance with the specific procedure and guidance covering these employees which is in place at the time.

2. Redundancy Situations

2.1. Compulsory redundancy will only be instigated when all other reasonable available means of managing business needs have been considered and exhausted.

2.2 Details of proposed large-scale redundancies including the full financial implications will be subject to departmental or corporate Delegated Decision Reports as appropriate to the service(s) concerned.

2.3 Corporate Directors should identify and quantify possible redundancies and make every effort to identify posts and therefore individuals who are at risk of redundancy.

2.4 The County Council will endeavor to ensure that all reasonable means are utilised to effectively manage employee redundancies arising out of redundancy situations.

2.5 To reduce the possibility of compulsory redundancy, the following measures may be considered where appropriate:

- the possibility of releasing a “not at risk” employee to avoid an “at risk” employee being made compulsorily redundant (this is known as “substitution” or “bumping”), dependent upon available posts, transferability of skills experience, timescale and budget

- voluntary reduction in hours or “job sharing”: may be appropriate where a redundancy situation could be avoided by a number of employees reducing their hours
- voluntary redeployment: dependent upon available posts, transferability of skills experience, timescale and budget
- voluntary redundancy/early retirement: seeking expressions of interest from employees who are willing to volunteer for redundancy (see 2.6 below).

2.6 Corporate Directors have delegated authority to agree individual cases of voluntary redundancy, with or without early retirement, taking account of the financial implications.

2.7 There is no guarantee that every request for voluntary redundancy will be agreed and employees expressing an interest are not bound to accept the severance package offered, neither will they be able to appeal a refusal of their application.

2.8 The basic principles as regards voluntary redundancy are:

- there is a need to reduce staff numbers in the volunteers’ service area
- releasing the volunteer will allow another employee at risk to secure continued employment
- the remaining staff have the skills, qualifications and experience to fill the remaining posts and ensure continued excellent service delivery

2.9 In the event that there are more volunteers than reductions required, selection will be made using a skills audit to ensure service delivery can be maintained and account will be taken of the cost to the Council of agreeing the redundancy in each case.

2.10 Individuals taking early retirement should be encouraged to attend a pre-retirement course, organised through the County Council, details are available on the Learning and Development System (LDS).

3. Consultation

3.1 There are statutory requirements in relation to consultation which the Council are required by law to comply with where it is proposed to dismiss 20 or more employees (Section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 (TULR (C) A) 19), however, it is normal County Council policy to also apply the 30 day consultation period in circumstances involving less than 20 people wherever possible.

3.2 The purpose of consultation is to provide as early an opportunity as practicable for all concerned to share the problems and explore options. The County Council will keep the trade unions informed as fully as possible.

3.3 Consultation will begin:

- at least 30 days prior to the first notice of dismissal being issued when the County Council proposes to dismiss as redundant up to 100 employees at any one establishment in a 30-day period
- at least 45 days prior to the first notice of dismissal being issued when the County Council proposes to dismiss as redundant 100 or more employees at any one establishment in a 45-day period.

3.4 In general, consultation should begin as soon as the possibility of redundancy arises to agree a protocol in relation to the information on which employees and trade union representatives will be consulted and a commitment to consider alternative proposals.

3.5 The consultation process should precede any public announcement of specific redundancies.

3.6 The statutory rules require the authority to consult on the following:

- the reason for the redundancies
- the number of and type of employees affected as against the overall number of employees of that type
- the method of selecting for redundancy
- the method of carrying out the dismissals and the time period after which the dismissals will happen
- the method of calculating the redundancy payment.

3.7 No notices of dismissal will be issued until consultation is completed. Consultation will be through the trade unions or other employee representatives and will be undertaken at the earliest opportunity to also seek ways to mitigate and avoid redundancies wherever possible.

3.8 The only possible exception to this may be where applications for voluntary redundancy have been approved, the employee has accepted the severance package on offer and the authority can issue formal notice of dismissal and the employees trade union or if a non-union member their representatives agrees to their early release prior to completion of the consultation.

4. Selection for redundancy

4.1 Posts at risk will be identified before any selection of individuals for redundancy has been carried out.

4.2 Individual employees at risk will be identified following an enabling or redundancy selection process designed to determine which of the employees

working in a prospective redundancy situation are at risk of redundancy and from what date.

4.3 There are occasions when the employees at risk are identified automatically by the very nature of the duties undertaken and the area of redundancy.

4.4 Once the employee has been informed that they have been identified, they should be invited to a formal, individual meeting with the manager who is responsible for making the final decision in relation to redundancy (or another designated officer). The employee is entitled to be represented by their trade union representative, colleague or other identified support person at these meetings. Formal notice of dismissal may be issued following this meeting. See Managing the Consultation Process for checklists and further guidance.

5. Appeals

5.1 Statutory dismissal and redundancy procedures are revoked under the Employment Act 2008, including redundancy situations.

5.2 Employees selected for redundancy will have a right of appeal against dismissal to a Corporate Director not previously involved in the case.

5.3 The process for the appeal will be in accordance with the Appeal Hearing Procedure except that management reserve the right to present cases collectively where the business case is the same.

5.4 An appeal should be lodged with the Corporate Director within 10 working days of receipt of such confirmation of dismissal by reason of redundancy. The full process and supporting pro-forma are available from [HR Teams](#).

5.5 Any appeal in relation to compulsory redundancy is limited to the application of the redundancy process on the grounds that the selection for redundancy was unfair. The appeal process cannot be used to complain about the fact of the business decision to reduce or cease work in a particular area.

5.6 There will be no right of appeal in respect of non- selection for voluntary redundancy or refusal to agree an application for voluntary redundancy.

6. Training and Retraining

6.1 The Employment Rights Act 1996 gives employees with 1 year or more continuous employment who are to be made redundant a right to reasonable time off work with pay to arrange training or to look for new employment.

6.2 The granting of leave to enable redundant employees to seek alternative employment is a matter for Corporate Director's discretion (or another designated officer). As a general guide, it may be considered appropriate to allow up to 3 days for this purpose, but it should be borne in mind that the entitlement is an individual one and each case should be considered on its own merits.

7. The Statutory Redundancy Payment

7.1 The Government has exempted the determination of statutory redundancy payments from the provisions of the Equality Act 2010 which apply to the calculation of any additional, discretionary payments.

7.2 Any employee with over 2 years' service who is made redundant will be entitled, in accordance with the statutory formula, to a minimum statutory redundancy payment in accordance with the Equality Act 2010, which is based upon their actual pay.

7.3 The amount of statutory redundancy payment depends on an employee's age, length of service and the amount of their normal contractual week's pay:

- 0.5 week's pay for each full year of service where age during the year is less than 22
- 1 week's pay for each full year of service where age during the year is 22 or above but less than 41
- 1.5 week's pay for each full year of service where age during the year is over 41.

7.4 Only continuous service with organisations covered by the Redundancy Payments (Continuity of Employment in Local Government etc.) (Modification) Order 1999 should be treated as reckonable when calculating an individual's entitlement to a redundancy payment. Contracts must be successive and any break in continuous service, as defined above, will not count as reckonable.

7.5 See the list of organisations covered by the Modification Order.

7.6 The maximum service which can be taken into account under statutory provisions is 20 years, the maximum payment allowable 30 weeks pay and the maximum amount which may be used to calculate a week's pay is £450 (as at 1st February 2013).

8. Additional Discretionary Redundancy Pay

8.1 Local authorities are able to grant, at their discretion, benefits in excess of the statutory provisions to employees who cease their employment prematurely on the grounds of redundancy.

8.2 In order to comply with the Equality Act 2010, local authorities are required to develop and publish their own policy on the award of any discretionary payments for loss of employment.

8.3 Nottinghamshire County Council has exercised this discretion to apply a multiplier of 1.65 on the statutory redundancy formula based on age and local government service, capped at 30 years reckonable service.

8.4 Redundancy payments are therefore calculated using the discretionary formula which already includes the statutory element.

8.5 This allows up to 50 weeks actual salary in all cases, regardless of whether the individual is under or over 55 years of age or whether the individual concerned is in a pension scheme.

8.6 A copy of Nottinghamshire County Council's redundancy payment calculator is available at **Appendix B (6)**.

8.7 Under LGPS regulations, any redundancy payment is subject to the employee not being in receipt of any offer of alternative employment, outside of the county council's redeployment processes, prior to the last day of service and within 4 weeks of termination, regardless of the start date of the new employment.

9. Efficiency Termination

9.1 The provisions for the Council to effect a termination 'in the interests of the efficiency of the service' will be used in exceptional cases only and will be subject to the agreement of the relevant Corporate Director.

9.2 The distinction between efficiency and redundancy is that in the latter the resultant vacancy is not filled.

9.3 The circumstances in which employment may be terminated on efficiency grounds are not simply reorganisation/restructuring (such cases are more often on redundancy grounds) but are more generally related to health/ability/age considerations.

9.4 Appropriate cases are those involving an employee over 55 years of age and demanding an element of compassion e.g. the application of the provisions may be justified in a case of intermittent ill-health where a person does not qualify for immediate payment of pension benefits on grounds of permanent incapacity; or where an employee with long service becomes unable to adapt to modern methods or to a change of post and the County Council cannot accommodate them elsewhere.

9.5 There will be no award of added years in any circumstances.

9.6 It is important to stress that a decision on each case must be reached 'on the grounds of the efficient discharge of the County Council's functions' and

not merely on the basis of financial savings for the County Council, this being necessary in order to comply with the appropriate pension regulations.

10. Retirement on Health Grounds (Permanent Incapacity)

See Retirement on Ill Health Grounds, Personnel Handbook.

11. Pension/Gratuity Payments

When dealing with cases of redundancy, it is necessary to bear in mind the following considerations relating to pension/gratuity payments:

11.1 Pension Position of Employees Under 55 Years of Age at Termination

With less than three months membership in the scheme - contributions may be refunded or accrued rights transferred to the Pension Scheme of a new employer.

With three months or more membership in the scheme - accrued rights may be either transferred to a new scheme or left in the Pension Fund as deferred benefits payable at pension age. Alternatively, an election to receive early payment may be made at or after age 55 (with employer's consent if under 60).

11.2 Non-Pensionable Employees Aged Over 55 Years at Termination

Gratuity payments are payable to employees over 55 years of age, who are made redundant provided that 15 years' service has been completed (See Gratuity Scheme, Personnel Handbook).

Appendix B (6): Redundancy Payment Calculator

Age/Years	2.0	3.0	4.0	5.0	6.0	7.0	8.0	9.0	10.0	11.0	12.0	13.0	14.0	15.0	16.0	17.0	18.0	19.0	20.0	21.0	22.0	23.0	24.0	25.0	26.0	27.0	28.0	29.0	30.0
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Age/Years	2.0	3.0	4.0	5.0	6.0	7.0	8.0	9.0	10.0	11.0	12.0	13.0	14.0	15.0	16.0	17.0	18.0	19.0	20.0	21.0	22.0	23.0	24.0	25.0	26.0	27.0	28.0	29.0	30.0
47.00	3.0	4.5	6.0	7.5	9.0	10.0	11.0	12.0	13.0	14.0	15.0	16.0	17.0	18.0	19.0	20.0	21.0	22.0	23.0	24.0	25.0	26.0	27.0	28.0	29.0	30.0	31.0	32.0	33.0
48.00	3.0	4.5	6.0	7.5	9.0	10.5	11.5	12.5	13.5	14.5	15.5	16.5	17.5	18.5	19.5	20.5	21.5	22.5	23.5	24.5	25.5	26.5	27.5	28.5	29.5	30.5	32.5	32.5	33.5
49.00	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.0	14.0	15.0	16.0	17.0	18.0	19.0	20.0	21.0	22.0	23.0	24.0	25.0	26.0	27.0	28.0	29.0	30.0	31.0	32.0	33.0	34.0
50.00	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.5	14.5	15.5	16.5	17.5	18.5	19.5	20.5	21.5	22.5	23.5	24.5	25.5	26.5	27.5	28.5	29.5	30.5	31.5	32.5	33.5	34.5
51.00	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.5	15.0	16.0	17.0	18.0	19.0	20.0	21.0	22.0	23.0	24.0	25.0	26.0	27.0	28.0	29.0	30.0	31.0	32.0	33.0	34.0	35.0
52.00	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.5	15.0	16.5	17.5	18.5	19.5	20.5	21.5	22.5	23.5	24.5	25.5	26.5	27.5	28.5	29.5	30.5	31.5	32.5	33.5	34.5	35.5
53.00	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.5	15.0	16.5	18.0	19.0	20.0	21.0	22.0	23.0	24.0	25.0	26.0	27.0	28.0	29.0	30.0	31.0	32.0	33.0	34.0	35.0	36.0
54.00	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.5	15.0	16.5	18.0	19.5	20.5	21.5	22.5	23.5	24.5	25.5	26.5	27.5	28.5	29.5	30.5	31.5	32.5	33.5	34.5	35.5	36.5
55.00	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.5	15.0	16.5	18.0	19.5	21.0	22.0	23.0	24.0	25.0	26.0	27.0	28.0	29.0	30.0	31.0	32.0	33.0	34.0	35.0	36.0	37.0
56.00	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.5	15.0	16.5	18.0	19.5	21.0	22.5	23.5	24.5	25.5	26.5	27.5	28.5	29.5	30.5	31.5	32.5	33.5	34.5	35.5	36.5	37.5
57.00	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.5	15.0	16.5	18.0	19.5	21.0	22.5	24.0	25.0	26.0	27.0	28.0	29.0	30.0	31.0	32.0	33.0	34.0	35.0	36.0	37.0	38.0
58.00	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.5	15.0	16.5	18.0	19.5	21.0	22.5	24.0	25.5	26.5	27.5	28.5	29.5	30.5	31.5	32.5	33.5	34.5	35.5	36.5	37.5	38.5
59.00	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.5	15.0	16.5	18.0	19.5	21.0	22.5	24.0	25.5	27.0	28.0	29.0	30.0	31.0	32.0	33.0	34.0	35.0	36.0	37.0	38.0	39.0
60.00	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.5	15.0	16.5	18.0	19.5	21.0	22.5	24.0	25.5	27.0	28.5	29.5	30.5	31.5	32.5	33.5	34.5	35.5	36.5	37.5	38.5	39.5
61+	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.5	15.0	16.5	18.0	19.5	21.0	22.5	24.0	25.5	27.0	28.5	30.0	31.0	32.0	33.0	34.0	35.0	36.0	37.0	38.0	39.0	40.0

Appendix B (7):

Nottinghamshire County Council's Policy on Flexible Retirement

Part 1: Flexible Retirement – Employee Information

1. Who does the policy apply to?

Under the Local Government Pension Scheme Regulations 2006, employees who are members of the scheme and aged 55 or over can apply for flexible retirement in circumstances where, with the employer's consent, the employee reduces either their contracted hours of work and/or grade of post.

Nottinghamshire County Council is committed to offering older employees flexible options for the transition from working life to retirement, that balance both the needs of employees and those of the Council where this is affordable to the council.

2. Who is excluded from the provisions?

Employees who are members of other occupational schemes (e.g. the Teachers' Pension Scheme) or who have made alternative pension arrangements outside of the LGPS will not be able to benefit from the flexible retirement pension options set out below. Similar arrangements will be negotiated through the CFCS department JCNP.

3. Benefits of Flexible Retirement

Flexible retirement can offer benefits to both employers and employees, by:

- Helping with the management of organisational change by providing an option to older workers, whose employment may be at risk, thus helping to avoid redundancies and associated costs.
- Helping to develop a balanced age profile within the workforce by retaining older workers and keeping their skills, knowledge and expertise within the workplace.
- Offering opportunity for better succession planning and developing the capacity for older workers to act as mentors.
- Giving employees greater flexibility to balance their home and work commitments and interests.

These flexible retirement provisions apply to those employees of the Council who are members of the Local Government Pension Scheme (LGPS).

4. Pension benefits - Employees age 55 and over

Under changes made by HM Revenue and Customs in 2006, employees can receive pension benefit whilst still holding the job through which this was accrued. As a

result, an employee aged 55 or over whom, with their employers' consent, reduces their contracted hours or grade, can apply to receive their accrued pension benefits.

Those employees aged 55 or over, whose application to receive their pension through this route is approved by the Council, will receive their reduced pay (either through a reduction in hours of their existing post or working in a lower graded post) as well as the pension benefit accrued to the point at which the change took effect. This may or may not be actuarially reduced; this will depend on your age and length of service.

5. Key Points to Note

5.1 There may, dependent on individual circumstances, be a cost to the employee (in the form of an actuarial reduction in pensions benefits) through taking the flexible retirement option. They will, however, receive the pension that they would have been entitled to had they fully retired at that point in their working life.

5.2 From the point at which flexible retirement benefits are taken, pension contributions into the LGPS may continue, but this will be treated as a new membership of the scheme. As a result, when the employee finally retires, they will be entitled to a second pension based on this second period of service.

5.3 If the employee finally retires (from this further employment) before age 65, it is likely that pension benefits accrued during this second period of pension scheme membership will be actuarially reduced, although the employee may opt to have payment of pension benefits deferred until they reach age 65.

5.4 An important factor to be considered is that once a pension has been agreed and put into place, it cannot be recalculated and an actuarial reduction, once in place, cannot be rescinded.

There may be circumstances where an employee takes the flexible retirement route and starts contributing to a new pension, but subsequently faces ill health retirement or redundancy. In these scenarios, it is important to seek advice from the pension team on individual circumstances. All employees who are considering the flexible benefits option should look into the possible impact of future events on pension payments over the longer term.

Where flexible retirement cannot be supported on cost grounds employees should consider what other alternatives might be available to them, such as a straightforward reduction in contracted hours – this should be discussed with the line manager or HR team. Advice on the personal pension implications of any such change is available by contacting the pension helpline (see paragraph 12).

6. Planning Ahead

6. 1 Retirement is a key life event and employees may be apprehensive about such a major change. Employees will need to be aware of the guidance that is available to them in good time so that they can make informed choices about their retirement;

managers should support employees seeking such guidance. The best time to seek advice will depend on the employee's personal circumstances and when they plan to retire although in normal circumstances it may be helpful to employees to seek initial advice around five years prior to the anticipated retirement date.

6.2 Employees will need to ensure that any decisions that they may make when considering flexible retirement options fully take into account their financial liabilities/commitments. Sources of advice include:

- An independent financial adviser
- Your bank or building society – but who, in most cases, will advise only in respect of their own financial products and services
- Voluntary organisations such as Age Concern (**website:** www.ageconcern.org.uk) and Citizens Advice Bureau (**website:** www.citizensadvice.org.uk) – particularly in respect of state pensions, benefits and debt management
- NCC Welfare rights (**website:** www.nottinghamshire.gov.uk/benefitsadvice) – benefits entitlements

6.3 Whilst the pensions team will be able to provide you with pension figures should you be interested in taking advantage of the flexible retirement provisions, they will not be able to advise on which particular course of action to take.

7. Pension Implications

Employees may be concerned about the effect of flexible retirement choices on their pension. Further details in terms of the options for early retirement and flexible retirement are contained within the Guide to the Local Government Pension Scheme, copies of which are available by contacting the pension team.

The LGPS is currently the subject of a government review, and the terms and benefits available under the scheme may be subject to change as a result. It is vital that before taking any final decisions employees contact the pensions helpline on **tell:** 0115 846 3333 for more detailed information on their own pension position.

8. Pay

Employees taking up flexible retirement options resulting in their working reduced hours will be paid on a pro rata basis, according to the number of hours worked. Those moving to a lower graded post will receive payment at the maximum spinal point of the lower graded post; pay protection provisions will not apply in these circumstances.

Employees considering such options should satisfy themselves that their financial commitments can be covered.

9. Leave

Where flexible working options are adopted resulting in reduced hours, leave entitlement will be calculated on a pro-rata basis as set out in the Personnel Handbook. Where a new post has been taken up the new leave entitlement (relating to grade and number of years continuous service) will apply.

10. Continuous Service

Continuous service will be preserved when taking up a flexible retirement option if the employee remains in NCC employment without any break in service.

11. Changes to Contracts of Employment

Where an employee takes up one of the flexible retirement options set out above, all matters relating to changes to contracts of employment and the payment of pensions will be dealt with at the Business Services Centre.

12. LGPS Pensions Helpline

Pension scheme members can obtain further information by contacting the Council's pension help line on **tell:** 0115 846 3333.

More information about the local government pension scheme is available on the Nottinghamshire Pension Fund **website:** www.nottspf.org.uk.

13. Pre-retirement Courses

There is a one-day pre-retirement course available for employees approaching retirement age arranged by the Corporate Learning and Development team in the Resources department. Details of the course programme, dates and availability of places are available through the Learning and Development System (LDS).

Part 2: Flexible Retirement – Policy and Procedure

1. The granting of flexible retirement linked to a reduction in hours or grade requires employer consent, which will be at the Council's discretion.
2. Employees interested in applying for flexible retirement should, in the first instance, apply in writing to their team manager. Where a request is received, the manager will consider the request and discuss it with the employee and seek figures/costs information from the Pensions team. When figures have been received, the manager should meet with the employee to discuss these and the options available. The manager should then inform the employee, within 14 days of this meeting, whether the flexible retirement request will be supported. If this timescale cannot be achieved (e.g. where undergoing job redesign and evaluation) the employee should be kept fully informed.
3. Team managers will need to examine each request, by considering the service needs and workload management implications alongside the needs of the

employee. In cases where a team manager recommends approval of a flexible retirement request, a flexible retirement business case will need to be prepared to support a formal decision by the relevant service director.

4. Any planned changes to the establishment arising from a flexible retirement request should be subject to trade union consultation.

5. The Council will normally require a minimum reduction in contracted hours of at least one full working day (i.e. 20 percent of contracted hours) for full time employees.

6. A similar minimum reduction of 20 per cent (on a pro rata basis) will normally be required for part time employees.

7. For cases where the granting of a flexible retirement request will result in a pension strain cost to the Council, a reduction of up to 50 percent of contracted hours will normally be required, dependent upon the circumstances of the case.).

8. In cases of disciplinary, attendance management or capability procedures being underway, the Council may decline to consider requests for flexible retirement until any such cases have been fully dealt with (including appeals stages).

9. The Council will not normally consider redesigning jobs with a view to reducing the grade solely to facilitate flexible retirement; exceptions to this may include where this would facilitate the retention of particular skills in areas with recruitment difficulties or where it might meet a temporary service need pending restructure. In such cases the change in grade will be determined through the application of the appropriate job evaluation scheme (which will be done prior to final consideration of the request). Any reduction in grade must be at least one grade band in the Council's pay structure to qualify.

10. Requests to reduce hours/grade may be made where pension is not claimed or where the employee is not a member of the LGPS. Any such requests will be considered on their merit and will be dealt with as variations of contract by mutual agreement.

11. All cases resulting in a cost to the department will be subject to a formal delegated decision by the relevant Service Director. In these cases:

11.1 details of the proposed retirement and any related establishment matters

11.2 cost implications

11.3 service/ongoing workload management implications.

12. All other cases that are supported by managers, for which there is no cost to the employing department, will be subject to a formal decision by the relevant Service Director under delegated powers and recorded on the delegated decision log.

13. If the employee's pension is subject to a reduction for early retirement, then the Council will only consider waiving that reduction (at additional cost to the Council) in exceptional circumstances.

14. Where a flexible retirement request is declined, the employee will be informed by their manager in writing, with the reason for the rejection stated.

15. Any changes to employment under this policy will be permanent in nature and will be subject to acceptance of a new or amended contract of employment, as appropriate. In cases of reduction of hours, terms and conditions will be applied, where applicable, on a pro rata basis.

16. Any employee complaint about the application or outcome of the flexible retirement procedure will be dealt with through the Council's grievance procedure.

17. Where a flexible retirement package based on a reduction in grade is agreed, this will be on the basis of a mutually agreed variation of contractual terms and the Council's pay protection policy will not apply.

18. Where flexible retirement is agreed for an employee already on a protected salary, pay protection will cease when the flexible retirement arrangements commence, as this is a voluntary agreement and the employee will be in receipt of their pension.

Appendix B (8):

Nottinghamshire County Council's Policy on the Re-employment or Re-engagement of Former Employees

1. Introduction

This section covers the re-employment or engagement of former employees who have received a redundancy payment from the Authority and/or who are already in receipt of their Local Government Pension Scheme (LGPS) pension benefits.

The re-engagement of former employees can, in some circumstances, provide practical solutions to specific workload/project staffing needs. Former employees will also have a wealth of knowledge about and experience of the organisation.

However, there is a danger that such appointments, if not considered and made through a structured approach, can be seen as nepotism (favoritism; denying developmental opportunities to current staff; circumventing equalities provisions and potentially denying redeployment opportunities to staff at risk of compulsory redundancy).

For those staff leaving on voluntary redundancy, where it is clear there will be an ongoing need for the skills, knowledge and experience of a particular individual, careful consideration should be given to whether the person can be allowed to leave the service on voluntary redundancy. Alternatively, it may be possible to revise the last day of service, to enable suitable contingency plans to be developed. If an employee leaves the service and it is subsequently identified that there was an intention to re-employ and the individual returns after a short space of time, then there are potential implications in terms of continuity of employment and the validity of any redundancy payment made.

A balanced judgement is therefore needed, taking all of these issues into account. HR advice must be sought by managers in all cases prior to entering discussions with individuals regarding any opportunity for re-employment. Any such arrangements must also be cost effective and provide best value in the use of Council resources.

2. Inland Revenue - Employment Status

The Inland Revenue requires the authority to determine whether an arrangement with a consultant or contractor constitutes a contract of employment or can be deemed to be on a self-employed basis.

This includes pro-forma the employing department will need to use to make a judgement, based on the responses to set questions. This determination will need to be made for each and every contract or agreement that is proposed as the decision on status is related to the contract, not to the individual. This process to determine status must be undertaken before the engagement is agreed and any contract is signed.

Where this process determines that an engagement constitutes a contract of employment, then normal County Council terms and conditions will apply, and the work must be paid for at the rate for the job assessed where appropriate through job evaluation. Remuneration arrangements must comply with corporate pay policy.

3. Protocol – short term or consultancy

3.1 It must be clear from the outset as to whether the arrangement is to re-employ through a contract of employment or to engage as a consultant with a contract for service following the relevant procurement process. This relates to employment on a short term or consultancy basis.

3.2 Areas where the re-engagement of former employees may be appropriate include:

- Discrete pieces of work where the ex-employee has the appropriate levels of skill and experience that are not available elsewhere within the Council.
- Where it is more cost effective to re-engage a former employee given their specific experience, skills and knowledge.
- Where there are problems in maintaining authorised staffing levels in a difficult recruitment market.
- Where work of an urgent nature arises at short notice and cannot reasonably be accommodated within existing resources.
- Where it is not possible for the work to be undertaken by retraining, redeployment, acting up arrangements or secondment of staff from elsewhere within the organisation.
- Where there are ad hoc pieces of work where the frequency with which the need arises is difficult to predict, for example, employment or complaint investigations.

Such skills gaps should be addressed in the longer term under the HR strategy through structured workforce planning.

3.3 Such arrangements should be time limited and be subject to appropriate written agreements covering the nature, duration, quality standards for the work to be undertaken and the basis on which the agreement will be terminated.

3.4 The initial consideration for providing cover for urgent work, where there are vacancies/staff absences/unexpected peaks in workload, should be through the use of temporary employment contracts advertised in the normal manner or through acting up or secondment arrangements made available to existing staff, as appropriate in the circumstances. This should particularly be the case where the work relates to the normal business of the service area concerned, as opposed to defined projects or 'one-off' tasks.

3.5 The final decision on the course of action to be taken should rest with the Corporate Director for the relevant department, having consulted with the Service Director Human Resources and Customer Service. This will be subject to consideration of the particular business case.

3.6 For the purpose of these rules, former employees will be defined as anyone who has previously held a permanent employment contract with Nottinghamshire County Council.

3.7 Re-engagement on a short term or consultancy basis should not be offered to:

- Former employees who were retired prematurely on grounds of ill-health where the conditions for ill health retirement benefits being released still exist as defined by the regulations and rules of the Local Government Pension Scheme (LGPS). Further information on the 3 tiers of ill health retirement can be found in of the Personnel Handbook.
- Former employees who were dismissed for reasons of conduct. Managers should seek the advice of the relevant HR Group Manager when considering the re-employment of a former employee dismissed on the grounds of capability particularly where health has been a factor.
- Former employees whose employment with the Council ended by mutual consent on terms set out in a compromise agreement.
- Former employees who retired on efficiency grounds, where these grounds still affect the ability of the individual to carry out the work in question.
- Former employees where there have been substantiated allegations or findings of harassment and bullying, or where there are known safeguarding concerns.

3.8 Re-engagement on a short term or consultancy basis may be offered to:

- Former employees who resigned and who may have subsequently undertaken paid employment or consultancy elsewhere.
- Employees who were made redundant (either on a compulsory or voluntary basis), subject to an appropriate period of time having elapsed. Normally a minimum of 6 months is proposed as the usual provision, however for urgent work on a time limited basis, a reduced period may be considered provided this period is not less than one month

3.9 Where re-engagement is being considered, Corporate Directors should ensure that:

- The pro forma on employment status has been completed, and that the engagement complies with the Inland Revenue provisions on employment status. Advice should be sought at the earliest opportunity from Financial Services and the relevant HR Group Manager.
- Any proposed re-engagement is in response to a genuine service need and not a response to canvassing.

- Full consideration is given to equality of opportunity and where more than one potential candidate may be available the appointment should follow established recruitment and selection principles.
- The proposed arrangements comply with Financial Regulations requirements on the procurement and use of consultants, (as set out in Section E of the Financial Regulations).
- The individual has been made aware of the need to seek advice on the potential impact of their re-engagement on LGPS benefits (please see [section 4 below](#)).
- The decision to offer re-engagement is robust, able to withstand scrutiny, and that the terms of engagement (including specification of work to be undertaken, duration and payment arrangements) are clearly stated in writing.
- Appropriate records relating to the engagement and work being undertaken are retained.
- The trade unions are informed of any such appointments through the relevant JCNP.

4. Protocol – permanent or longer-term re-employment

4.1 Where a former employee who has previously received a voluntary or compulsory redundancy payment, is offered re-employment with the County Council, on a permanent basis or for a period of more than 12 months, consideration will be given to whether part or all of the compensation payment should be recovered. The decision will be at the discretion of the relevant Chief Officer and be based on the following criteria:

- Part or all of the compensatory element of the redundancy payment will be recovered where a former employee is re-employed to do the same or a very similar role to the one, they previously undertook.
- Whether the role is at the same or a lower grade than the post previously held.
- Where the individual left on the grounds of voluntary redundancy; the pension will be abated. If the individual was compulsorily redundant consideration will be given on a case by case basis to determine whether in the particular circumstances the pension should be abated.
- A break of at least 4 weeks must elapse before a former employee is re-employed and recovery of part or all of the redundancy payment will be considered for a period of up to 6 months after the last day of service.
- No recovery action will be taken where a former employee is re-employed after 4 weeks have elapsed, in a role of a lower grade than the one previously held, where the vacancy protocol has been applied and no internal candidate(s) has been identified as suitable to fill the role.

4.2 The Local Government Pension Scheme (Administration) Regulations 2008 requires each administering authority to formulate and review its policy concerning abatement (that is, the extent if any, to which the amount of retirement pension payable to a member from any pension fund maintained by it under the Scheme

should be reduced or extinguished, where the member has entered a new employment with a Scheme employer, other than one in which he or she is eligible to belong to a teachers' scheme).

4.3 Pension abatement will be considered where a former employee is re-employed on a permanent basis. The decision to abate will rest with the Chief Officer for the employing department in consultation with the Service Director, Human Resources and Customer Service.

4.4 Where a former employee is re-employed on a time limited basis, not exceeding 12 months, and upon the production of a business case explaining the rationale for the re-employment, there will be discretion for Chief Officers not to apply pension abatement.

4.5 Any former employee engaged through a consultancy framework, on a preferred supplier list or on a separately procured consultancy basis, where payment is for a contract for service and not made through an employment contract, will not be the subject of pension abatement.

Appendix B (9):

Nottinghamshire County Council's Policy on the Payment of Travelling Allowances

1. Mileage Allowances and Authorised Car Users

1.1. Introduction

Mileage allowances for travelling on authorised County Council business are determined by the authority using HM Revenue & Customs (HMRC) approved rates. There are locally determined rates for motor cycles, and bicycles.

1.2. Determining Authorised Car Users

Authorised car users will ideally have access to transport for the efficient undertaking of duties but are not required to have a vehicle available at all times. Authorised car users will only need to provide transport with advance notice. This designation does give the post holders access to a County Council car loan.

1.3. Disabled employees who are unable to drive because of their disability but who occupy posts designated as authorised car users are allowed to use taxis to carry out their duties. The scheme of taxi hire in lieu of authorised car user allowances applies to both existing disabled employees and those who become disabled.

1.4. General Conditions

Official mileage undertaken from and to the approved base, should normally be undertaken, and claimed, by the shortest available route, unless a standard mileage has been determined for that journey. All car users must be satisfied that travel by car is the most economical, taking into account travelling costs and time away from the office.

1.5. On those occasions where official mileage is claimable from and to the employee's home address, this should normally be undertaken by the shortest available route and must be claimed on the basis of:

- Home address to first call - whichever is the shorter distance between either mileage between home and first call or mileage between approved base and first call.
- Last call to home address - whichever is the shorter distance between last call and home address and last call and approved base.

1.6. Any journey between home and permanent work-base is considered by HMRC to be commuting and is subject to tax and National Insurance Contributions on the full payment.

1.7. Prior permission of the Corporate Director, or a designated officer, must be sought if an employee intends to use their car for a journey beyond 60 miles (120 miles round trip) by the most appropriate route, from the administrative base.

Employees should always investigate the use of public transport as their first option for such journeys.

1.8. Where any such approval has not been given, but nevertheless the employee chooses to travel by car, then any travel claim is limited to the cost of public transport. Authorised car users should claim reimbursement via their logbook under 'railway or bus fares'; non-authorized users should claim reimbursement using the appropriate departmental form.

1.9. The reimbursement of parking fees is allowable where the use of public car parks is unavoidable, for example, when no parking facilities are available at the premises being visited and where there is no alternative to a car being used for the journey. Journeys into Nottingham city centre from County Hall or other bases in the immediate area of the City or other urban centres should normally be undertaken by public transport. There may be occasions when, for good and valid reasons, a car has to be used for such a journey and in this event, car parking charges, necessarily incurred, will be reimbursed. Where appropriate, toll-bridge charges may be claimed.

1.10 Mileage claims must only be completed by the employee incurring expenditure and should detail start and finishing mileometer readings (except where standard mileages exist), reasons for all journeys, and places of call. For visits to County Council establishments, the name will normally suffice. However, for non-County Council establishments, it is not sufficient to state simply 'London', more specific details need to be given. Authorised car users must submit their claims on a regular monthly basis. The County Council shall have the right to require an employee to carry official passengers without any additional payment and employees should not use their own cars on journeys where there is room on one of the County Council's vehicles or in the car of another employee making the same journey. As far as possible, employees should travel together to reduce the number of journeys made.

1.11. Tax Position on Car Allowances

Certain travelling expenses claims are regarded by the HMRC as not being wholly exclusively and necessarily in the performance of duties on behalf of Nottinghamshire County Council and tax therefore is deducted at source, i.e. payments are made via the payroll system. If an employee has a temporary work-base for less than 24 months, HMRC sees travel between home and this temporary work-base as business mileage. It is only when the travel is between home and permanent work-base that HMRC sees this as commuting and no tax relief is applicable. The rules regarding these are fairly complex and further information can be obtained from the Financial Services Section.

1.12. Claims and Certification

All claims for payment of mileage, subsistence allowances, travelling and incidental expenses shall be made up to a specified day each month and submitted to the Corporate Director within seven days and certified as 'Head of Department' by an officer designated for that purpose by the Corporate Director. With certain exceptions (see below) a certifying officer must be at a higher level than the claimant, e.g. equal deputies should not certify each other's claims. A Corporate Director's claim should

be certified by a senior designated officer for that purpose, on the understanding that the employee so designated shall refer any queries which cannot be resolved with the Corporate Director to the Head of Service for Finance for a ruling; any such unresolved queries on the Head of Service for Finance's claims shall be referred to the Chief Executive. If a Corporate Director has any doubt as to the correctness of any claim they may wish to make, they will refer it to the Chief Executive; the latter will refer to the Leader of the County Council. Otherwise, employees generally will pursue their queries in accordance with arrangements made within the particular department.

1.13. Officers' claims submitted after six months will be paid only with the express approval of the Head of Service for Finance. Late claims will be reduced as follows:

- Between 6 and 12 months' delay - 10 per cent reduction
- More than 12 months' delay - 20 per cent reduction
- More than 2 years' delay. Corporate Director's approval is required.

1.14. Insurance

1.14.1. All employees who use their cars for County Council business should have included and maintained their policy of insurance a clause indemnifying the County Council against all third party claims (including those concerning passengers), arising out of the use of the vehicle on such business. Therefore, all employees who use their vehicles or someone else's vehicle, including that of their partner, on County Council business (which would include visiting clients at home or attending day release or other training courses or seminars) must ensure that the relevant motor insurance policy covers the use of this vehicle on County Council business. The certificate of insurance should state the use permitted. Use limited to 'social, domestic and pleasure purposes' will not cover any journey in connection with work. Use 'by the policyholder in person on connection with their business', means that only the person named as policyholder on the certificate of insurance can use the vehicle for County Council business.

1.14.2. Thus, if employees are using a vehicle which is not their own, then this must be specifically stated on the certificate of insurance and it is recommended that the insurance company concerned is contacted to confirm that such use is permitted before the trip commences.

1.14.3. The possible results of using a vehicle without adequate insurance cover could be:

- A breach of the requirements of the Road Traffic Act and a subsequent police prosecution.
- Refusal by the insurance company concerned to deal with the cost of repairing the vehicle being used.
- Refusal by the insurance company concerned to deal with a claim made against the driver arising out of the use of such vehicle.

1.14.4. A No Claims Bonus Protection insurance is available to employees and application forms may be obtained from the Insurance Section, Financial Services.

2. Travelling Allowances for Training Activities

2.1. Travelling Expenses - Day or Evening Classes

Reclaimable expenses are limited to the excess over normal daily home to base expenses. Employees can claim additional mileage at the appropriate rate.

2.2. Block Release, Sandwich or Full Time (Residential) Courses

Reclaimable expenses are limited to the distance from home to the course at the commencement and completion of each period or term and one return journey every fourth weekend during college periods. The allowance will be equivalent to second class rail fare or bus fare. Where employees choose to travel daily to a course which normally would require residence in the locality of the course, they will be paid travelling allowance as if it were a day course, subject to the maximum weekly payment of the sum prescribed for lodging allowances. Payment on this basis will also be made for essential daily journeys between lodgings and the course centre. For details of the latest rates, contact the HR Team for your department.

2.3. Special Provisions for Placement Expenses

Where employees are required to use their cars for placements (e.g. ASCH employees on full time secondment training) which are an integral part of the course, they shall be paid in accordance with the following provisions:

- **NCC mileage rate** for visits to clients.
- **NCC mileage rate** for travel to placement centre from college or lodgings, whichever is the nearer.
- **NCC mileage rate** for travel to college which is in excess of previous home/work mileage.
- **NCC mileage rate** for visits of observation arranged by Course Organisers (in any case where the secondee has no car, the actual cost of public transport to be claimed).

2.4. Externally Organised Training Courses

In attending externally organised training courses employees may reclaim expenses in respect of:

- Daily travel, where the course does not require residence.
- Travel between course venue and overnight accommodation.
- Journey at commencement and completion of the course.
- A return journey home each weekend when attendance at the course is not required.

The allowances will be at the NCC mileage rate.

2.5. Internally Organised Training Courses

Reclaimable travelling expenses are limited to the expenditure in excess of that which would have normally been incurred to attend the employee's normal place of work. Employees can claim additional mileage at the appropriate rate.

2.6. Employees Attending Selection Interviews for Further Professional Training/Membership of Professional Bodies

Employees required to attend for interviews as part of the examination procedure of the various bodies issuing formal approval qualifications, will be paid travelling allowances.

3. Rail Travel

3.1. Any travel by train within mainland UK will usually be standard class fare unless travel by other classes of ticket is cheaper overall. Any councillor or officer requesting first class rail travel must give reasons which shall be recorded in the register referred to in the travel and accommodation policy.

3.2. All journeys by first class travel should be authorised beforehand except on the occasions where a second-class compartment is found to be full and an employee transfers their ticket to first class status. In all cases, reimbursement will relate to any available cheap rate or the ordinary return fare, whichever is the less. In cases where it is necessary or advantageous for an employee to travel by air or to hire a taxi or car, the actual expenditure (including gratuities) shall be reimbursed.

3.3. Train tickets should be booked through Members Services.

4. Travel Abroad

4.1. Travel abroad is subject to the approval of the Administration Committee.

4.2. The Insurance Officer in the Financial Services Section must be notified at least four weeks before the proposed visit to make the necessary insurance arrangements. The Insurance Section will always arrange personal accident, loss of baggage etc. insurance for employees and Members travelling abroad. As a matter of course they also advise travelers to obtain an E111 form where relevant. These are obtained from local post offices.

4.3 Accommodation will be booked and paid for by Member Support on behalf of the County Council.

4.4 Subsistence allowance may be claimed for actual reasonable expenses incurred on meals, beverages, transport within the foreign country, laundry, 'phone calls etc.

4.5 The current maximum amount for subsistence per 24 hours for countries within the European Union is £75.00 (plus £10 per day for unreceipted out of pocket expenses).

4.6 For travel to other destinations, Members' Support will calculate a maximum amount for subsistence per 24 hours. That amount will be notified to Administration Committee when approval is sought for the travel to be undertaken.

4.7 The above rates assume that all meals (excluding breakfast) will have to be paid for from the subsistence allowance. If meals are provided as part of the visit and at no personal cost to the Council's representative(s) the daily allowance will be reduced by 20 per cent for each meal provided.

4.8 Receipts must be obtained wherever practicable for all claimable expenditure. Where this is not possible, a written statement will be required from the person making the claim

4.9. Air travel should be arranged prior to departure.

4.10. Where an employee intends to be accompanied (e.g. by their spouse, partner, member of family etc.) on a visit abroad, no cost will fall on the County Council for any expenses other than those to which the employee is entitled under the relevant Conditions of Service.

5. Attending Official Events

5.1. When attending an official event e.g. Chair's reception, travelling allowances will not be paid unless an employee is wholly on duty.

5.2. When attending a funeral, travelling allowances will not be paid unless an employee is attending as an official representative on behalf of the County Council and in which case paid leave of absence is also applicable.

6. Multiple Visits

Where any employee combines a private visit with a duty visit the travelling allowances shall relate only to the expenses which would have been incurred on duty. In such cases, employees should show:

- The mileage which would have been incurred on the duty visit travelling by the shortest possible route and
- Both the actual and what would have been normal times of leaving/return with an appropriate explanatory note

Appendix B (10): Nottinghamshire County Council's Policy on the Payment of Subsistence Allowances

1. Eligibility

1.1. As a general principle, employees will be responsible for meeting the cost of their own food and drinks whilst at work. In exceptional circumstances, set out below, employees may submit claims for the reimbursement of expenditure actually incurred beyond the norm.

Reimbursement of expenditure will be on the basis of receipts for costs actually incurred (up to the maximum level agreed by the National Joint Council for Local Government Services), which will need to be obtained by the employees and submitted with claim forms. Details of the maximum levels of reimbursement are available on the County Council's intranet site or from the HR Teams for employees without internet access.

2. Allowances Available

2.1 Reimbursement in respect of any meals may be claimable where an employee has had an overnight stay or other exceptional circumstance, and where approved by the manager, the employee should seek advanced confirmation from their line manager that expenses can be claimed.

3. Details of the Scheme

3.1 The maximum amount for each category of reimbursement will be those as defined by the National Joint Council for Local Government Services. These do not represent fixed allowances, and in all cases, reimbursement will be limited to the amount supported by the receipts submitted. The receipt must relate to the day and time of the meal claimed.

3.2 The County Council will not reimburse expenditure on alcoholic drinks or tobacco products in any circumstances.

3.3 Overnight Allowances

Employees are allowed to claim actual costs for absence overnight (bed and breakfast), up to an agreed maximum on the production of receipts. Details of the current rates are available from the County Council's intranet site or from the HR Teams for employees without internet access.

3.4 Submitting a Claim

Subsistence allowances should be claimed in the Travelling Expenses Log Book, in respect of authorised car users, and on the appropriate Travelling and Sundry Expenses Claim Form in respect of non-authorised car users. Times of leaving and

returning to base should always be shown when subsistence allowances are claimed.

3.5 Candidates for Interview

Paragraphs 3.1-3.4 shall be applied to candidates interviewed for appointments with the County Council.

3.6 Travel Abroad

3.6.1 Bed and breakfast - actual expenditure incurred.

3.6.2 Other meals and expenses - reimbursement will be based on expenditure incurred subject to a maximum figure determined by the Head of Service for Finance. Receipts must be submitted when claims are made.

3.6.3 The rates apply to journeys to Europe only.

3.6.4 The Head of Service for Finance can vary the rate in respect of journeys outside Europe.

3.7 Out of Pocket Expenses

Out of pocket expenses incurred at residential training courses will be reimbursed in accordance with the relevant Conditions of Service. Claims for courses lasting more than 6 weeks will be the subject of review and will be considered by Corporate Directors. Where the employee has to arrive at the training establishment on the preceding Sunday night and thus will be in attendance for five or more nights, they should receive the daily allowance in respect of that night outside of the weekly limit.

3.8 Visits when Accompanied by Spouse/Partner

Where an employee is accompanied by their spouse/partner, no charge will fall on the County Council for any expenses other than those to which the employee is entitled under the Conditions of Service.

Appendix B (11)

Nottinghamshire County Council's Pay Protection Policy:

In situations where pay protection arrangements are required employees will be offered protection arrangements as follows:

The employee will receive salary protection for a period of two years, but with salary being frozen at the point at which pay protection starts, i.e., employees will not receive any subsequent incremental increases or annual cost of living pay awards. At the end of the protection period the employee will revert to the maximum spinal column point of the substantive grade of their post.

Please see the [Management Guidance on the Application of the Pay Protection Policy \[WORD 44KB\]](#)

Notes

(i) Where employees current (pre-protection) salary includes allowances or other payments for non-standard working arrangements, consideration will be given on a case by case basis as to how these might be reflected in the Scheme of Protection.

(ii) Where other allowances are paid e.g. telephone allowances etc. protection will be limited to six months.

(iii) Where an employee is redeployed to a post which has a lower level of annual leave (by reference to the grade and service-related annual leave matrix) the higher level of leave will be protected for the duration of the pay protection period. At the end of the protection period, annual leave will revert to the level appropriate for the grade of the post then occupied.

(iv) In all cases, individuals will be encouraged to seek re-deployment at the level of their original post, and will receive support through the redeployment process, should they so wish.

(v) The only exception to these proposals would be in circumstances where, as in LGR, nationally negotiated protection arrangements are proposed. The operation of any such specific protection measures would be the subject of separate consultation with the trade unions at that time.

Appendix B (12):

Nottinghamshire County Council's Policy Car Leasing Scheme:

1. Introduction

The County Council operates a car leasing scheme which is optional for all authorised car users. The scheme is not available to occasional casual car users. Employees wishing to apply should study the detailed Employee Guide to the Car Leasing Scheme, which is available from the HR Team for your department.

2. The County Council Car Leasing Scheme

2.1 The scheme provides for the following elements:

2.1.1 Provision of the vehicle.

2.1.2 Number plates.

2.1.3 Servicing of the vehicle at times recommended by the manufacturer.

2.1.4 All necessary repairs and replacement parts except those:

- Needed as a result of accidental, deliberate or negligent damage to the vehicle.
- In respect of accessories fitted after the date of delivery for any reason other than to replace accessories fitted to the vehicle at the date of delivery which are or become defective.

2.1.5 Unlimited tyre replacement and puncture repairs. Cases of obvious tyre abuse will result in the employee bearing the replacement cost.

2.1.6 Replacement batteries and exhausts required as a result of fair wear and tear or faulty manufacture.

2.1.7 Breakdown, recovery and Homestart service. The breakdown and recovery service does not apply to any towed unit. These costs will be the responsibility of the employee.

2.1.8 Road Fund License. The employee will not be liable for any increase in the cost of the Road Fund License during the period of hire unless the cost is increased by more than 10% from the commencement of the hire.

2.1.9 The supply during servicing of oil or lubricants recommended by the manufacturer.

2.1.10 The supply of antifreeze either during servicing or each autumn.

2.1.11 A replacement vehicle after 48 hours in the event of a mechanical breakdown, theft or accident damage, where, in the opinion of the Transport Manager, the vehicle is unroadworthy. No undertaking is given to provide a replacement vehicle of the same size, age or standard of the leased vehicle.

2.2 Vehicles Available

All makes of European built cars will be available through the scheme. High performance vehicles will not be provided under the scheme - in this connection final discretion will rest with the Transport Manager who will take into account job requirements. Normally the vehicle supplied will be capable of using unleaded fuel. Diesel cars are also available.

2.3 Insurance

The employee will be responsible for the provision of fully comprehensive insurance with an insurer approved by the County Council which shall include cover for normal social, domestic, pleasure and business use together with glass replacement. The insurance for the vehicle must be taken out and maintained in the name of the employee.

2.4 Business Mileage Claims

Authorised users will claim the mileage rate for business mileage undertaken.

2.5 Taxation of Motor Mileage Allowances

NCC lease cars are seen as company cars by HM Revenue & Customs and depending on the CO2 emissions of the car and the contributions towards private use there may be a taxable benefit that will be deducted against the employees' code and will be arrived at using the HMRC company car taxation rules.

2.6 Mileage Bands

Vehicles are available on a wide range of mileage bands to suit individual requirements and the hire agreement will specify the maximum total mileage which the vehicle may cover during the period of the agreement.

2.7 Application Procedure

Eligible employees who, after reading the detailed Employee Guide, decide that they wish to apply for a leased car should determine the make and model of the car required and obtain a quotation from the Transport Manager, Nottinghamshire Contracting, Transport Services, 2 Riverside Way, The Meadows, Nottingham NG2 1DS. tel: 0115 9340705, or 0115 9340745 or 0115 9340716

Appendix B (13):

Nottinghamshire County Council's Constitution

Part 6c - Employment Procedure Rules

INTRODUCTION

1. The Council has developed these regulations in order to outline the process to be followed when appointing or dismissing employees or taking disciplinary action against employees.
2. These regulations also deal with who has responsibility for changes to staffing structures. Staffing structures specify the number and types of posts that exist in each department.

APPOINTMENT AND DISMISSAL - SENIOR EMPLOYEES

3. The Senior Staffing Sub-Committee is responsible for the appointment and dismissal of, and the taking of disciplinary action against, the following employees (who will be known as "Senior Employees" for the purposes of these regulations):
 - a. Chief Executive;
 - b. Corporate Directors;
 - c. Service Directors;
 - d. where the statutory role of the Head of Paid Service, Chief Finance Officer or Monitoring Officer is held by another post holder, that post holder.
4. The Senior Staffing Sub-Committee will meet as and when required.
5. The appropriate committee Chairman for the post being considered will always be present as a member of the Senior Staffing Sub-Committee. Where the issue being considered relates to the Chief Executive or a Corporate Director, the Senior Staffing Sub-Committee will have a membership of nine; otherwise the Senior Staffing Sub-Committee will have a membership of five.
6. The Senior Staffing Sub-Committee will be required to follow the Council's Recruitment and Selection Policy.

APPOINTMENTS

7. The Council may choose to appoint any of the Senior Employees from an internal pool of candidates or by externally advertising.
8. The Council will draw up a job description and person specification which will be sent to any person on request.

9. The Senior Staffing Sub-Committee will draw up a shortlist of candidates for interview and assessment and will interview all short-listed candidates in accordance with:

a. the Recruitment and Selection Policy; and

b. the advice of an appropriate HR advisor.

10. The preferred candidate will be offered the post subject to satisfactory references and pre-employment checks.

11. final decision in respect of the appointment of the Head of Paid Service, Chief Finance Officer and Monitoring Officer rests with Full Council.

12. Where a reorganisation affects the structure/numbers of Senior Employee posts, posts in the new structure will be filled in line with the enabling process agreed at the time. Any competitive interviews will be carried out by the Senior Staffing Sub-Committee in accordance with the enabling process.

DISMISSALS AND DISCIPLINARY ACTION

13. In the case of dismissals, the Senior Staffing Sub-Committee will hear the case against the Senior Employee concerned and the hearing will be conducted in accordance with the Council's Disciplinary Procedure.

14. The final decision in respect of the dismissal of the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer rests with full Council. Full Council will approve such dismissal before the notice of dismissal is issued.

15. The Senior Employee (unless the employee is the Head of Paid Service, the Chief Finance Officer or the Monitoring Officer) will have a right of appeal to the Appeals Sub-Committee in accordance with the appeals process set out in the Personnel Handbook. The Appeals Sub-Committee will be advised by an appropriate HR adviser who has had no previous dealings with the matter.

16. In the case of the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer, no disciplinary action may be taken until the advice, views or recommendations of an independent panel are considered. The neutral act of suspension for the purpose of investigating the alleged misconduct can be made by:

a. the Monitoring Officer in relation to the Head of Paid Service; or

b. the Head of Paid Service in relation to the Chief Finance Officer or the Monitoring Officer,

in consultation with the Council Leader and Chairman of the Personnel Committee. Any suspension will be on full pay and for a period of no longer than two months.

APPOINTMENT OF ASSISTANTS TO POLITICAL GROUPS

17. The appointment of any person as a political assistant must be done in accordance with legislative requirements.

APPOINTMENT, DISMISSAL AND MANAGEMENT OF ALL OTHER EMPLOYEES

18. The appointment, dismissal and management of employees (except Senior Employees) including disciplinary action will be carried out by properly authorised officers of the Council in line with the Recruitment and Selection Policy, other employment policy and procedures agreed by the Council and in compliance with statutory obligations.

EMPLOYMENT POLICIES AND PROCEDURES

19. The Council recognises national collective bargaining and acknowledges the role of national negotiating bodies in agreeing a framework of terms and conditions for local government employees.

20. Regular information will be provided to committees as and when required and requested regarding staffing.

21. The Council will develop and amend employment policies as required.

22. Proposals for new initiatives, for changes to existing employment policies and the development of management guidance will be developed by Personnel Committee.

23. Proposals for new employment policies or changes to existing policies will be subject to consultation and negotiation with the recognised trade unions through the agreed mechanisms as set out in the Employment Relations Agreement as amended from time to time. Following consultation changes to existing employment policies and new policy matters will be considered by Personnel Committee and recommended to Policy Committee for approval.

24. Details of approved employment policies and procedures and any changes will be set out in the Personnel Handbook, policy documents or guidelines as appropriate.

25. The Council will recommend that community schools adopt the Council's approved employment policies and procedures; however, the adoption or otherwise of such policies will be a matter for the school governing body, if such responsibility rests with them.

CHANGES TO STAFFING STRUCTURES

26. Changes to staffing structures must be made by the relevant committees unless the post is temporary for less than 3 months. In such cases, the relevant Corporate Director can authorise the appointment (provided that, if the requirement for the

temporary appointment continues after this time, the relevant committee's approval will be required).

27. formal report will need to be presented to the relevant committee and will include the required advice and HR comments.

28. The recognised trade unions will be consulted on all proposed changes to staffing structures and any views given should be fully considered prior to a decision being made.

CHANGES TO STAFFING AND STRUCTURE RECORDS

29. The Business Services Centre (BSC) will maintain staffing and structure records. The Chief Executive and his/her nominees must ensure that any changes to the staffing structures within their departments are notified to the BSC immediately after authorisation via the established procedures.

PAY AND GRADINGS

30. Full Council will approve the Council's annual Pay Policy Statement.

31. For posts occupied by staff employed under the NJC for Local Government Services Agreement, the initial grading and any subsequent re-grading will be determined by the application of either the NJC or Hay Job Evaluation Schemes.

32. The re-grading of existing posts following evaluation using the Hay or National Job Evaluation Schemes will be automatically incorporated into contracts of employment.

33. The grading of new posts needs to be detailed in the reports to the relevant Committee regarding establishing those posts.

34. The re-grading of posts for those employee groups where job evaluation is not applied will require authorisation by the relevant Corporate Director (or their nominee) and will be reported back periodically to the relevant Committee for information.

35. With the exception of honoraria and market factor supplement payments that have been considered through the approved process set out in the Personnel Handbook, there is no discretion to apply extensions of pay above or outside of authorised pay bands. All honoraria and market supplement payments will be reported back to the relevant Committee periodically.

36. As a result of national collective bargaining, the Council will implement national pay awards as agreed by the various national joint negotiating bodies from time to time. The Council will determine a local pay structure comprising a number of salary bands, based on the National Pay Spine, extended as appropriate.

RESOLUTION OF DISPUTES UNDER THE EMPLOYMENT RELATIONS AGREEMENT

37. Arrangements for the conduct of relationships with the recognised trade unions will be set out in the Employment Relations Agreement which is agreed between the parties.

38. The Employment Relations Agreement will incorporate the structure and mechanisms for dialogue, consultation and negotiation with recognised trade unions at both corporate and departmental level and will include joint arrangements for the resolution of disputes including the establishment of a Local Joint Resolutions Committee.

39. separate process for trade union consultation and negotiation with schools may be agreed directly with the relevant trade unions.

**REPORT OF THE CHAIRMAN OF THE COMMUNITIES AND PLACE
COMMITTEE**

**NOTTINGHAMSHIRE MINERALS LOCAL PLAN – RECEIPT OF INSPECTOR’S
REPORT AND ADOPTION**

Purpose of the Report

1. To recommend that Council adopts the Nottinghamshire Minerals Local Plan following receipt of the Inspector’s Report on the Local Plan. The Inspector’s Report concludes that the Plan provides an appropriate basis for the planning of minerals development in Nottinghamshire, provided that a number of main modifications are made to it.

Information

Community Involvement in preparing the Minerals Local Plan

2. 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.
3. The current Minerals Local Plan was adopted in December 2005 and was prepared under previous Government legislation. This document is out of date and work started in 2017 on a new plan to replace it. The new plan will look ahead to 2036.
4. The preparation of the Plan began with a public consultation between 20th November 2017 and the 14th January 2018 on the issues and options that were likely to occur over the new plan period. The feedback from this consultation fed into the development of the Draft Plan version of the Minerals Local Plan, which was published for consultation between the 27th July and 28th September 2018.
5. Over the two consultation stages, responses were received from a wide range of organisations and individuals. This included statutory bodies, district and parish councils, neighbouring county councils, the minerals industry, interest groups and members of the public. A total of 570 responses were made from 76 individuals and organisations at the initial stage and 1744 responses from 106 individuals and organisations were received on the subsequent Draft Plan stage.

6. Council resolved to approve the publication and submission of the Minerals Local Plan at its meeting on 11th July 2019. The Plan was published to enable a further period of representations between the 30th August 2019 and 11th October 2019. The representations needed to focus on the legal compliance and 'Soundness' of the plan i.e. whether the plan was positively prepared, justified, effective and consistent with national policy. A total of 303 representations were received from 108 individuals and organisations.

Submission and Independent Examination

7. Following the consultation on the Publication Version of the Minerals Local Plan, the Plan was submitted, together with the representations received and the comprehensive evidence base underpinning the Plan, for examination by an Independent Planning Inspector appointed by the Planning Inspectorate on behalf of the Secretary of State. Inspector Nick Palmer was appointed by the Secretary of State to examine the Plan.
8. The Examination hearing sessions were originally scheduled to take place on the 27th April 2020. However as a result of the Covid-19 pandemic, the public hearing sessions were postponed until 26th October 2020 and successfully undertaken over a four day period, entirely via MS Teams and broadcast live on the County Council's YouTube channel. The County Council was one of the first Minerals Planning Authorities to undertake Examination in Public hearing sessions using this approach.
9. Pursuant to section 20(7C) of the Planning and Compulsory Purchase Act 2004, the Council requested that the Inspector recommend Main Modifications necessary to make the Plan sound and/or legally compliant and capable of adoption. During the hearing sessions a number of Main Modifications were suggested by the Council, by other participants and by the Inspector as necessary to make the Plan sound.
10. At the conclusion of the hearing sessions, the Inspector invited the Council to prepare precise wording for the Main Modifications and organise a consultation on them. At this time the Council also compiled a list of Additional Modifications. The Additional Modifications do not materially alter the policies of the plan and are generally minor clarifications, consequential amendments associated with the Main Modifications, and corrections of factual errors in the supporting text of the plan. A number of changes to the Policies Map were also identified.
11. A formal stage of public consultation was undertaken on the proposed Main Modifications between 27th November 2020 and 8th January 2021. The representations received were collated by the County Council and passed directly to the Inspector to aid the preparation of his final Report.
12. Following consideration of the full responses to this consultation, the Inspector's report was formally received on 11 March 2021. It was duly published on the Minerals Local Plan Examination web page and interested parties who so requested were notified of its publication. The Inspector has concluded that the duty to cooperate has been met and that, with the recommended Main Modifications set out in the Appendix of his Report, the Nottinghamshire Minerals Local Plan satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound. A copy of the Inspectors Report and Appendix is attached to this report as Appendix A i and Aii.

13. The Main Modifications can be summarised as follows:

- a modification to the text under 'Strategic Policies' to ensure consistency with national policy with regard to the presumption in favour of sustainable development;
- clarification of the distinction between mineral resources and mineral reserves;
- clarification that extensions to existing minerals sites will be supported rather than prioritised;
- amendments to promote the achievement of net gains in biodiversity;
- additional text to ensure the policy on climate change is consistent with national policy and effective and that cumulative effects are considered;
- clarification of policy on sustainable transport;
- additional text on air quality impacts;
- strengthening and clarification of policy on mineral safeguarding, consultation areas and associated minerals infrastructure;
- a requirement for mitigation to be provided in accordance with the 'agent of change' principle;
- removal from policy of the tonnages of remaining reserves at permitted quarries;
- simplification of policy on oil and gas to accord with national policy;
- clarification and strengthening of policy requirements in respect of priority species and habitats, and irreplaceable habitats;
- clarification and strengthening of policy requirements for the historic environment;
- clarification of restoration requirements in the Site Allocation Development Briefs (the Briefs);
- removal of references in the Briefs to potential hydrological links to Natura 2000 sites;
- additional detailed requirements with respect to site MP2p Mill Hill near Barton in Fabis; and
- a number of other modifications, including detailed changes to the Briefs to ensure that the plan is positively prepared, justified, effective and consistent with national policy.

Section 23 of the Planning and Compulsory Purchase Act 2004 states that if a Planning Inspector finds a Local Plan sound subject to 'Main Modifications', a local planning authority may adopt that Local Plan with the 'Main Modifications' and any 'Additional Modifications'. 'Main Modifications' are modifications which the Inspector concludes are necessary for the plan to be sound. The Council is not permitted to adopt the Local Plan without making these Main Modifications. The alternative is for the Council not to adopt the Local Plan.

14. As set out above, 'Additional Modifications' are modifications which do not materially affect the policies of the plan (as modified by Main Modifications). As such 'Additional Modifications' are limited to minor clarifications, consequential amendments associated with the 'Main Modifications' and corrections of factual errors in the supporting text of the plan.

15. The final version of the Minerals Local Plan incorporating all Main and Additional Modifications is attached as Appendix B to this report. This is the document recommended for adoption by Council.

Next Steps

16. As soon as reasonably practical following Council decision to adopt of the Plan, Regulation 26 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and the Planning and Compulsory Purchase Act 2004 (as amended) require the Council to make available:
 - (i) The Nottinghamshire Minerals Local Plan;
 - (ii) An Adoption Statement;
 - (iii) The Sustainability Report; and
 - (iv) Details of where the Local Plan is available for inspection and the places and times at which the document can be inspected.
17. The Council is also required to send the Adoption Statement to anyone who requested to be kept notified of the Plan adoption, and the Secretary of State for Housing, Communities and Local Government.
18. In accordance with Regulation 26 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and Regulation 16 of the Environmental Assessment of Plans and Programmes Regulations 2004, as soon as practicable following adoption of the Plan, the Sustainability Appraisal and Habitats Regulations Assessment Post Adoption Statement will be made available alongside the Plan.
19. On 16 July 2020 the Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020 changed the requirements relating to making copies of the development plan documents available for inspection at council buildings as set out in Regulation 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Councils can now comply with Regulation 35 by making development plan documents available on their website. This change applies from 16 July 2020 until 31 December 2021. Similar arrangements are in place for inspection requirements, set out in the Environmental Assessment of Plans and Programmes Regulations 2004.
20. On adoption, the Plan's policies will supersede all policies in the existing Minerals Local Plan (2005).
21. Following adoption of the Local Plan, a person aggrieved by the Local Plan, may under Section 113 of the Planning and Compulsory Purchase Act 2004, make an application to the High Court to challenge it either on the grounds that it is not within the appropriate power or a procedural requirement has not been complied with. Such an application must be made within six weeks of adoption.

Recommendation

22. This report recommends that the Council as local planning authority adopts the Minerals Local Plan as presented in Appendix A , delegates approval for officers to make any further necessary additional modifications to correct typographical or grammatical errors and undertake graphic design of the Plan, and notes that a number of statements need to be published on the Councils website in support of the adoption. These statements comprise
 - a) an Adoption Statement prepared in accordance with Regulation 26 of the Town and Country Planning (Local Planning) (England) Regulations 2012

- b) A Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA) Post Adoption Statement (PAS), prepared in accordance with Regulation 16 of the Environmental Assessment of Plans and Programmes Regulations 2004.

Other Options Considered

23. A recommendation that the Council does not adopt the Plan is an option but is not considered appropriate. Adopting and keeping up to date a Minerals Local Plan is a statutory requirement of the County Council. Without a new Local Plan, the extant Local Plan would remain, but it is out of date and therefore applications would be determined against the out of date plan in the context of national planning policy etc. resulting in a lack of certainty for local communities and the minerals industry. The Main Modifications proposed to the Minerals Plan are essentially those which Council officers themselves proposed during the examination phase and do not significantly alter the Plan which the Council resolved to approve on 11 July 2019.
24. Not adopting the Local Plan would increase the risk of poorly planned development taking place and an increased risk of planning appeals for developments not in accordance with the existing Local Plan.

Reason/s for Recommendation/s

25. To ensure the Council has an up to date Minerals Local Plan which will make sure that future development for minerals in Nottinghamshire is plan-led and delivered in a sustainable way.

Statutory and Policy Implications

26. Local plans must be positively prepared, justified, effective and consistent with national policy in accordance with section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) and the National Planning Policy Framework (NPPF). The NPPF gives guidance to local authorities in drawing up their local plans. The Inspector has determined that the Nottinghamshire Minerals Local Plan conforms to the NPPF. The preparation of the Plan has been informed by appropriate legal advice at all stages.
27. Sustainability Appraisal is an integral part of the plan-making process and this has been undertaken throughout the preparation of the Local Plan. To inform and support the Local Plan a series of Sustainability Appraisal Reports have been prepared to demonstrate how principles of sustainability have informed the document and the policies within it. The Local Plan has also been subject to a Habitat Regulations Assessment. This assesses the likely impacts on European protected sites and concludes that there are no significant effects arising from the Plan.
28. In terms of Human Rights, Protocol 1 Article 1 states every natural or legal person is entitled to the peaceful enjoyment of his possessions, including their property. The Plan allocates land for development which will affect landowners' rights to develop their land. It is noted, however, that rights afforded under this Article are not absolute but qualified. Therefore, any interference with landowner's rights must be balanced against the wider public interest in having an up to date development plan. It is lawful for a local planning authority to take action if that action is clearly necessary and proportionate. In this instance, such measures are

necessary and proportionate in the public interest to ensure that a local plan is in place to guide mineral development across the county to 2036.

29. The Local Plan was prepared in accordance with the Councils adopted Statement of Community Involvement and the 2012 Local Plan Regulations and was the subject of three stages of community involvement and consultation as set out in paragraphs 4-6 above.
30. The Council acknowledges that, in exercising its functions, it has a legal duty under the Equality Act 2010 to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations. This duty applies to all people defined as having protected characteristics under that legislation. The Council has carefully considered the likely impacts of the Plan on persons with a protected characteristic at each stage of the process. An Equality Impact Assessment and a Health Impact Assessment have been undertaken to inform the Plan as it progressed. The assessment has not identified any issues.
31. The Local Plan has been informed by a large number of supporting documents which help justify the strategy, policies and sites within the Plan. All documents are available on the Council's website at <https://www.nottinghamshire.gov.uk/planning-and-environment/minerals-local-plan/new-minerals-local-plan>

Financial Implications

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

RECOMMENDATIONS

- 1) That the Nottinghamshire Minerals Local Plan and the Policies Map contained within it be adopted. (Appendix B to this report)
- 2) That delegated authority be given to the Corporate Director, Place, in consultation with the chair of Communities and Place Committee to make any final minor changes to correct typographical and any other errors and to carry out appropriate graphic design of the document.
- 3) That the following statements be published on the Councils website :
 - a) An Adoption Statement prepared in accordance with Regulation 26 of the Town and Country Planning (Local Planning) (England) Regulations 2012;
 - b) A Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA) Post Adoption Statement (PAS), prepared in accordance with Regulation 16 of the Environmental Assessment of Plans and Programmes Regulations 2004.

to accord with Regulation 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Councillor John Cottee
Chairman of the Communities and Place Committee.

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Constitutional Comments (RHC 10/03/2021)

33. Council is the appropriate body to consider the contents of this report by virtue of its terms of reference and in accordance with Regulation 4(1) and (3) of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.

Financial Comments (RWK 10/03/2021)

34. The costs of preparing and examining the Minerals Local Plan has been met through a reserve which has been established to cover these costs. The balance of the reserve at 1st April 2020 was £127,000 which will be sufficient to cover costs incurred in 2020-21.

Background Papers and Published Documents

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.

Available at

<https://www.nottinghamshire.gov.uk/planning-and-environment/minerals-local-plan/new-minerals-local-plan>

Electoral Division(s) and Member(s) Affected: All



Report to Nottinghamshire County Council

by Nick Palmer BA (Hons) BPI MRTPI
an Inspector appointed by the Secretary of State

Date: 10 March 2021

Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of the Nottinghamshire Minerals Local Plan

The Plan was submitted for examination on 6 February 2020

The examination hearings were held between 26 and 29 October 2020

File Ref: PINS/L3055/429/6

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Abbreviations used in this report

AA	Appropriate Assessment
EMAWP	East Midlands Aggregates Working Party
LAA	Local Aggregates Assessment
LWS	Local Wildlife Site
MM	Main Modification
NPPF	National Planning Policy Framework
PPG	Planning Practice Guidance
ppSPA	possible potential Special Protection Area
SAC	Special Area of Conservation
SSSI	Site of Special Scientific Interest

Non-Technical Summary

This report concludes that the Nottinghamshire Minerals Local Plan provides an appropriate basis for the planning of minerals development in Nottinghamshire, provided that a number of main modifications [MMs] are made to it. Nottinghamshire County Council has specifically requested that I recommend any MMs necessary to enable the Plan to be adopted.

Following the hearings, the Council prepared schedules of the proposed modifications and, where necessary, carried out sustainability appraisal of them. The MMs were subject to public consultation over a six-week period. I have recommended their inclusion in the Plan after considering the sustainability appraisal and all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- a modification to the text under 'Strategic Policies' to ensure consistency with national policy with regard to the presumption in favour of sustainable development;
- clarification of the distinction between mineral resources and mineral reserves;
- clarification that extensions to existing minerals sites will be supported rather than prioritised;
- amendments to promote the achievement of net gains in biodiversity;
- additional text to ensure the policy on climate change is consistent with national policy and effective and that cumulative effects are considered;
- clarification of policy on sustainable transport;
- additional text on air quality impacts;
- strengthening and clarification of policy on mineral safeguarding, consultation areas and associated minerals infrastructure;
- a requirement for mitigation to be provided in accordance with the 'agent of change' principle;
- removal from policy of the tonnages of remaining reserves at permitted quarries;
- simplification of policy on oil and gas to accord with national policy;
- clarification and strengthening of policy requirements in respect of priority species and habitats, and irreplaceable habitats;
- clarification and strengthening of policy requirements for the historic environment;
- clarification of restoration requirements in the Site Allocation Development Briefs (the Briefs);
- removal of references in the Briefs to potential hydrological links to Natura 2000 sites;
- additional detailed requirements with respect to site MP2p Mill Hill near Barton in Fabis; and
- a number of other modifications, including detailed changes to the Briefs to ensure that the plan is positively prepared, justified, effective and consistent with national policy.

Introduction

1. This report contains my assessment of the Nottinghamshire Minerals Local Plan in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is compliant with the legal requirements and whether it is sound. The National Planning Policy Framework (NPPF) 2019 (paragraph 35) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the minerals planning authority has submitted what it considers to be a sound plan. The Nottinghamshire Minerals Local Plan submitted in February 2020 is the basis for my examination. It is the same document as was published for consultation in August 2019.

Main Modifications

3. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound and /or not legally compliant and thus incapable of being adopted. My report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix.
4. Following the examination hearings, the Council prepared a schedule of proposed MMs and, where necessary, carried out sustainability appraisal of them. The MM schedule was subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report.

Policies Map

5. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the set of plans identified as the Policies Map, Subject Area Plans A-D and Insets 1-18 at Appendix 3 to the Plan. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. The MMs do not require changes to the policies map, although safeguarded wharves and associated minerals infrastructure are to be added to plans and inset maps for information purposes.

Context of the Plan

6. The Nottinghamshire Minerals Local is proposed to replace the saved policies of the Minerals Local Plan which was adopted in 2005. It covers the whole of the County with the exception of Nottingham City Council's area. It would

form part of the development plan alongside the Nottinghamshire Waste Local Plan and District and Borough Councils' Local Plans.

7. Areas in the south of the County around Nottingham are designated as Green Belt. There are Natura 2000 designated habitats in the County and to the north of the County. Areas of Sherwood Forest are also identified as a possible potential Special Protection Area. Cresswell Crags, which is on the border of Nottinghamshire and Derbyshire, is identified as a potential World Heritage Site.

Public Sector Equality Duty

8. The Council carried out an Equality Impact Assessment of the Minerals Local Plan and I have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included my consideration of several matters during the examination including the potential effects of mineral working on the health and living conditions of local residents. The Plan is not expected to discriminate against any section of the community.

Assessment of Duty to Co-operate

9. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
10. The duty applies to strategic matters which are defined as sustainable development or use of land that has, or would have, a significant impact on at least two planning areas or on a county matter in a two-tier area, such as minerals development. The requirement is for local authorities to engage constructively, actively and on an on-going basis with prescribed bodies in order to maximise the effectiveness of plan preparation.
11. Minerals produced in Nottinghamshire are exported to adjacent Counties and minerals are also imported from those Counties. The East Midlands Aggregates Working Party (EMAWP) provides a forum for cross-boundary co-operation.
12. Key issues identified by the Council in production of the Plan include the supply of minerals, alignment with economic growth ambitions and environmental impacts. The Council has engaged with adjacent minerals planning authorities, district and borough councils in Nottinghamshire and other prescribed bodies in preparing the Plan. Engagement was by means of consultation, meetings and through the EMAWP. A Statement of Common Ground has been signed by adjacent minerals planning authorities, district and borough councils in Nottinghamshire, and the Local Economic Partnership.
13. Lincolnshire County Council has expressed its concern regarding the soundness of the Plan in terms of the level of aggregate provision. Nottingham City Council has expressed its concern regarding the allocation of a site. Neither authority says that the duty to cooperate has not been met. Attempts have been made through dialogue to resolve the matters of soundness referred to by those authorities.

14. I am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to co-operate has therefore been met.

Assessment of Soundness

Main Issues

15. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have identified four main issues upon which the soundness of this plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan.

Issue 1 – Whether the vision, strategic objectives and strategic policies provide an appropriate basis for sustainable minerals development.

Vision

16. The fourth paragraph of the Vision refers to 'minerals reserves, and minerals related infrastructure' which are to be identified and safeguarded. However, the term 'minerals reserves' applies to those which are permitted. Safeguarding should apply to all minerals resources whether permitted or not. Therefore, the term 'minerals resources' should be used. The term 'minerals related infrastructure' is not consistent with the wording of Strategic Objective SO4 and Policy SP7 which refer to 'associated minerals infrastructure'. In order to ensure effectiveness in these two respects, **MM1** is necessary.
17. The Vision states that minerals will be used efficiently and sustainably, minimising environmental harm and impact on climate change. It states that development will be concentrated in locations that offer the greatest level of accessibility to major markets and growth areas. It does not prioritise any particular geographical spread of sites, although the foregoing, and geological constraints will inevitably influence the location of development. Alternative sites were considered under the Issues and Options exercise and were subject to Sustainability Appraisal. This exercise ensured that all potential sites were examined in relation to sustainability objectives.

Strategic Objectives

18. Strategic Objective SO1 includes prioritisation of improved use or extension of existing sites before considering new locations. While this underlies the Plan's approach of focussing on the extension of existing sites and allocating one new site, the statement in SO1 implies that extensions are to be developed before the new site, which is not the intention. **MM2** alters the wording of the penultimate sentence of SO1 to make clear that the Plan supports, rather than prioritises, extension of existing sites. This change is necessary to ensure effectiveness.
19. Strategic Objective SO3 is concerned with addressing climate change by encouraging reductions in transport and reducing emissions as well as adapting to climate change. This is consistent with the statutory requirements in terms of moving towards a net zero carbon budget by 2050. **MM3** is

necessary to make reference to supporting a transition towards a low carbon economy to ensure the Plan is effective and consistent with paragraph 148 of the NPPF.

20. Strategic Objective SO4, as submitted, states that mineral resources of economic importance are to be protected. As the economic importance of mineral resources may change over time, and there is no justification for use of the term 'economic', **MM4** is necessary to delete this term from the text. In order to be effective, the MM also refers to permitted mineral reserves to make clear that these are safeguarded.

Strategic Policies

21. In order to be consistent with national policy, paragraph 3.5 of the submitted Plan requires amendment to more accurately reflect the presumption in favour of sustainable development set out in paragraph 11 of the NPPF. It is also necessary to refer to the exemption to the presumption in respect of development affecting habitats sites, as stated in paragraph 177 of the NPPF. **MM5** provides these changes.

Policy SP1 – Minerals Provision

22. Policy SP1 and the supporting text, in paragraph 3.8, give priority to the extension of existing sites. This is not consistent with the Planning Practice Guidance (PPG) which states that the suitability of each site, whether an extension to an existing site or a new site, must be considered on its individual merits. In order to be effective, paragraph 3.8 should explain that it is essential to make the best use of available resources. The Plan should support extensions to existing sites rather than prioritising them. **MM7** makes amendments to Policy SP1 and is necessary to ensure consistency with national policy and effectiveness. **MM6** amends the supporting text accordingly.

Policy SP2 – Biodiversity-Led Restoration

23. The NPPF requires provision of net gains for biodiversity. In order to be consistent with national policy, Policy SP2 should refer to this. **MM8** is necessary for this reason.

Policy SP3 – Climate Change

24. Policy SP3 requires all minerals development to minimise impact on the causes of climate change. This is consistent with the requirements of the Climate Change Act 2008. As submitted, however, Policy SP3 has three criteria which are to be considered in relation to the requirement of reducing vulnerability and providing resilience to the impacts of climate change. However, criterion (a) is a key requirement that should relate to the first sentence of the policy, which requires minimisation of impact on the causes of climate change for the lifetime of the development. **MM9** restructures the policy so that criterion (a) relates to its first sentence. This is necessary for effectiveness. **MM9** also adds reference to water resources and water quality to ensure effectiveness, as these provide opportunities to support climate change adaptation.

25. It is necessary for the supporting text to state that cumulative impacts on climate change will be considered and to refer to Policy DM8 which covers cumulative impact. **MM10** adds a paragraph to the supporting text and is necessary for effectiveness.

Policy SP4 – Sustainable Transport

26. There is some duplication within Policy SP4 in that part 3 repeats the requirements of parts 1 and 2 regarding demonstration that more sustainable forms of transport are not viable. The policy also lacks clarity in terms of ensuring that its requirements apply to both operational and restoration phases. **MM11** makes the required changes and is necessary to ensure the policy is clear and effective.
27. While the policy seeks to maximise the use of sustainable forms of transport, it should make clear that this should be considered in the context of practicality and economic viability. **MM11** amends the policy in this respect and is necessary to ensure the policy is justified and effective.
28. Part 2 of the policy refers to all “new” mineral working which is intended to cover extensions to existing sites as well as new sites. **MM11** also provides clarification and effectiveness in this respect.

Policy SP5 – The Built, Historic and Natural Environment

29. Paragraph 3.49 should refer to the national policy requirement for seeking net gains in biodiversity. **MM12** makes the necessary changes to that paragraph and is also necessary for effectiveness in stating that adverse impacts are to be minimised.
30. Paragraph 3.54 as submitted does not fully reflect national policy on heritage assets. Further text should be added to distinguish designated and non-designated heritage assets and state that great weight should be given to the conservation of designated assets. **MM13** adds text to the paragraph and is necessary to be consistent with national policy.
31. The supporting text does not include reference to air quality impacts on living conditions and biodiversity. This is necessary as the policy includes air quality as a stated impact. **MM14** adds a paragraph to the text and is necessary to ensure the policy is effective.

Policy SP7 – Minerals Safeguarding, Consultation Areas and Associated Minerals Infrastructure

32. By way of introduction, paragraph 3.76 outlines national planning policy on safeguarding of minerals. In order to be effective and fully consistent with national policy, the text should also refer to the requirement in the NPPF to safeguard associated minerals infrastructure. **MM15** adds a paragraph in this respect and is necessary for soundness.
33. The policy as submitted refers to safeguarding of economically important mineral resources. This terminology is not clear or supported by national policy in that the economic importance of mineral resources will be dependent on the market and may change over time. In order to ensure soundness,

MM16 is necessary to remove the term 'economically' and substitute 'locally and nationally important mineral resources' and include reference to permitted reserves and allocated sites.

34. It is also necessary for the policy to include a requirement that, where non-minerals development would unacceptably affect a minerals site, mitigation is provided by the applicant, to ensure consistency with national policy. **MM16** also adds a criterion to the policy to cover this requirement.
35. Paragraph 3.86 sets out the types of minerals infrastructure facilities that should be safeguarded in accordance with national policy. In order to ensure effectiveness and consistency with national policy, the paragraph should more closely reflect the wording in paragraph 204(e) of the NPPF and should make clear that in Nottinghamshire responsibility for safeguarding much of this infrastructure lies with the District and Borough Councils. **MM17** amends this paragraph accordingly and is necessary for soundness.
36. Further explanation is necessary regarding planning responsibilities for safeguarding of facilities at mineral workings and stand-alone facilities, which lie with the County Council in respect of the former and District/Borough Councils in respect of the latter. It is also necessary to add text to explain that mitigation should be provided by the applicant in accordance with the 'agent of change' principle. **MM18** makes these changes and is necessary for effectiveness.

Conclusion

37. Subject to the MMs identified above the Plan's vision, strategic objectives and strategic policies provide an appropriate basis for sustainable minerals development.

Issue 2 – Whether the minerals provision policies are positively prepared in terms of making adequate provision for minerals, whether they are consistent with national policy, justified and otherwise sound.

38. In the introduction to the Minerals Provision Policies chapter, in paragraph 4.2, the reference to prioritising the extension of existing sites should be amended to state that extensions will be supported. **MM19** makes this change and is necessary to ensure effectiveness and consistency with national policy.

Policy MP1 – Aggregate Provision

39. Policy MP1 makes provision for specified tonnages of aggregates to meet identified levels of demand over the plan period. Part 3 of the policy allows for non-allocated sites to be developed and thus for the figures identified in the policy to be exceeded.
40. The rolling ten-year average of sand and gravel sales has been used to calculate demand, in accordance with the NPPF. However, it is also a requirement of national policy that other relevant local information is considered in calculating demand. In Nottinghamshire, increased rates of house building are predicted, and the HS2 rail project and other planned infrastructure will also be likely to increase demand for aggregates.

41. The Plan makes provision for an annual production of 1.7mt of sand and gravel, which is based on the ten-year sales average up to 2016. The Nottinghamshire and Nottingham Local Aggregates Assessment (LAA), published in October 2017, considers an annual average future house building rate of 4,574 dwellings. In the latest LAA, published in December 2019, updated figures for both sand and gravel sales and projected house building rates are used. The latest information shows a reduced ten-year sales average and an increased rate of house building. Nevertheless, the latest LAA concludes that it is not necessary to identify additional aggregate reserves over the Plan period. House building accounts for a limited proportion of the total amount of aggregates used, and a significant proportion will remain available for infrastructure projects.
42. The Idle Valley, which is on the northern boundary of the County with South Yorkshire contains aggregate resources, although those on the South Yorkshire side are in decline. This is an important source for the urban areas of Rotherham and Doncaster, and it is likely that there will be increased future demand from Nottinghamshire to supply those areas. There are also limited resources remaining in Leicestershire and demand from that County may increase in the future. Nottinghamshire exports over 60% of the aggregates produced in the County and although there are significant imports from Lincolnshire, the movement of minerals across County boundaries is a matter for the market to determine.
43. For the above reasons, the relevant local information referred to by industry operators has been adequately taken into account in the LAA and does not justify an increased annual rate of provision of sand and gravel above the ten-year sales average.

Policy MP2 – Sand and Gravel Provision

44. The policy sets out the permitted quarries and the remaining reserves at those quarries, proposed extensions to existing permitted quarries and one new proposed sand and gravel quarry. While the tonnages of remaining reserves are useful in terms of understanding the supply, the inclusion of these figures is not necessary for soundness and because they will vary as quarries are worked out, their inclusion in the policy is not justified or effective. **MM20** deletes these figures.

Policy MP2(1)(c) – MP2p Mill Hill near Barton in Fabis

45. The proposed new sand and gravel quarry is at Mill Hill near Barton in Fabis. A planning application for a quarry is under consideration by the County Council and Nottingham City Council as the site straddles the boundaries of those authorities.
46. The proposed allocation covers locally designated habitats. These include five Local Wildlife Sites (LWS) and UK Biodiversity Action Plan priority habitats. There is a Site of Special Scientific Interest (SSSI) in close proximity at Holme Pit to the north-east of the site and other adjacent and nearby LWS. The adjacent Brandshill Wood is ancient woodland.

47. Policy DM4 of the Plan requires development to not adversely affect SSSI or to result in loss or deterioration of LWS except where the need for, and benefits of, the development in that location outweigh the impacts. **MM25** and **MM26**, which are considered later in this report, would secure provision for achievement of net gains in biodiversity. The details of how the site is developed, operated and restored are matters to be considered under a planning application. For these reasons, the allocation would not conflict with national policy on biodiversity.
48. There are a number of heritage assets in the area around the proposed allocation, the closest being the grade I listed Clifton Hall and its Registered Park and Garden which are part of the Clifton Village Conservation Area. The Hall is to the north-east of the site and the Park extends from that building towards the site. This is wooded and forms part of an escarpment which is adjacent to the flood plain of the River Trent.
49. A new quarry would have potential to affect the settings of those heritage assets during its operational period, in terms of visual changes to the landscape and operational activity. The restoration scheme would be likely to alter the landscape character in terms of the habitats provided and the loss of agricultural land, however these would be detailed matters for a planning application.
50. Any harm to the setting of the heritage assets that would arise from any development proposal would be a matter for the decision maker in respect of a planning application. National policy requires great weight to be given to the conservation of heritage assets and that any less than substantial harm is weighed against the public benefits of the development.
51. Given the position of the identified site for a new quarry relative to the heritage assets, its distance from those assets and the intervening topography, the quarry would not inevitably result in insurmountable harm to those assets.
52. The NPPF states that mineral extraction is not inappropriate development in the Green Belt provided that its openness is preserved, and the development does not conflict with the purposes of including land within the Green Belt. While I note the concerns that have been expressed about the length of time that the quarry would be in operation, matters such as this would be determined under a planning application. The allocation would be in accordance with national policy on Green Belt.
53. There is no evidence before me to demonstrate that the 3mt of sand and gravel stated in the policy is not achievable. The requirement for a 45m stand-off from the flood defence or from the river is in the submitted Site Allocation Development Brief and this has not changed.

Policy MP6 – Brick Clay Provision

54. It is not necessary for the policy to refer to the site development briefs as the policy does not allocate any site for brick clay provision. **MM21** deletes the last sentence of the policy and is necessary for effectiveness.

Policy MP12 – Oil and Gas

55. The first two parts of Policy MP12 as submitted deal with the exploration and appraisal, and commercial production of oil and gas. Sub-paragraph (a) of both parts requires that the site and equipment are not located in a protected area other than in exceptional circumstances and where the need for the development can be demonstrated. Protected area designations are imposed by the Onshore Hydraulic Fracturing (Protected Areas) Regulations 2016 and because of this separate control there is no need for this to be a requirement of the policy. In addition, national policy does not require demonstration of need. For these reasons, parts 1(a) and 2(a) of the policy are not justified. **MM22** deletes those sub-paragraphs.
56. Part 2(b) of the policy requires commercial production of oil and gas to be located in the least sensitive location. This requirement is not consistent with national policy in the PPG (paragraph 102) which provides that, following the exploration phase, sites may be selected by the operator taking account of what they have learnt or discovered. **MM22** also deletes this requirement and is necessary for soundness.
57. It is also necessary for effectiveness to combine parts 1 and 2 of the policy because the requirement of part 1(b), that there will not be an unacceptable environmental impact, would be applicable to exploration, appraisal and production phases. **MM22** makes these changes.
58. Paragraph 209(a) of the NPPF has been deleted following a court judgment. That paragraph recognised the benefits of on-shore oil and gas development. Paragraph 4.104 similarly refers to the benefits of oil and gas production. The inclusion of this paragraph in the Plan in the absence of paragraph 209(a) would be inconsistent with national policy. **MM23** deletes paragraph 4.104 and is necessary to ensure soundness.
59. Paragraph 4.105 refers to the previous version of the NPPF in terms of constraints that apply within licensed areas. The inclusion of this text is not consistent with national policy in the current version of the NPPF and **MM24** is necessary to delete this.
60. I note that some other authorities have specific policies for unconventional oil and gas production, however there is no policy requirement at national level for such separate policies. Hydraulic fracturing can have specific impacts such as on seismicity and water resource management but these, and other specific matters, are subject to separate control under the consent regimes administered by the Oil and Gas Authority, the Health and Safety Executive and the Environment Agency. The Plan, through its Strategic and Development Management Policies, would control environmental impacts in terms of local amenity, water resources, biodiversity and highway safety. Those policies would also control impact on climate change and cumulative impact. As such, a specific policy setting out how unconventional oil and gas production would be assessed would not be necessary.

Conclusion

61. Subject to the MMs identified above, the minerals provision policies are positively prepared, consistent with national policy, justified and otherwise sound.

Issue 3 – Whether the development management policies are consistent with national policy, effective and otherwise sound.

Policy DM4 – Protection and Enhancement of Biodiversity and Geodiversity

62. Policy DM4 seeks protection and enhancement of biodiversity and geodiversity but is not fully consistent with national policy in a number of respects. Firstly, part 1(a), which deals with European sites should make reference to the Conservation of Habitats and Species Regulations 2017 to ensure consistency with statutory requirements and effectiveness. **MM25** makes this change to the policy, which is necessary for consistency with national policy.
63. Part (c) of the policy resists the loss or deterioration of local sites except where the need for, and benefits of, the development in that location outweigh the impacts. This differs from the requirement in part (b) with respect to SSSI, for only the benefits to be considered. In order to ensure consistency between these two parts of the policy, a modification is required. Part (d) deals with priority species and priority habitat and reflects paragraph 175(c) of the NPPF, which concerns irreplaceable habitats and not specifically priority species. The policy should include separate categories in these respects. **MM25** is necessary to ensure internal consistency and effectiveness and consistency with national policy.
64. Part 2 of the policy requires amendment to distinguish between impacts on European sites and those on other designated sites, priority habitats and species. It is also necessary to ensure that part 3 of the policy requires net gains for biodiversity to ensure consistency with national policy. **MM25** makes these changes to the policy, which are necessary for consistency with national policy and effectiveness.
65. Text should be added to paragraph 5.57 to refer to the need to provide net gains for biodiversity. **MM26** makes this change, which is necessary for consistency with national policy.

Policy DM5 – Landscape Character

66. The PPG states that policies may set out criteria against which proposals for development affecting landscapes that have particular value will be assessed, but there is no specific requirement in national policy for such an approach. In this respect, paragraph 5.62 is not consistent with national policy and **MM27** is necessary to address this.

Policy DM6 – Historic Environment

67. Paragraph 5.73 provides a summary of national policy in relation to heritage assets. In order to ensure clarity and consistency with national policy, however, this should be clearly stated. **MM28** adds the necessary text which is required for effectiveness and consistency with national policy.

Policy DM8 – Cumulative Impact

68. Amendments are required to the supporting text to make clear that cumulative impacts on climate change are to be considered. This is for consistency with Policy SP3 and to ensure effectiveness. **MM29, MM30, and MM31** add text to paragraphs 5.93, 5.97 and 5.98 respectively to make clear that cumulative impacts on the environment, that have implications for climate change, will be considered. These changes are necessary to ensure effectiveness.

Policy DM11 – Planning Obligations

69. Paragraph 5.118 of the submitted Plan refers to negotiated bilateral agreements between mineral operators and local bodies, such as Parish Councils, which are intended to provide community benefits that are unrelated to minerals developments. The paragraph encourages such agreements but makes clear that these would not be a material consideration in planning decisions. The encouragement to enter into agreements that are unrelated to minerals development is inconsistent with national policy as such agreements would not meet the requisite tests. **MM32** is necessary to delete that paragraph.

Policy DM12 – Restoration, aftercare and after-use

70. Paragraph 5.135 refers to voluntary extended aftercare periods being negotiated where possible and where appropriate. This wording conflicts with the more specific requirements of Policy DM12 part 5. **MM33** is necessary to amend the supporting text, which is required for effectiveness.
71. The statement in paragraph 5.136 to the effect that developers will be encouraged to enter into planning agreements is imprecise. **MM34** is necessary to make this a specific requirement and to ensure the effectiveness of the policy.

Appendix 1: Delivery Schedules

72. Because the expected start date for the allocated site at Mill Hill is now 2021 and the expected completion date for Cromwell Quarry is now 2023, it is necessary to amend the sand and gravel delivery schedule to make the Plan effective. **MM35** makes this change.

Conclusion

73. Subject to the MMs identified above, the development management policies are consistent with national policy, effective and otherwise sound.

Issue 4 - Whether the Site Allocation Development Briefs are consistent with national policy, effective and otherwise sound.

74. Each Site Allocation Development Brief in Appendix 2 identifies options for biodiversity-led restoration. It is necessary to make it clear that there is flexibility in identifying the habitats to be included in restoration schemes and that these schemes will necessarily depend on site specific proposals. **MM36**

adds text to the introductory paragraph of Appendix 2, which is necessary to ensure effectiveness.

75. The Briefs all make reference to "target restoration" and maximising the extent of target habitats. This wording is not effective in terms of maximising biodiversity benefits from larger areas of priority habitat. Amendment to the wording of the second and third paragraphs under the 'Quarry restoration' heading in each Brief is necessary to make this requirement clear. It is also necessary to make clear to applicants that they will need to discuss water abstraction issues with the Environment Agency prior to making a planning application. **MM37** adds text to the Briefs in these respects and is necessary for effectiveness.

MP2k – Bawtry Road West

76. The first bullet under 'Water and flooding' should be deleted as the Appropriate Assessment (AA) has ruled out any potential indirect hydrogeological link to the Hatfield Moor Special Area of Conservation (SAC). **MM38** makes this change and is necessary to ensure the policy is justified.

MP2l – Scrooby Thompson Land

77. The AA concludes that there is no mechanism for an adverse effect on the integrity of the Birklands and Bilhaugh SAC and the Sherwood Forest possible potential Special Protection Area (ppSPA). The reference in the Brief to potential indirect links to those sites is thus unjustified and **MM39** deletes this reference.
78. The heritage assets that would potentially be affected should be identified. The third bullet under 'Environmental and cultural designations' should specify the designated sites that are referred to in order to ensure effectiveness. The second bullet under the 'Amenity' sub-heading should state the impacts that the screening measures are required to mitigate. **MM39** makes these changes and is necessary to ensure the Brief is justified and effective.

MP2m – Scrooby North

79. Because the AA concludes that there is no mechanism for an adverse effect on the SAC and ppSPA, the penultimate bullet under 'Environmental and cultural designations' is unjustified and **MM40** deletes this reference.
80. The first bullet should identify the listed buildings that would potentially be affected. **MM40** makes this change, which is necessary to ensure the Brief is justified and effective.

MP2n – Langford Lowfields North

81. Development of the site would affect agricultural land of high quality. It is necessary to advise developers to consider this and **MM41** includes reference to this to ensure effectiveness.
82. The last bullet under the heading 'Amenity' refers to screening of the site from Westfield Farm. Further text should be added to make clear that the

screening measures are required to mitigate possible noise, dust and visual impacts. **MM41** adds text and is necessary for effectiveness.

MP2o – Besthorpe East

83. Development of the site would affect agricultural land of high quality. It is necessary to advise developers to consider this to ensure effectiveness. **MM42** includes reference to this and is necessary for this reason.

MP2p – Mill Hill near Barton in Fabis

84. It is necessary for the Brief to make clear that appropriate archaeological survey methods should be used, to ensure the Brief is effective.
85. The location of the site within the Green Belt is an important environmental designation that should be recognised in the Brief to ensure it is effective.
86. The proximity of the site to the Attenborough Nature Reserve and the Trent Valley Green Infrastructure Corridor and the need to consider potential effects on those designated areas should be included in the Brief, for effectiveness.
87. The Brief should refer to the need to retain vegetation adjacent to footpaths and to ensure safe crossing points for users.
88. Proposals for mitigation of potential flooding should include consideration of overland flood flows as the site is within the flood plain of the River Trent.
89. Because there is a high-pressure gas main running across the site, it will be necessary for any application to consider the necessary safety clearances.
90. The site is within the airport safeguarding zone for East Midlands Airport and it is necessary for developers to consult the airport as part of any planning application to ensure that the potential for bird strike arising from any restoration scheme is assessed.
91. **MM43** makes the above changes which are necessary to ensure the Brief is effective. A number of further detailed matters have been suggested for inclusion in the Brief by interested parties, but those matters are adequately covered by other policies and would be matters for consideration in relation to any planning application.

MP3d – Bestwood 2 North

92. It is necessary for the Brief to make clear that the development would result in partial rather than full loss of the LWS. The Habitats Regulations Assessment Screening Report makes detailed recommendations regarding species surveys and provision of replacement habitat for nesting birds if necessary. **MM44** includes an explanation of these requirements within the Brief in order to ensure clarity and effectiveness.
93. The site is within the Green Belt and it is necessary that the Brief includes reference to this designation and the need for proposals to consider the effect on the Green Belt. **MM44** makes these changes and is necessary to ensure effectiveness.

MP7c – Bantycok Quarry South

94. In order to ensure effectiveness, the Brief should include reference to the need to consider the underlying secondary aquifer. **MM45** makes this change.

Assessment of Other Aspects of Legal Compliance

95. The Plan has been prepared in accordance with the Council's Local Development Scheme.
96. The Council used a range of measures to carry out publicity and consultation, including notification of Parish Councils and exhibitions. Consultation on the Plan and the MMs was carried out in compliance with the Council's Statement of Community Involvement.
97. The Council carried out a sustainability appraisal of the Plan, prepared a report of the findings of the appraisal, and published the report along with the plan and other submission documents under regulation 19. The appraisal was updated to assess the main modifications.
98. The Habitats Regulations Assessment Screening Report (1 March 2019) and the Appropriate Assessment (March 2020) conclude that the Plan will not have an adverse effect on the integrity of any European site or the Sherwood Forest ppSPA, either alone or in combination with other plans and projects.
99. The Plan forms part of the Development Plan for the area. Taken as a whole, the Development Plan includes policies to address the strategic priorities for the development and use of land in the County.
100. The Development Plan, taken as a whole, includes policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change. In particular, Policy SP3 requires all minerals development to minimise its impact on the causes of climate change. Policy SP2 requires biodiversity-led restoration. Policy SP4 requires maximisation of the use of sustainable forms of transport. Policy SP5 requires consideration of impacts on water quality and supply and flood risk, as well as nature conservation and agricultural land. Development Management Policies provide detailed requirements in these respects, including in terms of cumulative impact.
101. The Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

Overall Conclusion and Recommendation

102. The Council has requested that I recommend MMs to make the Plan sound and/or legally compliant and capable of adoption. I conclude that the duty to cooperate has been met and that with the recommended main modifications set out in the Appendix the **Nottinghamshire Minerals Local Plan** satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

Nick Palmer

Inspector

This report is accompanied by an Appendix containing the Main Modifications.

Appendix

Nottinghamshire Minerals Local Plan - Schedule of Main Modifications

Text to be inserted is shown underlined

Text to be deleted is shown ~~struckthrough~~

Ref.	Part of Plan	Page	Main Modification
MM1	Vision	20	Amend third sentence in fourth paragraph to read ' Minerals reserves <u>resources</u> , and <u>associated minerals related infrastructure will be identified and safeguarded against inappropriate development.</u> '
MM2	SO1	21	Amend penultimate sentence of SO1 to read: ' <u>Support</u> Prioritise the improved use or extension of existing sites before considering new locations. '
MM3	SO3	21	Amend SO3 to read: ' <u>Minimise and mitigate the impacts of mineral development on climate change and support the transition towards a low carbon economy by encouraging efficient ways of working including reductions in transport and onsite machinery emissions. Reduce existing and future flood risks linked to, and aid in adaptation to, climate change through good quarry design and operation, water management, location of plant and appropriate restoration, particularly for sites quarries in the Trent Valley flood plain. Contribute to climate change adaptation by relinking fragmented habitats and creating new areas of habitat to allow the migration and dispersal of species.</u> '
MM4	SO4	21	Amend S04 to read: 'S04: Safeguarding of mineral resources, <u>permitted mineral reserves</u> and associated minerals Infrastructure. <u>Protect the County's potential mineral resources of economic local and national importance, permitted mineral reserves and associated minerals infrastructure from development which would prevent or hinder their future use.</u>
MM5	Para 3.5	24	Amend paragraph to read: 'Where there are no <u>relevant plan policies</u> , relevant to the application or relevant the policies which are most important for determining the application are out of date at the time of making the decision, the Council will <u>grant planning permission unless material considerations indicate otherwise</u> taking into account whether unless: Page 135 of 342

Ref.	Part of Plan	Page	Main Modification
			<p>a) <i>The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or</i></p> <p>b) <i>Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the NPPF taken as a whole.'</i></p> <p>Insert additional subsequent paragraph to read:</p> <p><u><i>'The presumption in favour of sustainable development does not apply where proposals are likely to have a significant effect on a habitats site (either alone or in combination with other proposals), unless an appropriate assessment has concluded that the proposals will not adversely affect the integrity of the habitats site.'</i></u></p>
MM6	Para 3.8	26	Amend final sentence to read: <i>'Within Nottinghamshire the priority is therefore to extend <u>make the best use of the County's finite mineral resources through supporting extensions to</u> existing sites, where environmentally acceptable in preference to developing new sites, and to encourage <u>encouraging</u> the use of secondary and recycled aggregates.'</i>
MM7	Policy SP1	26	Amend part 1 (b) to read <i>'Give priority to <u>Support</u> the extension of existing sites, where economically, socially and environmentally acceptable.'</i>
MM8	Policy SP2	28	Amend part 1 to read <i>'Restoration schemes that seek to maximise biodiversity gains <u>and achieve a net gain in biodiversity</u>, in accordance with the targets and opportunities identified within the Nottinghamshire Local Biodiversity Action Plan, <u>will be supported.</u>'</i>
MM9	Policy SP3	32	<p>Re-word and re-structure policy to read:</p> <p><u><i>'Policy SP3 – Climate Change</i></u></p> <p><u><i>1. All minerals development, including site preparation, operational practices and restoration proposals should minimise impacts on the causes of climate change for the lifetime of the development by being located, designed and operated to help reduce greenhouse gas emissions, and move towards a low-carbon economy.</i></u></p> <p><u><i>2. Where applicable, development should assist in the reduction of vulnerability and provide resilience to the impacts of climate change by:</i></u></p> <p><u><i>a) Avoiding areas of vulnerability to climate change and flood risk. Where avoidance is not possible, impacts should be fully mitigated;</i></u></p>

Ref.	Part of Plan	Page	Main Modification
			<i><u>b) Developing restoration schemes which will contribute to addressing future climate change adaptation, including through biodiversity and habitat creation, carbon storage, flood alleviation, protecting water resources and protecting and, where possible, enhancing water quality.</u></i>
MM10	Para 3.35	33	Add a new penultimate paragraph after paragraph 3.35 to read: <i><u>'Any potential for cumulative impacts on climate change as a result of the nature and scale of new minerals development should also be taken into consideration. Policy DM8 specifically covers the issue of cumulative impact.'</u></i>
MM11	Policy SP4	34	Re-word Policy to read: <i><u>'1. All mineral proposals should seek to maximise the use of sustainable forms of transport, including barge, rail and pipeline, within both the operational and restoration phases, where practical and economic.</u></i> <i><u>2. Where it can be demonstrated that there is no viable alternative to road transport, all new mineral working, including extensions to existing sites, and mineral related development should be located as follows:</u></i> <i><u>a) within close proximity to existing or proposed markets to minimise transport movement; and</u></i> <i><u>b) within close proximity to the County's main highway network and existing transport routes in order to avoid residential areas, minor roads, and minimise the impact of road transportation.</u></i> <i><u>3. Proposals requiring the bulk transport of minerals, minerals waste/fill or materials/substances used for the extraction of minerals by road will be required to demonstrate that more sustainable forms of transport are not viable.'</u></i>
MM12	Para 3.49	38	Amend final sentence to read: <i><u>'It is therefore important that new minerals development is correctly managed and to ensure that no adverse impacts occur to on designated sites, or priority habitats and species, are minimised as far as possible. Policy SP2 promotes a biodiversity-led restoration approach which seeks to maximise biodiversity gains, and to achieve a net gain in biodiversity, resulting from through the restoration of mineral sites.'</u></i>
MM13	Para 3.54		Reword paragraph to read: <i><u>'National policy states that the significance of the most important heritage assets and their settings should be protected, and that balancing the need for development against potential harm to heritage assets needs to be proportionate heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. In considering the impact of proposed development on the significance of designated heritage assets, great weight should be given to the asset's conservation. Where development would directly or indirectly affect non-designated heritage assets, planning decision will need to have regard to the scale of any harm or loss and the significance of the heritage asset.'</u></i>

Ref.	Part of Plan	Page	Main Modification
MM14	Para 3.57	39	<p>Add new sub-heading and paragraph on air quality below existing paragraph 3.57 to read:</p> <p><i><u>'Minerals development can have an adverse impact on air quality from dust, plant or vehicle emissions, which could potentially adversely affect residential amenity. Air pollution could also potentially adversely affect ecosystems and biodiversity, especially where it could have an impact on sites designated for their biodiversity value. However, appropriate site management of mineral workings to control dust and emissions can minimise such impacts.'</u></i></p>
MM15	Para 3.76	44	<p>Add new paragraph after para 3.76 to read:</p> <p><i><u>'National policy also requires local planning authorities to safeguard existing, planned and potential sites for: the bulk transport, handling and processing of minerals; the manufacture of concrete and concrete products; and the handling, processing and distribution of substitute, recycled and secondary aggregate material.'</u></i></p>
MM16	Policy SP7	44	<p>Amend Policy to read:</p> <p><i><u>'Minerals Safeguarding Areas</u></i></p> <ol style="list-style-type: none"> <i>1. <u>Economically Locally and nationally important mineral resources, permitted reserves, allocated sites and associated minerals infrastructure will be safeguarded from needless sterilisation by non-minerals development through the designation of minerals safeguarding areas as identified on the Policies Map.</u></i> <i>2. <u>Non-minerals development within minerals safeguarding areas will have to demonstrate that mineral resources of economic importance will not be needlessly sterilised as a result of the development the development and that the development would not pose a serious hindrance to future extraction in the vicinity.</u></i> <i>3. <u>Where this cannot be demonstrated, and where there is a clear and demonstrable need for the non-minerals development, prior extraction will be sought where practicable.</u></i> <p><i><u>Minerals Consultation Areas</u></i></p> <ol style="list-style-type: none"> <i>4. <u>District and Borough Councils within Nottinghamshire will consult the County Council as Minerals Planning Authority on proposals for non-minerals development within the designated Mineral Consultation Area, as shown on the Policies Map.</u></i>

Ref.	Part of Plan	Page	Main Modification
			<p><u>5. The Minerals Planning Authority will resist inappropriate non-minerals development within the Minerals Consultation Areas.</u></p> <p><u>6. Where non-minerals development would cause an unacceptable impact on the development, operation or restoration of a permitted minerals site, mineral allocation, or associated minerals infrastructure, suitable mitigation should be provided by the applicant prior to the completion of the development.'</u></p>
MM17	Para 3.86	46	<p>Amend paragraph to read:</p> <p><u>'The NPPF states that planning policies should also safeguard existing, planned and potential sites for: the bulk transport, handling and processing of minerals; the manufacture of concrete and concrete products; and the handling, processing and distribution of substitute, recycled and secondary aggregate material. In two-tier administrative areas such as Nottinghamshire, responsibility for safeguarding sites for the storage, handling and transport of minerals rests largely with the district or borough planning authority except where these facilities and sites are located at quarries or aggregate wharves or rail terminals.</u></p> <p>- Existing, planned and potential rail heads, rail links to quarries, wharfage and associated storage, handling and processing facilities for the bulk transport by rail, sea or inland waterways of minerals, including recycled, secondary and marine dredged materials, and</p> <p>- Existing, planned and potential sites for concrete batching, the manufacture of coated materials and other concrete products, and the handling, processing and distribution of recycled and secondary aggregate mineral.'</p>
MM18	Para 3.90	47	<p>Amend paragraph 3.90 and insert additional paragraphs to read:</p> <p>'Due to the large number of these sites within the County and the majority of these being located on existing industrial estates, which are identified within District/Borough Local Plans, there is no indication that any individual plant is important in its own right. In addition, such plants are also physically relocatable and as such are considered non-strategic and will not be safeguarded by the County Council. Those facilities located within permitted mineral workings, and therefore within the control of the County Council, will be safeguarded in accordance with Policy SP7 part 1. However, stand-alone facilities permitted by a District or Borough Council, and which are not specifically linked to existing minerals workings, should be safeguarded by the relevant District or Borough Council in line with national policy and guidance. These are shown for information with the Council's Annual Monitoring Report.'</p>

Ref.	Part of Plan	Page	Main Modification
			<p><u>Most District and Borough Council Local Plans contain policies designed to protect existing employment land and these types of facilities would also be safeguarded by the 'agent of change' principle set out in paragraph 182 of the NPPF. This states that existing businesses and facilities should not have unreasonable restrictions placed on them by new development permitted after they were established and that the applicant (or 'agent of change') should be required to provide suitable mitigation before the development is completed.</u></p> <p><u>The County Council will respond to non-mineral applications when consulted by District and Borough Councils to highlight safeguarding issues where these arise.</u></p>
MM19	Para 4.2	49	Amend final sentence to read: ' <i>Where a shortfall is identified, this will be met from a combination of new and/or extended sites, although the priority is to extend Suitable extensions to existing sites will be supported wherever possible in line with strategic objective (SO1) to improve the sustainability of minerals development.</i> '
MM20	Policy MP2	53	<p>Delete individual quarry tonnages shown in part (a) of the policy.</p> <p><i>1. An adequate supply of sand and gravel will be identified to meet expected demand over the plan period from:</i></p> <p><i>a) The extraction of remaining reserves at the following permitted quarries: (Million tonnes)</i></p> <p><i>MP2a Newington South 0.39mt</i></p> <p><i>MP2b Finningley 0.45mt</i></p> <p><i>MP2c Sturton Le Steeple 7.50mt</i></p> <p><i>MP2d Bawtry Road 0.60mt</i></p> <p><i>MP2e Cromwell 2.40mt</i></p> <p><i>MP2f Besthorpe 0.50mt</i></p> <p><i>MP2g Girton 3.56mt</i></p> <p><i>MP2h Langford Lowfields 4.95mt</i></p> <p><i>MP2i East Leake 2.34mt</i></p> <p><i>MP2j Scrooby South 0.62mt</i></p> <p><i>b) The following extensions to existing permitted quarries:</i></p> <p><i>MP2k Bawtry Road West 0.18mt</i></p> <p><i>MP2l Scrooby Thompson Land 0.06mt</i></p> <p><i>MP2m Scrooby North 0.56mt* (0.62mt)</i></p> <p><i>MP2n Langford Lowfields 14.00mt (13.00mt)</i></p>

Ref.	Part of Plan	Page	Main Modification
			<p>MP2o Besthorpe East 3.30mt</p> <p>c) New sand and gravel quarries: MP2p Mill Hill nr Barton in Fabis 3.0mt**</p>
MM21	Policy MP6	65	<p>Delete final sentence as follows:</p> <p>Planning applications for site allocations should be made in accordance with the site development briefs set out in Appendix 2</p>
MM22	Policy MP12	78	<p>Reword and re-structure policy to read:</p> <p>1. Exploration, and appraisal and commercial production of oil and gas will be supported provided the site and equipment: a) Are not located in a protected area other than in exceptional circumstances where this does not compromise the reasons for the designation and the need for development can be demonstrated; and b. are located where this will not have an unacceptable environmental impact. 2. The commercial production of oil and gas will be supported, provided the site and equipment: a. Are not located in a protected area other than in exceptional circumstances where this does not compromise the reasons for the designation and the need for development can be demonstrated; and b. Are located at the least sensitive location taking account of environmental, geological and technical factors. 2. 3. Proposals at each stage must provide for the restoration and subsequent aftercare of the site, whether or not oil or gas is found.</p> <p>1. Exploration, and appraisal and commercial production of oil and gas will be supported provided the site and equipment: a) Are not located in a protected area other than in exceptional circumstances where this does not compromise the reasons for the designation and the need for development can be demonstrated; and b. are located where this will not have an unacceptable environmental impact. 2. The commercial production of oil and gas will be supported, provided the site and equipment: a. Are not located in a protected area other than in exceptional circumstances where this does not compromise the reasons for the designation and the need for development can be demonstrated; and b. Are located at the least sensitive location taking account of environmental, geological and technical factors. 2. 3. Proposals at each stage must provide for the restoration and subsequent aftercare of the site, whether or not oil or gas is found.</p>
MM23	Para 4.104	79	Delete paragraph.
MM24	Para 4.105	79	Amend paragraph to read: 'The NPPF states that for oil and gas including unconventional hydrocarbons, minerals planning authorities should develop criteria-based policies that clearly distinguish between the three phases of development (exploration, appraisal and production) and to address constraints that apply within licensed areas.'
MM25	Policy DM4	93	<p>Amend policy to read:</p> <p>'Policy DM4: Protection and Enhancement of Biodiversity and Geodiversity</p>

Ref.	Part of Plan	Page	Main Modification
			<p>1. Proposals for minerals development will be supported where it can be demonstrated that:</p> <p>a) They will not adversely affect the integrity of a European site (either alone or in combination with other plans or projects, including as a result of changes to air or water quality, hydrology, noise, light and dust), unless there are no alternative solutions, imperative reasons of overriding public interest and necessary compensatory measures can be secured <u>in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017;</u></p> <p>b) They are not likely to give rise to an adverse effect on a Site of Special Scientific Interest, except where the <u>need for and benefits</u> of the development clearly outweigh the importance of the site and where no suitable alternative exists;</p> <p>c) They are not likely to give rise to the loss or deterioration of Local Sites (Local Wildlife Sites or Local Geological Sites) except where the need for and benefits of the development in that location outweigh the impacts;</p> <p>d) They would not result in the loss of populations of a priority species or areas of priority habitat <u>except where the need for and benefits of the development in that location outweigh the impacts. Development that would result in the loss or deterioration of irreplaceable habitats will only be permitted where there are wholly exceptional reasons and a suitable compensation strategy exists.</u></p> <p>e) <u>'Development that would result in the loss or deterioration of irreplaceable habitats will only be permitted where there are wholly exceptional reasons and a suitable compensation strategy exists.'</u></p> <p>2. 'Where impacts on designated sites or priority habitats or species cannot be avoided then: -adequate mitigation relative to the scale of the impact and importance of the resource must be put in place, with compensation measures secured as a last resort.</p> <p><u>a) In the case of European sites, mitigation must be secured which will ensure that there would be no adverse effect on the integrity of the site(s). Where mitigation is not possible and the applicant relies upon imperative reasons of overriding public interest, the Council will need to be satisfied that any necessary compensatory measures can be secured.</u></p> <p><u>b) In all other cases, adequate mitigation relative to the scale of the impact and the importance of the resource must be put in place, with compensation measures secured as a last resort.'</u></p> <p>3. Nottinghamshire's biodiversity and geological resources will be enhanced by ensuring that minerals development:</p> <p>a) Retains, protects, restores and enhances features of biodiversity or geological interest, and provides for appropriate management of these features, and in doing so contributes to targets within the Nottinghamshire Local Biodiversity Action Plan and provides <u>net gains for biodiversity;</u></p>

Ref.	Part of Plan	Page	Main Modification
			<p><i>b) Makes provision for habitat adaptation and species migration, allowing species to respond to the impacts of climate change; and</i></p> <p><i>c) Maintains and enhances ecological networks, both within the County and beyond, through the protection and creation of priority habitats and corridors, and linkages and stepping stones between such areas.</i></p>
MM26	Para 5.57	96	<p><i>Amend first sentence to read '<u>Biodiversity enhancement, and the need to provide net gains for biodiversity in accordance with national policy,</u> should be seen as a cross-cutting theme and the creation and improvement of habitats will be supported in accordance <u>line</u> with local and national biodiversity targets.'</i></p>
MM27	Para 5.62	97	<p><i>Amend paragraph to read:</i></p> <p><i>'National Planning Guidance states that valued landscapes should be protected and enhanced, and requires <u>The guidance allows for the inclusion of Local Plans to include criteria-based policies in Local Plans against which proposals for any development on or affecting landscapes areas will be judged.</u></i></p>
MM28	Para 5.73	100	<p><i>Amend paragraph 5.73 to read:</i></p> <p><i>'National policy recognises the importance of minimising the impacts on designated and non-designated heritage assets and their settings and requires a distinction to be made between the relative significance of the heritage assets. The NPPF states that, when considering the impact of a proposed development on the significance of a designated heritage asset, 'great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.' It states that substantial harm or loss of designated heritage assets of the highest significance should be wholly exceptional. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, the NPPF states that Local Planning Authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss'</i></p> <p><i>Insert additional subsequent paragraphs to read:</i></p> <p><i><u>'5.73(b) Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, the NPPF states that Local Planning Authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:</u></i></p>

Ref.	Part of Plan	Page	Main Modification
			<p><u>a) The nature of the heritage asset prevents all reasonable uses of the site; and</u> <u>b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and</u> <u>c) Conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and</u> <u>d) the harm or loss is outweighed by the benefit of bringing the site back into use.</u></p> <p><u>5.73(c) "Where the harm to the significance of a designated heritage asset will be less than substantial the Local Planning Authority will weigh this against the public benefits of the proposal including, where appropriate, securing its optimum viable use."</u></p>
MM29	Para 5.93	105	Add sentence to the end of paragraph to read: <u>'The nature and scale of mineral workings could also have larger scale environmental effects by potentially giving rise to cumulative impacts on climate change.'</u>
MM30	Para 5.97	105	Add sentence to the end of paragraph to read: <u>'The potential for cumulative impacts on the wider environment, such as on climate change, may also need to be considered.'</u>
MM31	Para 5.98	105	Amend paragraph to read: <u>'The plan therefore seeks to ensure that the impacts of a mineral proposal are considered in conjunction with the impacts of all existing development and that cumulative impact on the environment of an area, or on the amenity of a local community, or on the wider environment, such as on climate change, are fully addressed.'</u>
MM32	Para 5.118	112	Delete paragraph.
MM33	Para 5.135	117	Amend second sentence to read <u>'Where possible and where appropriate, voluntary Extended aftercare periods will be negotiated for those uses that would benefit from such longer periods and will be secured by condition.'</u>
MM34	Para 5.136	117	Amend second sentence to read <u>'Developers will be encouraged to enter into Planning agreements will be used to ensure that the appropriate aftercare provisions remain in effect for the required aftercare period.'</u>
MM35	Sand and gravel	136	Amend expected start date of Mill Hill near Barton in Fabis (MP2p) to show ' <u>2021</u> '. Amend expected completion date for Cromwell Quarry to show ' <u>2023</u> '

Ref.	Part of Plan	Page	Main Modification
	delivery schedule		
MM36	Appendix 2 – site allocation development briefs	138	<p>Add final sentence to the introduction paragraph to Appendix 2 to read:</p> <p><u><i>‘Each site development brief includes a range of priority habitats, as identified within the Local Biodiversity Action Plan (LBAP), that could be included within the sites restoration. This is to allow flexibility as the most appropriate restoration will depend on site specific proposals.’</i></u></p>
MM37	Appendix 2 – site allocation development briefs	138	<p>Amend second paragraph under ‘Quarry restoration’ in each development brief to read:</p> <p>‘Target r<u>Restoration will depend on landform, hydrology and substrate characteristics.’</u></p> <p>Amend third paragraph under ‘Quarry restoration’ in each development brief to read:</p> <p>‘Restoration proposals should seek to maximise the extent of target habitat(s) and avoid ‘habitat packing’, where small areas of lots of habitats many different habitat types are packed into the site. Proposals should instead focus on maximising the biodiversity benefits from larger areas of priority habitat.’</p> <p>Insert additional bullet point under ‘Water and flooding’ in each development brief to read:</p> <p><u><i>‘Prior to making a planning application, applicants should discuss water abstraction issues with the Environment Agency.’</i></u></p>
MM38	MP2k Bawtry Road West	139	<p>Amend penultimate sentence under Quarry Restoration to read:</p> <p><i>It may therefore be appropriate to seek to expand this area by creating similar habitats within the restoration at Bawtry Road North West.</i></p> <p>Delete first bullet point under ‘Water and flooding’ sub-heading:</p> <p><i>Potential indirect hydrological links to the Hatfield Moor SAC.</i></p>

Ref.	Part of Plan	Page	Main Modification
MM39	MP2I Scrooby Thomson Land	141	<p>Under 'Environmental and cultural designations' sub-heading, amend first bullet point to read:</p> <ul style="list-style-type: none"> • <u>Impact on the setting of Grade II listed buildings Scrooby Top Farmhouse Restaurant and Scrooby Top Cottages and attached buildings</u> two designated listed buildings due west of the site should be considered <p>Amend third bullet point to read:</p> <ul style="list-style-type: none"> • <u>Working should avoid impacts on designated sites in the area including Scrooby sand pits, Scrooby Top quarry, Mattersey Hil Marsh and River Idle Washlands SSSIs.</u> <p>Delete penultimate bullet:</p> <ul style="list-style-type: none"> • Potential indirect links to the Birklands and Bilhaugh SAC and Sherwood Forest ppSPA. <p>Under 'Amenity' sub-heading, amend second bullet point to read:</p> <ul style="list-style-type: none"> • <u>Screening to mitigate potential noise, dust and visual impacts should be provided from residential properties to the north west of the site.</u>
MM40	MP2m Scrooby North	143	<p>Under 'Environmental and cultural designations' sub-heading, amend first bullet point to read:</p> <ul style="list-style-type: none"> • <u>Impact on the setting of Grade II listed buildings Scrooby Top Farmhouse Restaurant and Scrooby Top Cottages and attached buildings</u> two designated listed buildings due west of the site should be considered <p>Delete penultimate bullet point:</p> <p>Potential indirect links to the Birklands and Bilhaugh SAC and Sherwood Forest ppSPA.</p>
MM41	MP2n Langford Lowfields North	146	<p>Include additional bullet point under 'Environmental and cultural designations' sub-heading to read:</p> <ul style="list-style-type: none"> • <u>Impact on high quality agricultural land</u> <p>Amend third bullet point under 'Amenity' sub-heading to read:</p>

Ref.	Part of Plan	Page	Main Modification
			<ul style="list-style-type: none"> • <i>Provide screening of site from Westfield Farm <u>to mitigate possible noise, dust and visual impacts</u></i>
MM42	MP2o Besthorpe East	148	<p>Include additional bullet point under 'Environmental and cultural designations' sub-heading to read:</p> <ul style="list-style-type: none"> • <i><u>Impact on high quality agricultural land</u></i>
MM43	MP2p Mill Hill near Barton in Fabis	150	<p>Under 'Environmental and cultural designations' sub-heading, amend second bullet point to read:</p> <ul style="list-style-type: none"> • <i>High archaeological potential to be managed <u>through appropriate survey methods, including use of metal detector on conveyor belt</u></i> <p>Include additional bullet points to read:</p> <ul style="list-style-type: none"> • <i><u>Consideration of the impact on the Green Belt</u></i> • <i><u>Potential Impacts on Trent Valley Green Infrastructure Corridor</u></i> • <i><u>Potential impacts on Attenborough Nature Reserve</u></i> <p>Amend bullet point under 'Amenity' sub-heading to read:</p> <ul style="list-style-type: none"> • <i><u>Protection or suitable management of Barton in Fabis footpaths FP2, FP69, and BW1 and BW3 including retention of existing vegetation/screening where appropriate and provision of safe crossing points for users</u></i> <p>Amend bullet point under 'Water and flooding' sub-heading to read:</p> <ul style="list-style-type: none"> • <i>Mitigation of potential flooding, <u>including overland flood flows</u>, should be considered through a Flood Risk Assessment as site lies in Flood Zone 3. No excavation within 45m of the toe of any flood defence or the River Trent itself.</i> <p>Insert new sub-heading '<u>Other</u>' and include additional bullet points to read:</p>

Ref.	Part of Plan	Page	Main Modification
			<ul style="list-style-type: none"> • <i>Take account of the high-pressure gas main running across the site and meet the statutory safety clearances.</i> • <i>East Midlands Airport should be consulted as part of any detailed planning application due to the quarries location in the airport safeguarding zone and the potential for bird strike arising from any restoration scheme.</i>
MM44	MP3d Bestwood 2 North	152	<p>Under 'Environmental and cultural designations' sub-heading, amend first bullet point to read:</p> <ul style="list-style-type: none"> • <i>The restoration scheme would have to demonstrate that the <u>partial</u> loss of the LWS could be outweighed by the greater than County need for the development and that high-quality habitat, at least equal to that which would be lost, could be established and maintained in the long term</i> <p>Amend reference in final bullet to read:</p> <ul style="list-style-type: none"> • <i>In-line with the recommendations in the Minerals Local Plan Habitats Regulation Assessment Scoping <u>Screening</u> Report, any potential impacts on the Sherwood ppSPA will need to be fully investigated and mitigated as part of any planning application.</i> <p>Include additional bullet points to read:</p> <ul style="list-style-type: none"> • <i><u>A survey for nightjar and woodlark will be required if trees are less than 20 years old. If these species are nesting, creation of replacement habitat will also be required</u></i> • <i><u>Consideration of the impact on the Green Belt</u></i>
MM45	MP7c Bantycok Quarry South	157	<p>Include additional bullet point under 'Water and flooding' sub-heading to read:</p> <ul style="list-style-type: none"> • <i><u>Consideration of water quality in relation to the aquifer</u></i>

Nottinghamshire Minerals Local Plan

March 2021

Foreword

Nottinghamshire has a long history of mineral working and is most widely known for its coal mining industry which helped meet national energy needs and support the country's economic growth over many years. There are no longer any active collieries, but a wide range of minerals are still worked across Nottinghamshire, used for construction, manufacturing and energy.

Sand and gravel is our largest extractive industry, supplying markets in Nottinghamshire and neighbouring areas. However other minerals worked include high grade gypsum, brick clay, silica sand, building stone, aggregate limestone, and oil. Some of these minerals also support locally important associated industries such as brick manufacture.

Nottinghamshire County Council has therefore prepared a robust and up to date Minerals Local Plan that strikes the right balance between providing the essential minerals for the county's prosperity and supporting future economic growth, whilst protecting and improving our environment and the quality of life for those living and working in Nottinghamshire.

The Plan will be reviewed as necessary to ensure it takes account of changing circumstances and continues to provide certainty to local communities and the minerals industry.

County Councillor Phil Rostance

Vice Chairman, Communities and Place Committee



Preface

Nottinghamshire County Council has prepared this Minerals Local Plan in accordance with the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012. This document will form a key part of the formal Development Plan for Nottinghamshire and will replace our saved Minerals Local Plan which was adopted on 5 December 2005.

Adoption of this Minerals Local Plan follows a wide ranging and continuous process of consultation with local and neighbouring councils, residents and local community groups, the minerals industry and the relevant statutory bodies and utility companies.

The Council submitted the Minerals Local Plan – Publication Version to Government in February 2020. An independent Planning Inspector was appointed to examine the soundness of the Plan and public hearing sessions for the examination were held between 26 and 29 October 2020. The Inspectors Report on the Plan was received on 11 March 2021 and the Council adopted the Plan with modifications on (xxxxx).

How to read this document

To help you follow this document each chapter is set out as follows:

Introduction

This is a short introduction to the topic, which gives the context for each of the topic/policy areas.

Policies

Policies are set out in these boxes

Where policies include land allocations, reference codes are used to identify each individual site. For site specific allocations the reference codes are based on the policy number (e.g. MP2 = sand and gravel)

Justification

This sets out in detail an explanation of the policy, including the reasons why it is needed, justification for the approach taken and what the policy seeks to achieve.

This document can be made available in alternative formats or languages on request.

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1. What is the Minerals Local Plan?

Introduction

- 1.1. The Nottinghamshire Minerals Local Plan forms the land use planning strategy for mineral development within the County up to 2036. It will provide the basis for the determination of mineral planning applications within the County. Its over-arching theme is the promotion of sustainable development and achieving the highest quality restoration possible. This means balancing the economic benefits and need for minerals against the social and environmental disruption and harm that their extraction can cause. Long term environmental gains can be achieved, for example, by creating wildlife habitats out of worked out quarries. Sustainability also means safeguarding mineral resources from unnecessary sterilisation so they can remain available for extraction for future generations.
- 1.2. The plan contains the following:
- An overview of the County in terms of population, transport, communications, the economy and resources, Green Belt, landscape, countryside, natural and built heritage, water, soil, air, health and climate, which will help us plan effectively for the future;
 - A long-term Vision for mineral development in Nottinghamshire to 2036;
 - Strategic Objectives demonstrating how the Vision will be achieved
 - Strategic Policies covering the key issues of Sustainable Development, Minerals Provision, Biodiversity-Led Restoration, Climate Change, Sustainable Transport, The Built, Historic and Natural Environment, the Nottinghamshire Green Belt and minerals safeguarding, consultation areas and associated minerals infrastructure;
 - Mineral Provision Policies setting out the mineral requirements during the plan period to 2036, including land allocations to meet this demand;
 - Development Management Policies, the purpose of which is to deliver the strategic policies and objectives by providing the criteria against which future minerals development will be assessed. They relate specifically to individual, site level criteria such as environmental impacts and standards and provide guidance about how planning applications for minerals development in the County will be assessed;
 - A framework by which the implementation of and subsequent effect of the plan and its policies can be monitored and reviewed; and
 - A Policies Map which identifies site allocations/policies and site-specific Development Briefs.
- 1.3. **Replacing our existing minerals policies**
- The new Nottinghamshire Minerals Local Plan will replace the existing saved policies contained in the Nottinghamshire Minerals Local Plan which was adopted in 2005.

2. Overview, Vision and Strategic Objectives

Overview of the Plan Area

- 2.1. Planning effectively for the future means having a good understanding of our current situation and what is likely to change. It is important to take account of environmental assets including our countryside, wildlife and heritage, as well as the quality of life and well-being of our communities.
- 2.2. Nottinghamshire is well known for its historic past, linked to tales of Robin Hood and its industrial heritage based on textiles and coal, but it also has an ambitious future with a growing population of over one million people and a diverse and expanding economy.
- 2.3. Nottinghamshire is part of the East Midlands, but also shares a boundary with South Yorkshire. Northern parts of Nottinghamshire therefore have significant employment, housing and business links with Sheffield and the metropolitan areas of Barnsley, Rotherham and Doncaster. The more urbanised west of the County is also closely linked to neighbouring Derbyshire, with more rural eastern parts of the county having a similar character to neighbouring parts of Lincolnshire. In the south, Nottingham is a major regional centre with close physical links to the neighbouring cities of Derby and Leicester. Consequently, there is a significant overlap of housing areas; business and employment between these three cities (see Plan 1 below).

Population

- 2.4. Nottinghamshire has a population of over 800,000 residents. Around two thirds of the County's population live in the south of the county, or close to Nottingham. Most of the remainder live in, or close to, the other main towns of Mansfield, Kirkby-in-Ashfield, Sutton-in-Ashfield, Hucknall, Worksop, Newark and Retford. Up to 60,000 new homes are planned across Nottinghamshire over the next 10 -15 years. Although outside the plan area, significant housing and infrastructure growth is also expected in Nottingham which could affect surrounding areas.

Transport and Communications

- 2.5. Road and rail links to the rest of the UK are generally good, especially via the main north-south routes of the M1, A1, A46 and direct rail links to London from Retford, Newark and Nottingham. Passenger rail links between Nottinghamshire and London are set to improve with the planned introduction of the High Speed 2 (HS2) rail link. Road links to the M1 have been enhanced with the widening of the A453 into Nottingham.

- 2.6. Most freight, including minerals, is currently moved by road rather than rail although there is some use of the County's network of rivers and canals for transport. The River Trent, especially, is a major waterway flowing from Nottingham to Newark and then northwards to the Humber, forming part of the County's eastern boundary.
- 2.7. Although just outside the County, both East Midlands Airport at Castle Donnington and Robin Hood Airport near Doncaster provide national and international passenger and freight services.

Employment, Economy and Resources

- 2.8. This connectivity makes the County an important centre for warehousing, distribution, and other service-based industries, which are replacing the more traditional industries of coal-mining, textiles and manufacturing, especially around Mansfield, Worksop and Newark.
- 2.9. Here, the legacy of former coal mining and heavy industry has left a surplus of derelict land and opportunities for enterprise and redevelopment. Nottingham and its surrounds also provide a major centre for technology, financial, knowledge and science-based industries. Away from the main urban areas, agriculture and forestry are no longer major employers but still make up much of the County's rural landscape, particularly to the south and east. Minerals and energy production are important in parts of the County, especially sand and gravel extraction from the Trent and Idle Valleys and the four major power stations along the River Trent.
- 2.10. Nottinghamshire's economy generally compares well to the rest of the UK, with key urban areas expected to be the focus of significant housing and commercial development in future. However, there are also wide inequalities in the rates of employment, income, education and skills across the County, most notably in former mining areas.

Green Belt

- 2.11. In Nottinghamshire the Green Belt covers land around Greater Nottingham, Nottingham City and rural village areas. It covers more than 43,000 ha and exists to prevent towns from merging, limit urban sprawl and to safeguard the countryside (see Plan 1 below). National policy states that minerals extraction is not inappropriate in the green belt provided the openness of the green belt is preserved and where it would not conflict with the purposes of including land in the green belt.

Landscape and Countryside

- 2.12. The County's landscape is characterised by rich rolling farmlands to the south, with a central belt of mixed woodland and commercial forestry, giving way to

heathland in the north and open, flat agricultural landscapes to the east. Although agriculture is a relatively small industry today, large parts of the County are made up of good quality agricultural land with the highest quality (Grade 1) being concentrated in the northern part of the County. The six country parks around Nottinghamshire provide valuable areas of open space.

Nature

- 2.13. Nottinghamshire supports a wide range of important sites for nature conservation, including a Special Area of Conservation within Sherwood Forest, near Edwinstowe, that is of international importance. A large part of central Nottinghamshire is also being considered as a possible potential Special Protection Area for birds which would provide protection at the international level under European regulations. The quality of Nottinghamshire's natural environment has suffered in the past from the impacts of development and there has been a significant decline in biodiversity, with losses of ancient woodland, heathland, species-rich grassland, hedgerow and wetland habitats, as well as the species that these habitats support. Despite this decline, there remains a network of important SSSIs and Local Wildlife Sites across the county, representing a wide range of habitats found on the varying geology of the county. Some of these historic declines are now being halted, and in some cases reversed, with neglected sites brought into positive management and new areas of habitat created as a result of the activities of partner organisations in the Nottinghamshire Biodiversity Action Group, by initiatives such as Environmental Stewardship and the English Woodland Grant Scheme, and as a result of restoration schemes. This action is being co-ordinated and quantified through the Nottinghamshire Local Biodiversity Action Plan.

Heritage

- 2.14. Nottinghamshire's heritage is very diverse. Creswell Crags on the Nottinghamshire-Derbyshire boundary has the most northerly Ice Age cave art in the world. The historic landscape of the Trent Valley is an important area for archaeological remains of prehistoric settlement. There is important evidence of Roman field patterns in the north of the County and the modern day A1 and A46 follow the line of old Roman routes. Evidence of Viking influence is apparent in many of the County's place names. Sherwood Forest boasts a unique heritage of folklore, monasticism and large country house estates (the Dukeries). The County has a fine collection of historic market towns including Worksop, Newark, Retford, Mansfield and Southwell. They are all rich in architectural and archaeological heritage. The Rivers Trent and Idle, which historically provided important cultural and trade links and the focus of many of our early settlements, are still relied on today by industry, agriculture and the County's power stations.
- 2.15. For hundreds of year's coal mining and other quarrying was very significant in the west of the County. Nottingham's industrial past was dominated by the textile

industry throughout the 18th, 19th into the 20th centuries and has left a rich built heritage. The majority of Nottinghamshire's conservation areas, listed buildings, historic parks, and Scheduled Ancient Monuments are in good condition, but a proportion (around 10%) are in a vulnerable condition or situation.

Water, Soil and Air

- 2.16. Much of Nottinghamshire is underlain by important groundwater resources (principal and secondary aquifers) used for industry, agriculture and drinking water. The Rivers Trent and Idle also provide important surface water resources. Whilst water quality is good overall, there are problems with the level of nitrates in the soil in large parts of the County which can in turn affect water quality. The whole of north Nottinghamshire is therefore designated as a nitrate vulnerable zone.
- 2.17. Flood risk varies across the County and, although there are several areas at risk of localised surface flooding, the main risk comes from the River Trent, especially around Nottingham and Newark and in some of the outlying villages.
- 2.18. Air quality is generally good across the County but several Air Quality Management Areas (AQMAs) have been designated around Nottinghamshire because of known traffic and congestion problems.

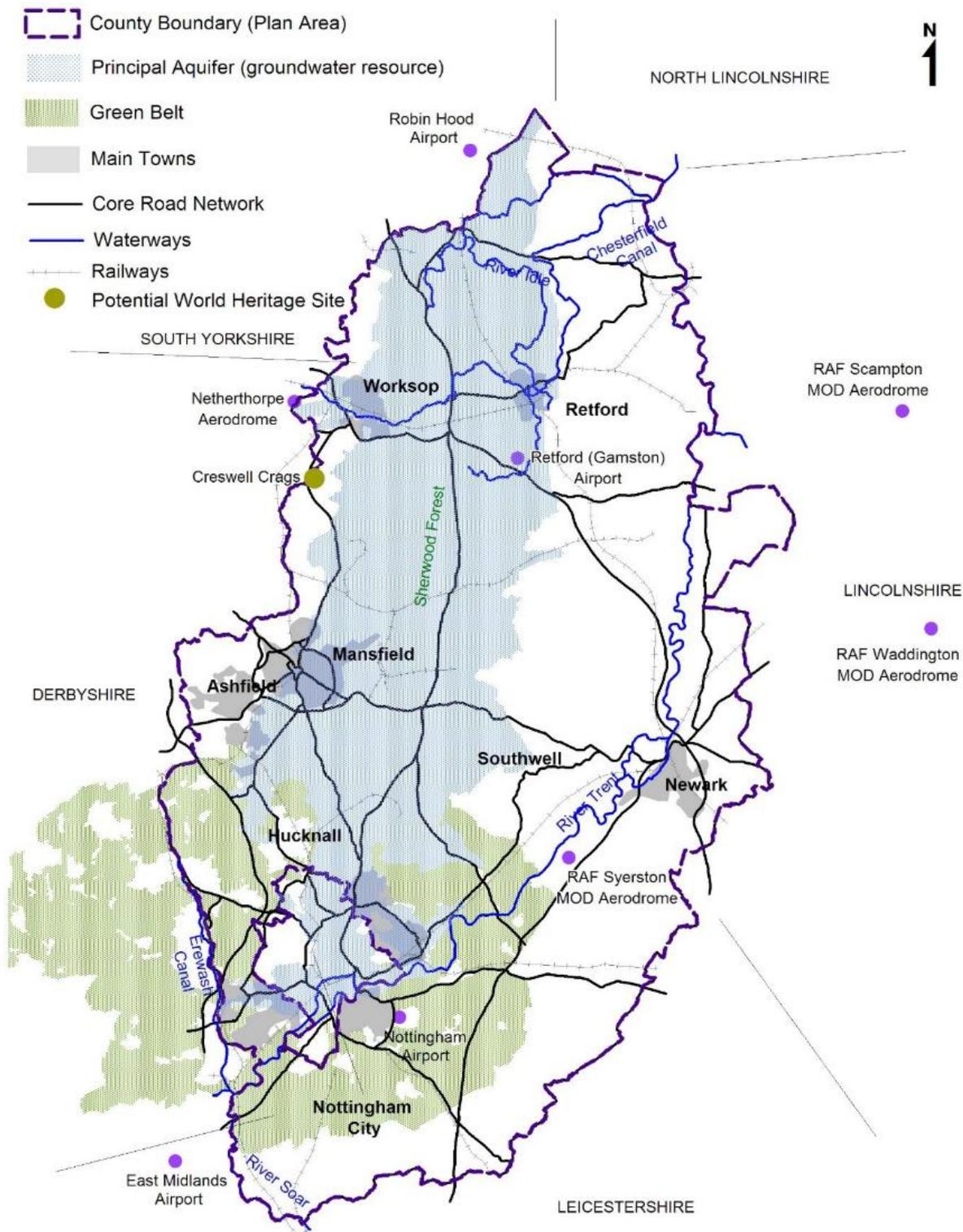
Health

- 2.19. Overall health indicators are slightly lower than both the regional and national average although life expectancy has recently grown closer to the national average. There are also wide variations in life expectancy with a twelve-year gap in average life expectancy between the least and most deprived wards. In some areas low levels of income, and high levels of unemployment and stress, are seen as having a significant impact on health and wellbeing. The main urban areas of Mansfield and Ashfield are worst affected, whilst more rural, affluent areas within Rushcliffe and Gedling generally fare far better in line with national trends. Obesity, amongst both children and adults is also a concern.

Climate

- 2.20. Parts of Nottinghamshire have already experienced more frequent and heavier flooding previously and, overall, this pattern is expected to continue. In common with the rest of the UK there is also an increased likelihood of higher average temperatures, drier summers, wetter winters and more frequent and extreme storms.

Plan 1: Overview of the Plan area



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Principal Aquifer derived from Environment Agency data © Environment Agency 2010
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Nottinghamshire's mineral resource and industry

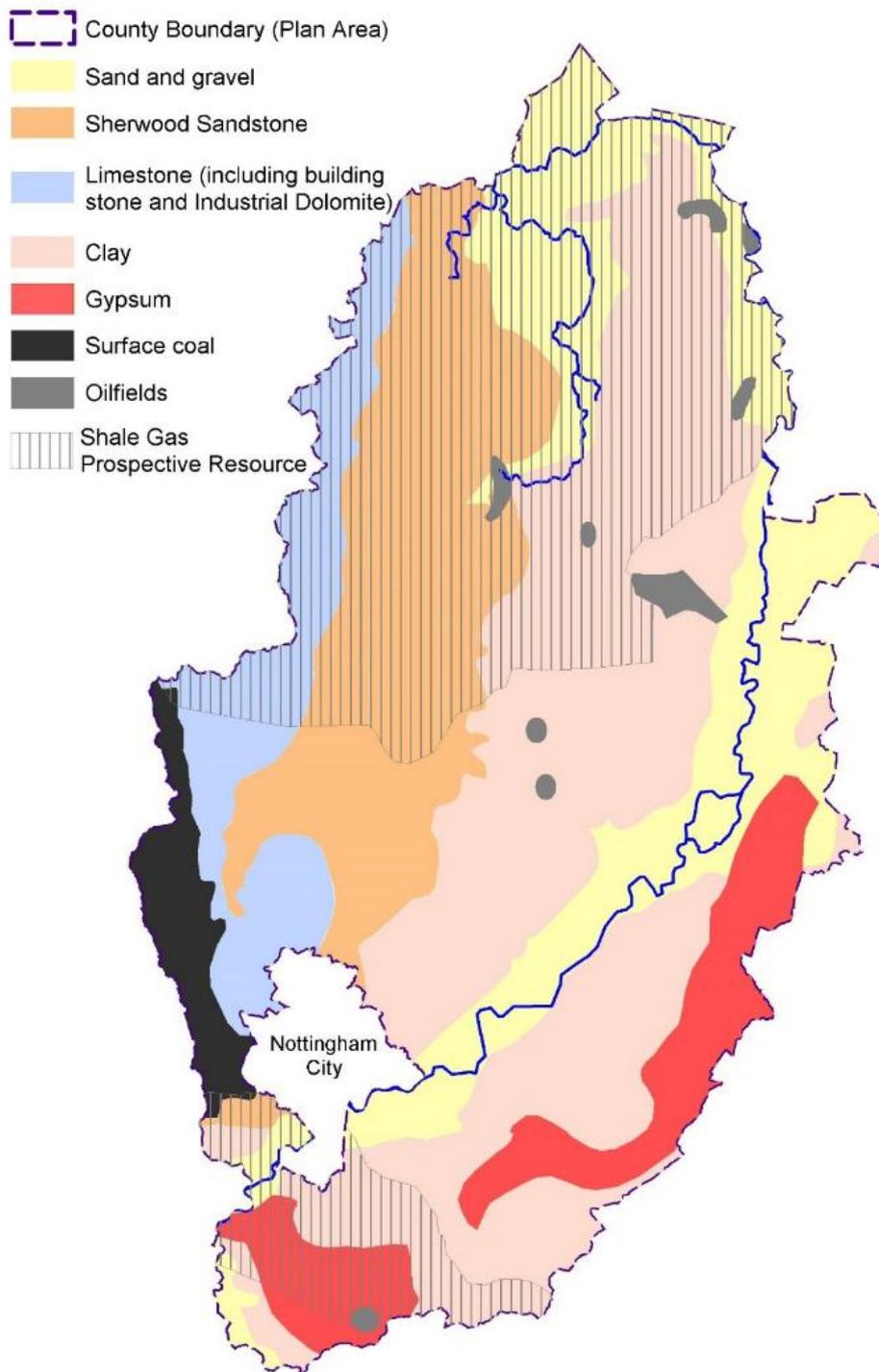
- 2.21. Nottinghamshire is rich in minerals and most widely known for its coal mining industry which has had a major impact on the social and economic development and environment of many parts of the County. The legacy of the coal industry is still very evident; the most visible reminders are the large spoil tips, many of which have been restored but some still present environmental issues. Most former colliery sites have now been redeveloped to provide new employment opportunities for communities that were hit hard with the closure of collieries.
- 2.22. Today, sand and gravel is the biggest extractive industry in the County. Most quarries work the river deposits found in the Trent and Idle valleys, although Sherwood Sandstone is also exploited. This activity has transformed large areas of the Trent and Idle Valleys into wetlands and in doing so has changed the landscape character of the area. Some former workings are now used for sports and recreation and others have become important wildlife habitats. As the County has suffered from a loss of habitats, sand and gravel restoration schemes have had a very significant role in redressing the balance.
- 2.23. Gypsum is another major minerals industry in Nottinghamshire, and has been extensively mined in the south of the County and quarried between Newark and Kilvington. The associated plasterboard and plaster works that these mineral operations support are important local employers although few are actually directly employed in the extractive process itself.
- 2.24. Other minerals worked are brick clay, silica sand, building stone, aggregate limestone, and oil. Some of these minerals also support locally important associated industries such as brick works.
- 2.25. Building stone was worked much more extensively in the past and has contributed towards the traditional character of many villages and historic buildings. Today extraction is limited to just one small quarry.
- 2.26. Nottinghamshire has potential mineral resources that have not been exploited but which could be in the future. This includes industrial dolomite found in a small area in the north west of the County and potential shale gas resources which are thought to exist in the north and the south of the County. Plan 2 illustrates the geological resource of Nottinghamshire.
- 2.27. Nottinghamshire has traditionally supplied large amounts of sand and gravel to neighbouring authorities. This is due both to the high-quality of the sand and gravel found in the county and a shortage of suitable mineral in other areas, particularly in the Rotherham and Doncaster areas. The trend is likely to continue in future although resource depletion in the Idle Valley (in the north of the county)

could reduce the amount exported to Rotherham and Doncaster in the longer term.

- 2.28. Aggregate limestone (crushed rock) resources are relatively limited in the county and this combined with the large reserves found in Derbyshire and Leicestershire has resulted in the majority of limestone consumed being imported from the two adjoining authorities.
- 2.29. This flow of aggregate minerals both in and out of the county provides the opportunity to work with other Mineral Planning Authorities to manage these movements and minimise the environmental impacts of the extraction.

Plan 2: Nottinghamshire's mineral resources

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British Geological Survey. 2013. Digital Geological Map of Great Britain 1:625 000 scale (DiGMapGB-625) Superficial Deposits data [CD-Rom] Version 1.10. Keyworth, Nottingham: British Geological Survey. Release date 03-07-2013

Vision

- 2.30. The vision for managing minerals seeks to address the issues facing the Plan Area and take into account the views of local communities and other stakeholders as well as supporting the delivery of national planning policies. The broad aims are then developed in more detail in the Strategic Objectives, the policies, and the Implementation section.

“Over the plan period to 2036 minerals will continue to be used as efficiently as possible across Nottinghamshire. Minerals are a valuable natural resource and should be worked and used in a sustainable manner and where possible reused to minimise waste

Mineral development will be designed, located, operated and restored to ensure that environmental harm and impacts on climate change are minimised.

Within geological constraints, mineral development will be concentrated in locations that offer the greatest level of accessibility to the major markets and growth areas and to sustainable transport nodes to encourage sustainable patterns and modes of movement.

Nottinghamshire will continue to provide minerals to meet its share of local and national needs. Sites will be available to support the economic, social and environmental benefits of sustainable growth. Minerals resources, and associated minerals infrastructure will be identified and safeguarded against inappropriate development. Consumption will be minimised, by promoting the use of secondary and recycled minerals.

Quarries will be designed, operated and managed in ways which help to reduce flood risk, particularly in the Trent Valley flood plain, manage surface water sustainably and maintain or enhance water quality.

All mineral workings will contribute towards ‘a greener Nottinghamshire’ by ensuring that the County’s diverse environmental assets are protected, maintained and enhanced through appropriate working, restoration and after-use and by ensuring that proposals have regard to Nottinghamshire’s historic environment, townscape and landscape character, biodiversity, geodiversity, agricultural land quality and public rights of way. This will result in improvements to the environment, contribute to landscape-scale biodiversity delivery, including through the improvements to existing habitats, the creation of large areas of new priority habitat, and the re-connection of ecological networks, with sensitivity to surrounding land uses.

The quality of life and health of those living, working in, or visiting Nottinghamshire will be protected.”

Strategic Objectives

2.31. The following objectives have been identified as central to achieving the delivery of the spatial vision for future Minerals development in Nottinghamshire:

SO1: Improving the sustainability of minerals development

Ensure more efficient exploitation and use of primary mineral resources by minimising waste, increasing levels of aggregate recycling and the use of alternatives from secondary and recycled sources. Secure a spatial pattern of mineral development that efficiently delivers resources to markets within and outside Nottinghamshire. Support the improved use or extension of existing sites. Make use of sustainable modes of transport.

SO2: Providing an adequate supply of minerals

Assist in creating a prosperous, environmentally sustainable and economically vibrant County through an adequate supply of all minerals to assist in economic growth both locally and nationally. Provide sufficient land to enable a steady and adequate supply of minerals over the plan period.

SO3: Addressing climate change

Minimise and mitigate the impact of mineral developments on climate change and support the transition towards a low carbon economy by encouraging efficient ways of working including reductions in transport and onsite machinery emissions. Reduce existing and future flood risks linked to, and aid in adaptation to, climate change through good quarry design and operation, water management, location of plant and appropriate restoration, particularly for sites in the Trent Valley flood plain. Contribute to climate change adaptation by relinking fragmented habitats and creating new areas of habitat to allow the migration and dispersal of species.

SO4: Safeguarding of mineral resources, permitted mineral reserves and associated minerals infrastructure

Protect the County's potential mineral resources of local and national importance, permitted mineral reserves and associated minerals infrastructure from development which would prevent or hinder their future use.

SO5: Minimising impacts on communities

Minimise the adverse impacts on Nottinghamshire's communities by protecting their quality of life and health from impacts such as traffic, visual impact, dust, water resources etc. Make sure that local people have the opportunity to be involved in decisions about new mineral developments by providing information, encouraging wider involvement and targeting key groups or individuals where appropriate. Protect and enhance rights of way and access to open space.

SO6: Protecting and enhancing natural assets

Conserve and enhance Nottinghamshire's natural environment including its distinctive landscapes, habitats, geology, wildlife species and ecological health of water bodies by avoiding, minimising and mitigating potential negative impacts. Maximise net biodiversity gain by enhancing and re-connecting existing habitat and creating new habitat through a landscape-scale approach. Support minerals development that provides long term

enhancements to landscape character and avoids damaging the highest quality landscapes.

SO7: Protecting and enhancing historic assets

Protect and where appropriate enhance Nottinghamshire's distinct historic environment. Ensure designated and non-designated heritage assets and their settings are adequately protected and where appropriate enhanced. Recognise the important role of locally sourced building stone in the repair of heritage assets and in maintaining local distinctiveness.

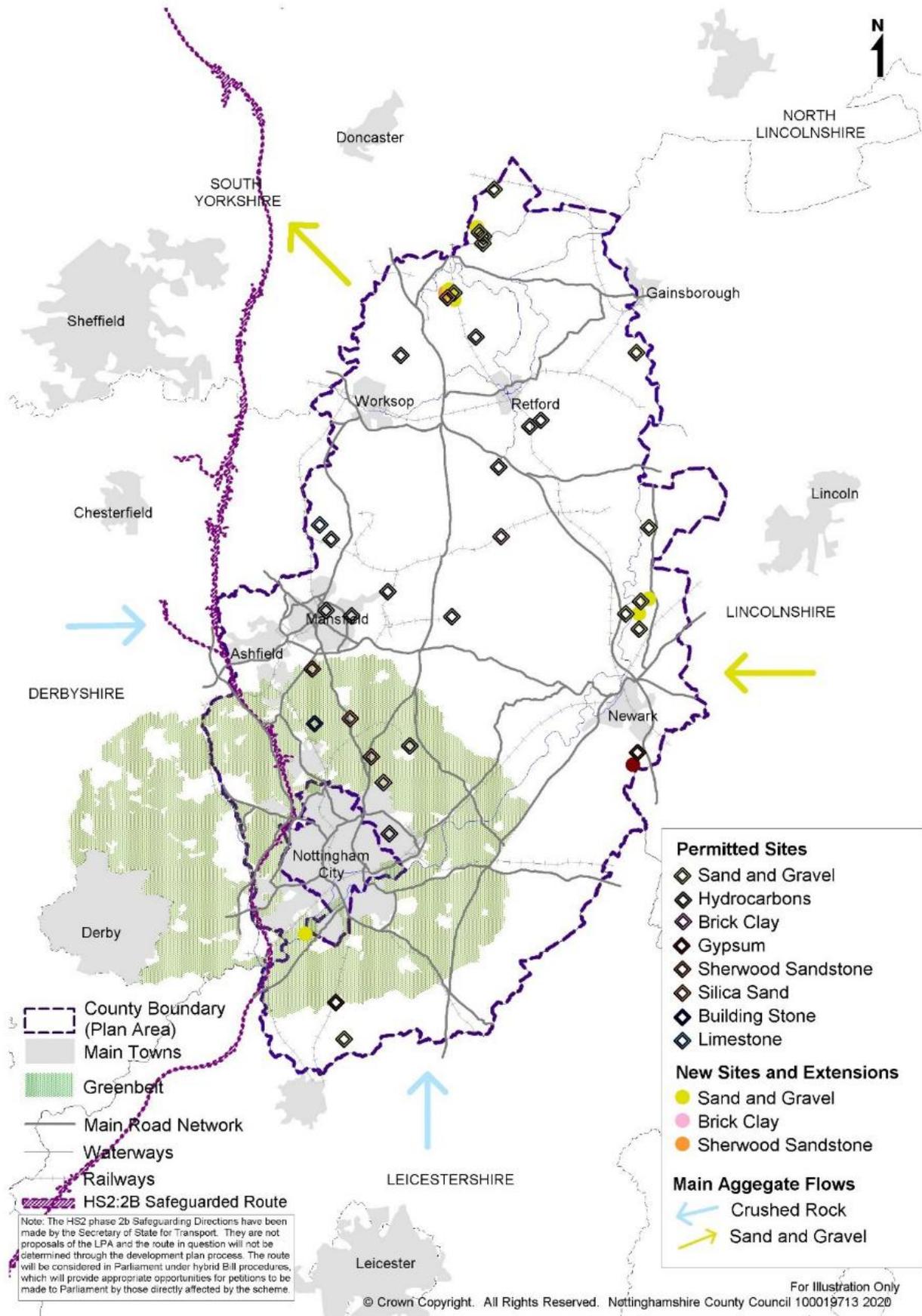
SO8: Protecting agricultural soils

Support minerals developments that will safeguard the long-term potential of best and most versatile agricultural soils.

Key Diagram

- 2.32. The components of the spatial strategy are illustrated on the Key Diagram below (Plan 3). It shows the main supply sources for aggregates and the principal constraints.
- 2.33. The Key Diagram is intended to be a diagrammatic interpretation of the Spatial Strategy set out in this document and is not intended to portray any specific site activity or proposal with spatial accuracy.
- 2.34. The remaining sections of the Plan develop the Spatial Strategy's principles and objectives. Specific details relating to the policies are shown on the Policies Map.

Plan 3: Key Diagram.



3. Strategic Policies

3.1. The strategic policies within this chapter are designed to deliver the vision and objectives of the Minerals Local Plan and provide the overall framework for future minerals development within Nottinghamshire. They are designed to ensure that the right amount of minerals development takes place in appropriate locations, and at the right time, whilst protecting local amenity and the built, natural and historic environment. The strategic policies should be read alongside the more detailed minerals provision and development policies in Chapters 4 and 5.

Presumption in favour of sustainable development

3.2. National planning policy is clear that the purpose of the planning system is to contribute to the achievement of sustainable development through the three overarching objectives of securing overall economic, social and environmental gains. Planning policies and decisions should actively guide development towards sustainable solutions that reflect the local character, needs and opportunities of each area.

3.3. When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Council will work proactively with applicants to jointly find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

3.4. Planning applications that accord with the policies in this Local Plan (and, where, relevant, with policies in other plans which form part of the development plan) will be approved unless material considerations indicate otherwise.

3.5. Where there are no relevant plan policies, or the policies which are most important for determining the application are out of date at the time of making the decision, the Council will grant planning permission unless:

- a) The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or
- b) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the NPPF taken as a whole.

3.6. The presumption in favour of sustainable development does not apply where proposals are likely to have a significant effect on a habitats site (either alone or in combination with other proposals), unless an appropriate assessment has concluded that the proposals will not adversely affect the integrity of the habitats site.

- 3.7. It is a national planning objective that planning, including planning for mineral development supports the transition to a low-carbon economy, taking into account flood risk, water supply and changes to biodiversity and the landscape. All new mineral development proposals will be expected to be planned from the outset to avoid increased vulnerability to the range of impacts resulting from climate change and care will need to be taken to ensure any potential risks can be managed through suitable adaptation measures.

SP1: Minerals Provision

Introduction

- 3.8. Minerals are essential to support economic growth and quality of life by providing the raw materials to create new infrastructure, buildings and goods as well as providing energy and a source of local jobs. Nottinghamshire is rich in minerals and supplies a wide range of markets both regionally and nationally. In line with national policy, it is important to identify suitable reserves to provide a steady and adequate supply of construction, industrial and energy minerals to meet future needs.
- 3.9. Minerals are a finite natural resource and can only be worked where they are found. It is therefore essential that the best use of available resources is made in order to secure their long-term conservation. Within Nottinghamshire the priority is therefore to make the best use of the County's finite mineral resources through supporting extensions to existing sites, where environmentally acceptable, and encouraging the use of secondary and recycled aggregates as far as possible (see Policy MP5) and safeguard important resources from sterilisation (see Policy DM13).

Policy SP1 – Minerals Provision

1. The strategy for the supply of minerals in Nottinghamshire is as follows:
 - a) Identify suitable land for mineral extraction to maintain a steady and adequate supply of minerals during the plan period;
 - b) Support the extension of existing sites, where economically, socially and environmentally acceptable;
 - c) Allow for development on non-allocated sites where a need can be demonstrated; and
 - d) Ensure the provision of minerals in the plan remains in-line with wider economic trends through regular monitoring.
2. All proposals for mineral development must demonstrate that they have prioritised the avoidance of adverse social, economic and environmental impacts of the proposed development.

Justification

- 3.10. To ensure that adequate and steady supplies can be maintained the National Planning Policy Framework sets out specific requirements for the different types of minerals according to their end use and the need to maintain a landbank of permitted reserves for certain minerals. Where the existing level of reserves is not sufficient for the plan period, the Minerals Local Plan must identify suitable land to

meet the expected shortfall. As part of preparing this plan, the Council has carried out a detailed assessment of its remaining permitted mineral reserves and identified where additional reserves should be provided. Therefore, alongside the strategic position set out in policy SP1 above, policies MP1 – MP12 make specific provision for each of the minerals which are likely to be worked in Nottinghamshire during the plan period.

- 3.11. Extending existing sites, where feasible, is considered to be more sustainable than developing new sites. This can be more efficient as the existing site access and processing plant can be used to recover mineral that may not otherwise be worked and the environmental impacts are generally less than those associated with opening up a new site. However, it is important that the potential cumulative impacts of continuing minerals development are considered in all cases. All new proposals, whether allocated or otherwise, will need to be assessed in terms of their impact on local communities and the environment including matters such as landscape, heritage, biodiversity and climate, and what contribution they would make to achieving local and national biodiversity targets. These issues are set out in more detail within the detailed development management policies DM1-17 which provide appropriate safeguards for the location, operation, restoration and after-use of future minerals sites.

SP2: Biodiversity- Led Restoration

Introduction

- 3.12. Nottinghamshire County Council promotes a restoration led approach when considering proposed mineral workings. It is seen as vital that the restoration and future use of the land is addressed at the outset not just at the pre-application discussion stage of preparing planning applications.
- 3.13. The County Council aims to ensure mineral sites are reclaimed in a way that seeks to maintain and significantly enhance the County's diverse environment and biodiversity, in line with Local Plan Strategic Objective 6.
- 3.14. Restoration should be seen as an integral part of the management and phasing of the whole extraction process. This includes biodiversity, landscape, economic and recreational opportunities. This does not mean placing an added onus or burden upon the minerals industry, rather it ensures that appropriate restoration solutions are formulated, and opportunities are realised.
- 3.15. It is recognised that restoration for leisure uses or for agriculture may be appropriate. Nevertheless, such restorations can still be 'biodiversity-led', for example by ensuring that agricultural restorations reinstate native hedgerows with wide field margins, and create new areas of species-rich grassland, copses and ponds.

Policy SP2 – Biodiversity-Led Restoration

1. Restoration schemes that seek to maximise biodiversity gains and achieve a net gain in biodiversity, in accordance with the targets and opportunities identified within the Nottinghamshire Local Biodiversity Action Plan, will be supported.
2. Where appropriate, schemes will be expected to demonstrate how restoration will contribute to the delivery of Water Framework Directive objectives.
3. Restoration schemes for allocated sites should be in line with the relevant Site Allocation Development Briefs contained within Appendix 2.

Justification

- 3.16. The Government's Natural Environment White Paper (2011) places the value of nature at the centre of the choices that are made ensuring that the environment is enhanced and economic growth and personal wellbeing is taken into account. This is reinforced in the Government's 25 Year Environment Plan, published in 2018, which promotes the concept of embedding environmental 'net-gain' into all

development. Net gain is likely to become mandatory for all developments should the Draft Environment Bill (2018) become law. Once minerals extraction sites have fulfilled their primary purpose of providing mineral, the restoration of such sites can have a major environmental benefit. There is considerable potential to create large new areas of habitat and to improve the links between existing fragmented areas of habitat.

- 3.17. The restoration of mineral sites therefore has an important role to play in meeting targets for the creation of new habitat, both nationally and locally. Nationally the RSPB estimates that minerals restoration schemes could meet, or in some cases, exceed the targets for a number of Habitats of Principal Importance for Conservation in England. These supersede what were previously known as UK Biodiversity Action Plan (UKBAP) priority habitats.
- 3.18. The restoration of mineral voids offers a significant opportunity for the establishment or re-establishment of priority habitats, often on a large-scale, and for providing re-created linkages between fragmented blocks of specific habitat types and with river floodplains, where appropriate, thereby strengthening and enhancing ecological networks.
- 3.19. Whilst new habitat has been delivered in Nottinghamshire through minerals restoration schemes in the past, a more systematic approach offers far greater opportunities. With careful planning at an early stage, the level of high-quality habitat delivered by mineral extraction can be increased, creating valuable places for both wildlife and people and contributing to the delivery of landscape-scale conservation, supporting initiatives such as the RSPB's Futurescapes and the Wildlife Trusts' Living Landscapes.
- 3.20. This landscape-scale approach seeks to look beyond small protected sites to deliver nature conservation on a larger scale across the countryside. The Trent and Idle Valleys are considered to be a key area for such a landscape-scale approach with opportunities for cross-boundary action between Minerals Planning Authorities to enable a coordinated, strategic approach to maximise the restoration potential of individual sites.
- 3.21. By creating new habitats, and contributing to landscape-scale nature conservation, considerable progress can be made towards creating a countryside that is more permeable to wildlife by establishing linkages, stepping stones and corridors of habitat and more coherent ecological networks which are more resilient to future pressures such as climate change and which allow the movement and dispersal of wildlife species.
- 3.22. National targets for the creation of priority habitats are set out in the Government's 'Biodiversity 2020' strategy and these are broken down by the different National

Character Areas (NCAs) identified by Natural England. Within Nottinghamshire there are eight NCAs including the Sherwood NCA and the Trent and Belvoir Vales NCA. At the local level, the County Council is a signatory to the Nottinghamshire Local Biodiversity Action Plan (LBAP) that aims to aid the recovery of threatened priority habitats and species.

- 3.23. Minerals extraction, particularly sand and gravel extraction in the Trent Valley, but also the extraction of resources in other parts of the County, can contribute significantly towards meeting these targets and add to the success of existing priority habitat restoration schemes. Restoration schemes should be carefully considered so that they can deliver as much LBAP priority habitat as possible and that such habitats are appropriate to the relevant National Character Area. Applicants are therefore encouraged to engage in early discussions with the County Council and other appropriate bodies in relation to restoration proposals.
- 3.24. Priority habitats that should be created or restored/enhanced in the Trent and Idle Valleys are:
- Floodplain Grazing Marsh;
 - Reedbed;
 - Marsh and Swamp;
 - Lowland Fen;
 - Wet Woodland;
 - Other habitats such as Lowland Neutral Grassland and Mixed Ash-dominated Woodland may also be appropriate in some cases, and there are also potential opportunities for Lowland Dry Acid Grassland and Oak-birch Woodland in some eastern areas of the Trent Valley.
- 3.25. Priority habitats that should be created or restored/enhanced in the Sherwood Sandstone area are:
- Lowland Heathland;
 - Lowland Dry Acid Grassland;
 - Wood pasture and parkland
 - Oak-birch Woodland;
 - Other habitats such as Marsh and Swamp may also be appropriate in some cases.
- 3.26. Priority habitats that should be created or restored/enhanced in the Magnesian Limestone area are:
- Lowland Calcareous Grassland;
 - Mixed Ash-dominated Woodland;
 - Other habitats such as Marsh and Swamp may also be appropriate in some cases.

- 3.27. LBAP priority habitats in areas where the extraction of clay, gypsum and coal takes place should reflect those habitats occurring in the vicinity and will differ depending on locality. More generally, other habitats, including Ponds and Hedgerows, can be incorporated into most restorations independent of location. It is also expected that Eutrophic Standing Waters (lakes) may be created as a result of quarrying, although this habitat should be minimised as far as possible in favour of the other habitat types listed above.
- 3.28. As a principle, restorations should also seek to restore more extensive areas of a small number of habitats at any one site, rather than try to create smaller areas of many different habitats, so that the value of restored areas is maximised and future management is made easier. Habitats should be re-created that are appropriate to that Natural Character Area and optimal use should be made of the soil properties and types on the site to create priority habitats. Within larger habitat types, there is also the potential for important micro-habitats.

Water Framework Directive

- 3.29. The Humber River Basin Management Plan has been prepared by the Environment Agency under the Water Framework Directive which requires all countries throughout the European Union to manage the water environment to consistent standards. The Humber River Basin District is one of the most diverse regions in England, ranging from the upland areas of the Peak District, South Pennines and the North York Moors, across the Derbyshire and Yorkshire Dales and the fertile river valleys of the Trent and Ouse, to the free-draining chalk of the Wolds. Water supports these landscapes and their wildlife and pressures that the water environment faces need to be considered.
- 3.30. Minerals development can contribute towards meeting Water Framework Directive objectives, including by facilitating improvements to water quality, riverine habitats, floodplain reconnection and improving the status of fish populations, and restoration schemes will be expected to contribute towards these objectives, where appropriate.

SP3: Climate Change

Introduction

- 3.31. The Government is committed to tackling the causes of climate change and reducing carbon emissions by 2050 so that the total emissions being generated within the UK is equal to, or less than, the amount of emissions being removed or offset, also known as the 'net zero' target. Planning can play a key role in securing reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change. This is central to the economic, social and environmental dimensions of sustainable development. Nottinghamshire County Council is committed to reducing the impact from development on climate change.
- 3.32. All new development, including minerals extraction, should therefore seek to reduce greenhouse gas emissions and avoid increased vulnerability to the impacts of climate change, including flooding, where practicable.

Policy SP3 – Climate Change

1. All minerals development, including site preparation, operational practices and restoration proposals should minimise impacts on the causes of climate change for the lifetime of the development by being located, designed and operated to help reduce greenhouse gas emissions, and move towards a low-carbon economy.
2. Where applicable, development should assist in the reduction of vulnerability and provide resilience to the impacts of climate change by:
 - a) Avoiding areas of vulnerability to climate change and flood risk. Where avoidance is not possible, impacts should be fully mitigated;
 - b) Developing restoration schemes which will contribute to addressing future climate change adaptation, including through biodiversity and habitat creation, carbon storage and flood alleviation.

Justification

- 3.33. The Nottinghamshire Sustainable Community Strategy (SCS) is committed to taking a sustainable approach to planning development that responds to the challenges of climate change and takes wider environmental considerations into account when making decisions about the location, nature and size of new development.
- 3.34. The nature and scale of new minerals development will influence the extent to which climate change resilience measures will be most effective and appropriate.

Mineral development can provide a number of opportunities to mitigate and adapt to the impacts of future climate change.

3.35. This could include:

- Restoration of mineral sites and restoration schemes that include measures such as flood water storage, the creation of biodiversity habitats, living carbon sinks, and wider ecosystem services
- The use of on-site renewable energy installations
- The use of energy efficient plant
- The use of sustainable modes of transport, low emission vehicles, travel plans
- Sustainable Drainage Systems (SuDS), water efficiency and adaptive responses to the impacts of excess heat and drought
- Measures to improve water quality where feasible.

3.36. Other measures may include the sustainable use of resources through the use of recycled and secondary aggregates in the construction industry.

3.37. Any potential for cumulative impacts on climate change as a result of the nature and scale of new minerals development should also be taken into consideration. Policy DM8 specifically covers the issue of cumulative impact.

3.38. This policy does not presume against the future extraction of energy minerals. Indigenous mineral extraction has potential benefits in environmental and climate change terms.

SP4: Sustainable Transport

Introduction

- 3.39. Most minerals extracted in Nottinghamshire are currently transported by road, as this is often the cheapest and most flexible way of serving a diverse range of markets. Historically some sand and gravel has been transported by barge and there may be potential for some minerals to be moved by water, rail or pipeline in future.
- 3.40. Minerals development therefore has the potential to generate large volumes of HGV traffic which can have adverse impacts on local communities in terms of noise, air pollution, vibration and dust. Increased levels of traffic can also cause potential safety issues for other road users and increase the level of greenhouse gas emissions impacting on the climate.
- 3.41. When dealing with proposals for future mineral extraction consideration needs to be given to the distances over which minerals need to be transported, how they are to be transported, and assess the likely impacts on the natural and built environment, climate, local amenity and quality of life. In order to minimise any possible transport related impacts, alternative, more sustainable forms of transport will be encouraged.

Policy SP4 – Sustainable Transport

1. All mineral proposals should seek to maximise the use of sustainable forms of transport, including barge, rail and pipeline, within both the operational and restoration phases, where practical and economic.
2. Where it can be demonstrated that there is no viable alternative to road transport, all new mineral working, including extensions to existing sites, and mineral related development should be located as follows:
 - a) within close proximity to existing or proposed markets to minimise transport movement; and
 - b) within close proximity to the County's main highway network and existing transport routes in order to avoid residential areas, minor roads, and minimise the impact of road transportation.

Justification

- 3.42. Minerals in Nottinghamshire are predominantly transported by road, generating significant HGV movements which can impact on local amenity, environmental quality and climate issues. The National Planning Policy Framework highlights the importance of reducing both greenhouse gases and congestion. Consequently, developments which generate significant movement should be located so as to minimise the need for travel and maximise the use of sustainable means of transport.
- 3.43. Wherever possible therefore, minerals sites should be located close to their end market in order to minimise overall transport distances. However, this will not always be feasible where the site is needed to supply a regional or national market and so the promotion of alternative, more sustainable forms of transport such as barge or rail transport is important.
- 3.44. Sand and gravel is a relatively low-cost mineral and is not generally cost effective to transport over long distances. However, it can be transported economically over long distances by water. Barge transport has historically been used to transport sand and gravel along the River Trent to Yorkshire and Humberside from Besthorpe quarry north of Newark. Studies have shown there is potential to increase water-borne freight on parts of the river. However, restrictions on barge sizes upstream of Cromwell Lock may restrict the viability of barging minerals upstream to Nottingham from the Newark area.
- 3.45. Rail transport of minerals is possible, but expensive, and therefore only likely to be viable over very long distances. Its potential use will also depend upon whether there is sufficient infrastructure and capacity on the rail network. Pipelines and conveyors can be used to move minerals on-site from the extraction area to the processing plant reducing the need to use heavy machinery minimising noise and dust. In certain cases it may be possible to use conveyors or pipelines to import fill materials such as power station ash on to quarries as part of the restoration although this is only possible if the source of the material is close by.
- 3.46. Where road transport is necessary, sites should be located close to the main highway network in order to minimise potential impacts on local communities and Nottinghamshire's environment. In line with national policy, proposals should be accompanied by a Transport Assessment or Transport Statement to set out the transport issues associated with the proposed development and what measures will be needed to manage those issues. This may include improvements to the existing transport infrastructure to improve junction visibility or vehicle capacity, or the use of routeing agreements to control traffic movement and direct vehicles away from sensitive areas such as residential areas or important habitats. This can be achieved by the use of planning conditions or legal (S106) agreements where appropriate (see Policy DM11). Policy DM9 considers highway safety and vehicle movements/routeing in more detail.

SP5: The Built, Historic and Natural Environment

Introduction

- 3.47. Mineral extraction by its very nature can have a detrimental impact on the natural and built environment, albeit temporary in nature. Nevertheless, mineral extraction can also bring about many environmental benefits. The restoration of worked out quarries can significantly increase biodiversity, provide increased access and recreational opportunities or return the land to agriculture. All minerals related development should therefore be designed, operated and restored to the highest standards to minimise potential impacts.

Policy SP5 – The Built, Historic and Natural Environment

All mineral development proposals will be required to deliver a high standard of environmental protection and enhancement to ensure that there are no unacceptable impacts on the built, historic and natural environment. The consideration of impacts will include effects on:

- Nature conservation (designated and non-designated sites/species);
- Sites of geological interest;
- Heritage assets (designated and non-designated) and their setting and other cultural assets;
- Landscape and townscape character;
- Best and most versatile agricultural land and soils;
- Air quality;
- Water quality and supply;
- Flood risk;
- Highways;
- Infrastructure;
- Community amenity.

Justification

- 3.48. Minerals development has the potential to impact on both the built and natural environment and proposals will need to consider the full range of possible impacts. More detailed criteria that may apply to individual sites are set out within the specific Development Management policies in Chapter 5.

Nature conservation

- 3.49. The County contains important habitats and species and it is essential these areas are maintained for future generations. The most important areas are protected by international, national or local designations. At present the County has 1 possible potential Special Protection Area, 1 Special Area of Conservation (SAC), 1 National Nature Reserve (NNR), 67 Sites of Special Scientific Interest (SSSI), 64 Local Nature Reserves (LNR), over 1400 Local Wildlife Sites (LWS) (formally

known as Sites of Importance for Nature Conservation (SINCs) and around 130 Local Geological Sites (formally known as Regionally Important Geological Sites (RIGs)).

- 3.50. Outside these designated sites, areas of habitat and populations of species of national conservation importance also exist; Habitats of Principal Importance for Conservation in England ('Habitats of Principal Importance') are those identified through Section 41 of the Natural Environment and Rural Communities Act (2006); similarly, this legislation also identifies Species of Principal Importance for Conservation in England ('Species of Principal Importance'). A number of additional species and habitats are also identified as local conservation priorities through their inclusion in the Nottinghamshire Local Biodiversity Action Plan (LBAP).
- 3.51. It is therefore important to ensure that new minerals development is managed to ensure that adverse impacts on designated sites, or priority habitats and species, are minimised. Policy SP2 promotes a biodiversity-led restoration approach which seeks to maximise the biodiversity gains, and to achieve a net gain in biodiversity, through the restoration of mineral sites.

Geology

- 3.52. As well as those sites designated specifically for their nature conservation interest, the County also has 130 Regionally Important Geological/ Geomorphological sites (RIGs). Some of these sites have come about as a result of mineral working and it is important that future minerals development conserves and, where possible, enhances such sites.

Heritage and cultural assets

- 3.53. Nottinghamshire is not only rich in minerals, but also has an extensive historic environment. Mineral extraction by its very nature can destroy archaeological sites and features, however, where sites are properly investigated and recorded it can provide major opportunities to understand the County's rich archaeological heritage and what they say about the past.
- 3.54. There are currently over 18,000 archaeological sites and historic features in Nottinghamshire registered on the Historic Environment Record, including:
- National designations:
 - 3,700 listed buildings
 - Over 150 scheduled monuments (including Creswell Crags which is on the UNESCO tentative list for inscription as a World Heritage Site)
 - 19 Registered Parks and Gardens
 - 1 Battlefield

Local designations:

- 174 Conservation Areas

- 3.55. Mineral extraction may affect the setting of heritage assets, be they buried remains, buildings, landscapes or places and extraction can cause change in the character of the landscape.
- 3.56. National policy states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. In considering the impact of proposed development on the significance of designated heritage assets, great weight should be given to the asset's conservation. Where development would directly or indirectly affect non-designated heritage assets, planning decisions will need to have regard to the scale of any harm or loss and the significance of the heritage asset.

Landscape

- 3.57. The landscape character of Nottinghamshire is complex and has been created from the interaction of natural and man-made influences, such as geology, soil, climate and land use. All landscapes hold value, with some having the potential to be improved and restored. Mineral working has the potential to change the landscape, but sensitive, high quality, restoration can also help to improve existing landscapes, especially those which may be of a lower quality.

Agricultural land and soil

- 3.58. Much of the County's land is in agricultural use. It is a vital natural and economic resource that needs to be protected from unsuitable development. Minerals can only be worked where they are found, and this can often involve large areas of agricultural land. This means that a balance has to be made between the need for the mineral and the protection of the agricultural land.
- 3.59. Agricultural land quality varies from place to place and is often heavily influenced by the underlying geology. The Agricultural Land Classification (ALC) system provides a method for assessing the quality of farmland to enable informed choices to be made about its future use within the planning system. The ALC system classifies land into five grades, with Grade 3 subdivided into Subgrades 3a and 3b. The best and most versatile land is defined as Grades 1, 2 and 3a. The majority of sand and gravel extraction in the Trent and Idle Valleys will result in the substantial permanent loss of agricultural land to wetland which along, with other development pressures, is causing a continuous erosion of the County's finite agricultural resources. However, appropriate management and restoration of mineral workings can secure the safeguarding of best and most versatile soils

Air quality

- 3.60. Minerals development can have an adverse impact on air quality from dust, plant or vehicle emissions, which could potentially adversely affect residential amenity. Air pollution could also potentially adversely affect ecosystems and biodiversity, especially where it could have an impact on sites designated for their biodiversity value. However, appropriate site management of mineral workings to control dust and emissions can minimise such impacts.

Flooding

- 3.61. Flooding from rivers is a natural process that plays an important role in shaping the natural environment. However, flooding threatens life and causes substantial damage to property and infrastructure. Although flooding cannot be wholly prevented, its impacts can be greatly reduced through good planning and management. Such planning will have to take account of the impacts of potentially more extreme flood events.
- 3.62. National policy requires all local plans to take flood risk into account and where possible to direct development to areas of lower risk. For some minerals, especially alluvial sand and gravel, this may not always be possible and development in the floodplain will be unavoidable, as has occurred on a large scale in the Trent and Idle Valleys. Priority should be given to those options that pose the least risk and/or provide opportunities to improve flood defences and flood storage capacity.
- 3.63. In order to appraise these risks, the County Council has undertaken a Strategic Flood Risk Assessment (SFRA). The aim of the SFRA is to map all forms of flood risk and use this as an evidence base to locate new development wherever possible in low flood risk areas.
- 3.64. Major flood risks exist along the Trent Valley and its tributaries and these risks may be increased by climate change.
- 3.65. Future mineral extraction within high risk areas is unlikely to be avoidable but mineral restoration schemes can in some cases provide opportunities to reduce flood risks.

Infrastructure

- 3.66. Nottinghamshire has an extensive physical network of transport, communications, water, energy, and waste infrastructure. Mineral working provides the raw materials to maintain much of this essential infrastructure, but it is important that the process of mineral extraction does not compromise the operation of existing or planned future infrastructure. When considering development proposals, consultation with the utility companies, rail operators and other network providers

will be required to identify potential risks and to ensure appropriate safeguards and/or mitigation measures. This is likely to include the need for appropriate stand-offs from overhead or underground transmission cables, buried or surface pipelines and rail infrastructure.

Highways

- 3.67. The majority of minerals are transported by road due to the relatively short distances to local or regional markets. Minerals proposals therefore need to take into account the likely impacts upon both the local highway network and nearby communities arising from increased levels of traffic. Potential impacts could include congestion, road safety, noise, dust, and vehicle emissions. National policy requires all development that is likely to generate significant amounts of movement to be accompanied by a Transport Assessment or Transport Statement which should include details of how potential impacts will be minimised. However, development should only be prevented or refused on transport grounds where the residual cumulative impacts are severe. Further details in relation to potential impacts on highway safety and vehicle movements are set out in Policy DM9.

Community amenity

- 3.68. Minerals extraction by its very nature can have significant effects on the existing environment and the amenity of those living nearby and visiting Nottinghamshire. It is therefore important that proposals for new minerals development take into account the potential issues to ensure that where possible they are avoided in the first instance. Potential impacts include noise, dust, increased levels of traffic and loss of landscape. Further details in relation to potential impacts on amenity are set out in Policy DM1.
- 3.69. National guidance seeks to ensure that the environmental effects of minerals extraction such as noise and dust should be controlled, mitigated or removed at source. This includes information on the proximity of minerals workings to communities, dust emissions and noise standards limits.

Water

- 3.70. Minerals development by its very nature will at some point affect surface and or ground water resources. This could be as a result of pumping water from areas where mineral is worked below the water table or where mineral is extracted in the flood plain. These activities could have impacts on a much wider area than just the boundary of the proposal. It is therefore important that these impacts are avoided and reduced through good design and site management.

Environmental Impact Assessment

- 3.71. Environmental Impact Assessment (EIA) regulations require an assessment of the likely significant environmental effects of some minerals development. EIA is undertaken by developers as a means of drawing together, in a systematic way,

an assessment of the likely significant environmental effects of certain types of minerals proposals.

- 3.72. Where there is a possibility that a proposed mineral development will require an EIA, developers are advised to consult the County Council well in advance of a planning application, and formally request an opinion on whether an EIA is required and, if so, the scope of such an assessment.

SP6: The Nottinghamshire Green Belt

Introduction

- 3.73. Nottinghamshire has one Green Belt which is located in the southern part of the County which comprises of an area of more than 43,000 ha and covers land around Greater Nottingham, Nottingham City and rural village areas. The Green Belt was principally designated to prevent coalescence between Nottingham and Derby.

Policy SP6 – The Nottinghamshire Green Belt

Proposals for mineral extraction and associated development will be supported where this maintains the openness of the Green Belt and the purposes of including land within it.

Inappropriate development will not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Site restoration proposals should seek to enhance the beneficial use of the Green Belt.

Justification

- 3.74. Minerals can only be worked where they are found. The majority of south Nottinghamshire's remaining sand and gravel resource is found in the Trent Valley area within the Green Belt. However, this resource is also geographically well placed to serve existing and future markets in Nottingham and the surrounding urban area.
- 3.75. National policy states that minerals extraction is not inappropriate in the Green Belt where this preserves its openness and does not conflict with the purposes of including land within it. The purposes of the Green Belt as defined in national policy are:
- To check the unrestricted sprawl of large built up areas;
 - To prevent neighbouring towns merging into one another;
 - To assist in safeguarding the countryside from encroachment;
 - To preserve the setting and special character of historic towns; and
 - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land
- 3.76. Suitably designed, landscaped and restored mineral working is capable of being accommodated with the Green Belt where this does not conflict with national

policy. Proposals will need to demonstrate that the location, scale and impacts of the development will not harm the openness of Green Belt or the purpose of including land within it. This could include consideration of the potential impacts of both the working area and any ancillary fixed or mobile plant and site infrastructure (e.g. site office, weighbridge, welfare facilities) and how the site will look once restored.

- 3.77. Development proposals that would harm the openness of the Green Belt are inappropriate and will only be approved where there are very special circumstances that would outweigh the potential harm to the Green Belt. Proposals for associated industrial development are likely to be inappropriate.
- 3.78. Following mineral extraction, sites should be restored to a use compatible with Green Belt objectives and seek to enhance its beneficial use. This could include opportunities for biodiversity gains, measures to enhance existing landscapes and visual amenity and to increase public access and opportunities for outdoor sport and recreation.
- 3.79. National policy also requires local planning authorities to safeguard existing, planned and potential sites for: the bulk transport, handling and processing of minerals; the manufacture of concrete and concrete products; and the handling, processing and distribution of substitute, recycled and secondary aggregate material.

SP7: Minerals Safeguarding, Consultation Areas and Associated Minerals Infrastructure

Introduction

- 3.80. Minerals can only be worked where they are found. In the plan area, potential mineral working areas may be limited by landscape and environmental designations or existing settlements; there may also be competition from non-minerals development. The National Planning Policy Framework requires that known locations of specific minerals be safeguarded from needless sterilisation by non-minerals development (such as built development) and that where it is necessary for non-minerals development to take place, there should be prior extraction of the mineral where practicable and environmentally feasible.

Policy SP7: Minerals Safeguarding, Consultation Areas and Associated Minerals Infrastructure

Minerals Safeguarding Areas

1. Locally and nationally important mineral resources, permitted reserves, allocated sites and associated minerals infrastructure will be safeguarded from needless sterilisation by non-minerals development through the designation of minerals safeguarding areas as identified on the Policies Map.
2. Non-minerals development within minerals safeguarding areas will have to demonstrate that mineral resources will not be needlessly sterilised as a result of the development and that the development would not pose a serious hindrance to future extraction in the vicinity.
3. Where this cannot be demonstrated, and where there is a clear and demonstrable need for the non-minerals development, prior extraction will be sought where practicable.

Minerals Consultation Areas

4. District and Borough Councils within Nottinghamshire will consult the County Council as Minerals Planning Authority on proposals for non-minerals development within the designated Mineral Consultation Area, as shown on the Policies Map.
5. The Minerals Planning Authority will resist inappropriate non-minerals development within the Minerals Consultation Areas.
6. Where non-minerals development would cause an unacceptable impact on the development, operation or restoration of a permitted minerals site, mineral allocation, or associated minerals infrastructure, suitable mitigation should be provided by the applicant prior to the completion of the development.

Justification

- 3.81. The Minerals Safeguarding Areas (MSA) identify the mineral resources which are worthy of safeguarding and the Minerals Consultation Area (MCA) identify the areas within Nottinghamshire where the District and Borough authorities are required to consult the Mineral Planning Authority over non-minerals development. The NPPF encourages the prior extraction of minerals before alternative uses are permitted. In Nottinghamshire the safeguarding and consultation areas are identical (with the exception of Colwick Wharf) and as such one map has been produced and is included on the Minerals Policies Map.
- 3.82. The mineral safeguarding approach does not seek to predict how much mineral is likely to be needed over the plan period but safeguards the viable mineral resource. Viability will change over time. With increasing scarcity, resources that are currently considered non-viable will become increasingly viable. However, the entire mineral resource is not safeguarded; it is only the most meaningful and best current estimate of viable resources which has been safeguarded for future assessment and possible use. See Plan 4 below.
- 3.83. For the purposes of safeguarding, Nottinghamshire has eight distinct mineral resources. These are:
- Sand and gravel
 - Sherwood Sandstone
 - Alluvial Sand and Gravel;
 - Limestone(including building stone);
 - Industrial dolomite;
 - Brick Clay;
 - Gypsum;
 - Surface Coal
- 3.84. Not every non-mineral development proposal within or close to a Minerals Safeguarding and Consultation Areas represents a risk to future minerals extraction. The main risks will arise from proposals to extend built up areas and new development in the open countryside, as such; the following categories of development are exempt from both consultation and safeguarding:
- Development which is in accordance with adopted District/Borough Local Plan allocations which took account of minerals sterilisation and where prior extraction is not feasible or appropriate;
 - Temporary development;
 - Householder planning applications (except for new dwellings);
 - All applications for advertisements;
 - Infill development;
 - Reserved matters; and
 - Prior notifications (telecoms, forestry, agriculture, demolition).

- 3.85. The British Geological Survey Resource Map (2013) provides information on the County's resources but excludes minerals that can only be worked by underground methods, such as deep mined coal, oil and gas and some gypsum deposits.
- 3.86. It is expected that the developer will carry out the necessary site investigations to prove the mineral resource. These will take into account factors such as the availability of the mineral, its relative scarcity, the timescale for the development going ahead, the possible extraction of the mineral and the viability of such extraction.
- 3.87. It is accepted that there may be circumstances where prior extraction may not be appropriate. In these cases the County Council would expect the developer to demonstrate that:
- The mineral concerned is no longer of any value or potential value; or
 - There is an overriding need for the non-mineral development which outweighs the need for the mineral; or
 - The proposed non-minerals development site is located on the urban fringe and mineral extraction would be inappropriate in this location; or
 - The non-mineral development is of a minor nature as defined by the exemption criteria in paragraph 3.80.
- 3.88. Where prior extraction can be undertaken, an assessment should be completed to include an explanation of how this will be carried out as part of the overall development scheme.
- 3.89. Identification of minerals safeguarding areas does not provide a presumption in favour of working the mineral and is not a guarantee that there is mineral present of viable quantity or quality. The Minerals Safeguarding and Consultation Areas are identified on the Minerals Policies Map and reflected in each Nottinghamshire District/Borough Adopted Local Plan Policies Maps.
- 3.90. The NPPF states that planning policies should also safeguard existing, planned and potential sites for: the bulk transport, handling and processing of minerals; the manufacture of concrete and concrete products; and the handling, processing and distribution of substitute, recycled and secondary aggregate material. In two-tier administrative areas such as Nottinghamshire, responsibility for safeguarding sites for the storage, handling and transport of minerals rests largely with the district or borough planning authority except where these facilities and sites are located at quarries or aggregate wharves or rail terminals.

Bulk transport - wharves and railheads

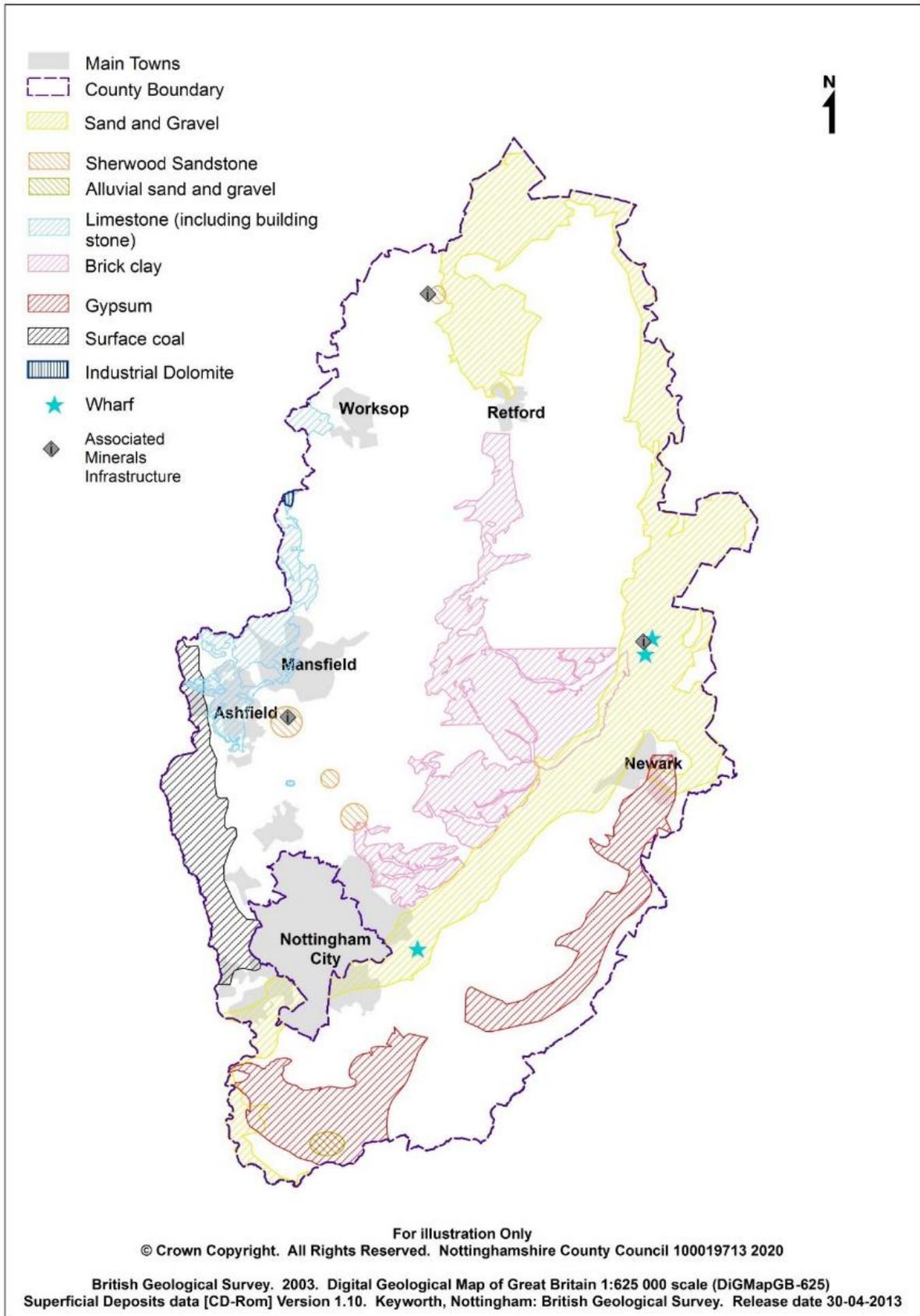
- 3.91. Nottinghamshire does not currently contain any rail heads or rail links to quarries, however, three river wharves are located within the County:
- Besthorpe – this wharf is directly linked to Besthorpe quarry and has been used to transfer sand and gravel by barge to South Yorkshire. It is not currently in use however it remains an important piece of infrastructure that could be used in the future.
 - Colwick – this is a general-purpose wharf that has been used as a river dredging transfer facility.
 - Cromwell – this is a general-purpose wharf that has been used as a river dredging transfer facility that is accessed through a previously worked quarry.
- 3.92. All three wharves are being safeguarded and these are identified on the policies map.

Secondary Processing Facilities

- 3.93. Secondary processing facilities such as concrete batching plants, coated road stone and aggregates recycling facilities provide materials to maintain both existing infrastructure and new developments. These facilities are relatively small in nature and, whilst some are located within existing mineral workings, many are stand-alone facilities located on industrial estates permitted by the District or Borough Councils. Foot note? To read Aggregates recycling facilities are safeguarded within the Council's separate Waste Local Plan'
- 3.94. Those facilities located within permitted minerals workings, and therefore within the control of the County Council, will be safeguarded in accordance with Policy SP7 part 1. However, stand-alone facilities permitted by a District or Borough Council, and which are not specifically linked to the existing minerals workings, should be safeguarded by the relevant District or Borough Council in line with national policy and guidance. These are shown for information within the Council's Annual Monitoring Report.
- 3.95. Most District and Borough Council Local Plans contain policies designed to protect existing employment land and these types of facilities would also be safeguarded by the 'agent of change' principle set out in paragraph 182 of the NPPF. This states that existing businesses and facilities should not have unreasonable restrictions placed on them by new development permitted after they were established and that the applicant (or 'agent of change') should be required to provide suitable mitigation before the development is completed.

- 3.96. The County Council will respond to non-mineral development applications when consulted by District and Borough Councils to highlight safeguarding issues where these arise.

Plan 4: Minerals Safeguarding and Associated Minerals Infrastructure



4. Minerals Provision Policies

Introduction

- 4.1. As explained in Chapter 3, minerals resources are very important to the County and a steady and adequate supply of minerals to meet future needs has to be planned for. Strategic policy SP4 sets the overall context for future mineral provision whilst the minerals provision policies set out within this chapter identify how and where these needs will be met for the different types of aggregate, industrial and energy minerals.
- 4.2. In most cases, existing sites which have not yet been worked out will meet some of this demand, but the policies show where additional provision will be needed to make up any expected shortfall. Where a shortfall is identified, this will be met from a combination of new and/or extended sites. Suitable extensions to existing sites will be supported in line with strategic objective (SO1) to improve the sustainability of minerals development.
- 4.3. In order to identify the range of sites that could be available for mineral extraction over the plan period the council has worked with the minerals industry and local landowners to understand the location of workable mineral resources across the County. In response to a 'call for sites' exercise, mineral operators and landowners submitted a range of sites for which there were inferred minerals resources. This included both new sites and extensions to existing sites.
- 4.4. These sites have been carefully assessed to decide which are the most suitable and realistic options to allocate in the Plan. The sites which are allocated are shown in Policies MP2-12. The justification text following each policy includes more detail about each site and how they relate to any existing permitted site. Full details of the site assessment process is set out in the Site Selection Methodology and Assessment document. All proposals for mineral provision will also be considered against the Development Management Policies in Chapter 5 of the Plan and so will be subject to environmental, transport and other considerations.
- 4.5. All of the sites will be subject to site allocation development briefs which will deal with site specific issues, including how the sites should be restored. These individual site development briefs are included in Appendix 2.

MP1: Aggregate Provision

Introduction

- 4.6. Aggregates make a significant contribution to the construction industry, accounting for around 90% of the materials used. In England alone, nearly a quarter of a billion tonnes are consumed every year. Sustaining this level of demand is of national concern and raises major planning and environmental issues. The NPPF requires all Minerals Planning Authorities to provide a steady and adequate supply of minerals to meet demand and to maintain a certain level of permitted reserves, known as the landbank.
- 4.7. The NPPF also states that Minerals Planning Authorities should take account of any published national and sub national guidelines on future provision when planning for the future demand for and supply of aggregates. The most recent guidelines were published by the Department for Communities and Local Government in 2009, however it was decided at the 2013 East Midlands Aggregates Working Party meeting that the 2009 figures were considered out of date and should not be taken into account when determining new apportionment figures.
- 4.8. Nottinghamshire has historically been a significant producer of sand and gravel the East Midlands, most of which comes from the Trent and Idle Valleys. This river or 'alluvial' mineral is mainly used in the production of concrete. Building and asphaltting sand is produced from the Sherwood Sandstone resource but in much smaller quantities. Nottinghamshire's limestone production is relatively small, accounting for just 0.1% of the regional output, reflecting the County's limited resource of this mineral.

Policy MP1: Aggregate Provision

1. To meet identified levels of demand for aggregate mineral over the plan period (2018-2036) the following provision will be made:
 - 32.30 million tonnes of Sand and Gravel
 - 7.03 million tonnes of Sherwood Sandstone
 - 0.09 million tonnes of crushed rock
2. The County Council will make provision for the maintenance of landbanks of at least 7 years for sand and gravel, 7 years for Sherwood Sandstone and 10 years for crushed rock, whilst maintaining a steady and adequate supply over the plan period.
3. Proposals for aggregate extraction outside those areas identified in policies MP2, MP3 and MP4 will be supported where a need can be demonstrated.

Justification

- 4.9. The National Planning Policy Framework requires MPAs to produce a Local Aggregates Assessment (LAA) on an annual basis. This assesses both the demand for and supply of aggregates based on the average of the last 10 and 3 year sales data. This takes into account all possible supply options including the availability or otherwise of secondary or recycled aggregates as well as land-won sources. It also takes account of any significant local infrastructure projects that are taking place, or planned, and any opportunities or constraints that might influence future aggregate production.
- 4.10. MPAs are also required to work with other local Mineral Planning Authorities through an Aggregate Working Party to ensure that the approaches taken remain consistent and adequate supply is maintained. Nottinghamshire is part of the East Midlands Aggregate Working Party.
- 4.11. Based on the findings of the Local Aggregates Assessment published in October 2017 (December 2016 data) demand over the plan period has been calculated. For this exercise the plan period covers a 19-year period from 2018-2036. Tables 1 and 2 set out the production figures and demand over the plan period.

Table 1 Annual aggregate production (million tonnes)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Sand and gravel	2.97	2.37	1.27	1.56	1.71	1.55	1.39	1.43	1.52	1.27
Sherwood Sandstone	0.55	0.46	0.32	0.32	0.35	0.36	0.34	0.34	0.38	0.32
Crushed rock	0.03	0.02	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Table 2 LAA Average Production Figure and Estimated Total Aggregate Demand (million tonnes)

	LAA derived annual production figure	Estimated demand 2018-2036 (19 years)
Sand and gravel	1.7	32.3
Sherwood Sandstone	0.37	7.03
Crushed rock	0.005	0.095

- 4.12. Some of the estimated demand shown in Table 2 above, can be met from remaining permitted reserves (i.e. the mineral that is left in existing quarries that

can still be worked). However, for most minerals, this will not be sufficient to cover the whole of the plan period and additional reserves will need to be permitted in order to make up the shortfall.

- 4.13. For each of the minerals (sand and gravel, Sherwood Sandstone and crushed rock) the shortfall has been calculated by deducting the estimated level of permitted reserves from the total amount of aggregate required over the life of the Plan. However, it is important to remember that the level of permitted reserves can change over time as minerals operators re-assess the available reserves at each site. The level of remaining reserves will also be affected by any change in the annual output from each site. This highlights the importance of annual monitoring as set out in Chapter 6.
- 4.14. One of the most important indicators for aggregates is to assess how long the current stock of permitted reserves is likely to last. This is known as the 'landbank'. All MPAs are required to maintain a landbank of at least seven years' worth of sand and gravel reserves and ten years' worth of crushed rock reserves. The average production figures set out in the LAA will be compared against the permitted reserves of aggregates to monitor the level of the landbanks. If permitted reserves fall significantly below the required amount this could trigger a review of this section of the plan. Further information is available in the monitoring chapter.
- 4.15. The specific provision policies MP2 – MP4, below, show how the Plan will meet the anticipated shortfalls for each aggregate mineral and how the proposed sites have been selected

MP2: Sand and Gravel Provision

Introduction

- 4.16. In geological terms the sand and gravel resource is extensive, located in the Trent and Idle River valleys. Within the Trent Valley, production has historically been concentrated around Nottingham and Newark. This pattern has developed at least in part in response to a need to be close to the main markets for the mineral (due to sand and gravel being a low-cost bulk material, meaning that haulage is a significant element of its cost). Currently between a third to a half of the County's production supplies markets in Yorkshire and Humberside, which the Idle Valley is well placed to serve.

Policy MP2: Sand and Gravel Provision

1. An adequate supply of sand and gravel will be identified to meet expected demand over the plan period from:
 - a) The extraction of remaining reserves at the following permitted quarries:

 - MP2a Newington South
 - MP2b Finningley
 - MP2c Sturton Le Steeple
 - MP2d Bawtry Road
 - MP2e Cromwell
 - MP2f Besthorpe
 - MP2g Girton
 - MP2h Langford Lowfields
 - MP2i East Leake
 - MP2j Scrooby South
 - b) The following extensions to existing permitted quarries: (million tonnes)

MP2k Bawtry Road West	0.18mt
MP2l Scrooby Thompson Land	0.06mt
MP2m Scrooby North	0.56mt* (0.62mt)
MP2n Langford Lowfields North	4.70mt* (8.00mt)
MP2o Besthorpe East	3.30mt
 - c) New sand and gravel quarries:

MP2p Mill Hill nr Barton in Fabis	3.0mt**
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Note: The above sites are shown on the Policies Map

Proposals to extract specialist grey sand reserves will be supported where a need can be demonstrated.

Planning applications for site allocations should be made in accordance with the site development briefs set out in Appendix 2

* Available within the plan period (total estimated reserves in brackets).

**Excludes potential reserves within the Nottingham City administrative area.

Justification

- 4.17. Based on the average production figures set out in the aggregate provision policy MP1, the plan needs to provide an estimated 32.3 million tonnes of sand and gravel over the plan period (see Table 2).
- 4.18. As of December 2016, permitted sand and gravel sites reserves (MP2a-j) located in the county stood at 17.5 million tonnes. Whilst these sites will initially help to maintain a seven-year landbank and ensure continuity of supplies, there is a need to secure additional reserves over the Plan period.
- 4.19. The estimated sand and gravel shortfall over the plan period will therefore be 14.8 million tonnes of sand and gravel up to 2036.
- 4.20. Planning permission was granted to extend Langford Lowfields quarry (south and west) in 2018, which had been allocated within Policy MP2 in previous versions of the plan. This permission has extended the life of the existing permitted Langford Lowfields quarry, which will continue to provide sand and gravel over the plan period. This permission therefore increases the level of permitted reserves of sand and gravel by 3.6 million tonnes to 21.1 million tonnes, reducing the shortfall over the plan period 11.8 million tonnes.
- 4.21. As a result, Policy MP2, allocates 5 extensions to existing quarries (MP2k-o) and 1 new quarry (MP2p) which total 11.8 million tonnes.
- 4.22. Table 3 below sets out a summary of the site allocations and how each is expected to contribute towards the sand and gravel shortfall over the plan period. A delivery schedule, which looks at how each of the extensions and new site will contribute to the shortfall, can also be found in appendix 1.
- 4.23. Given that sand and gravel can only be worked where it is found, a geographical spread of sites has been identified to enable the continued supply of sand and gravel to the different market areas to minimise the wider impacts of HGV transport.

Table 3 Contributions to the sand and gravel shortfall over the plan period

Site	Location	Reserves (million tonnes)	Operational period (inclusive)
Extensions			
MP2k Bawtry Road west	Idle Valley	0.18	2026-2031
MP2l Scrooby, Thompson Land	Idle Valley	0.06	2019-2029
MP2m Scrooby North	Idle Valley	0.56*	2023- beyond plan period
MP2n Langford Lowfields north	Newark	4.70*	2026 - beyond plan period
MP2o Besthopre East	Newark	3.30	2020 – 2036
New site			
MP2p Mill Hill nr Barton In Fabis	Nottingham	3.0**	2021-2033
Total		11.8	

*available within the plan period

** Excludes potential reserves within the Nottingham City administrative area

Misson Grey Sand

- 4.24. Deposits of grey building sand occur erratically in the Misson area, sometimes below the main sand and gravel resource and sometimes at the surface. Historically, this grey sand has been worked on a relatively small scale. This sand is used as grey mortar sand, which has a premium value because most local mortar sands are red and yellow being derived from the Sherwood Sandstone.
- 4.25. Although counted as sand and gravel in planning and landbank terms, it would be inappropriate to treat it as part of the normal sand and gravel resource when assessing 'need'. This is because the grey sand serves a particular niche market which alluvial sand and gravel cannot meet. It is therefore reasonable to allow continued production of this sand, irrespective of the prevailing Countywide sand and gravel landbank.

Site Information

Existing Permitted Quarries and proposed Extensions- Idle Valley

Newington South (MP2a)

- 4.26. This existing permitted site is located 2km south west of Misson Village and 3.5km north east of Bawtry. The quarry has permitted reserves which are expected to last until the end of 2019. A planning application is currently being considered which involves extracting sand and gravel from a previously unworked part of the existing permitted quarry. If granted permission this will extend the life until the end of 2022. The existing quarry is currently being restored to low lying wetland. (See appendix 3 – inset 2)

Finningley (MP2b)

- 4.27. The existing permitted quarry is located to the south east of Finningley village and crosses the border between Nottinghamshire and Doncaster Metropolitan Borough Council (MBC). The quarry has permitted reserves until the end of 2019. No further extensions to the quarry are considered possible. (See appendix 3 – inset 1)

Sturton Le Steeple (MP2c)

- 4.28. The existing permitted area is located to the east of Sturton Le Steeple village, approximately 9km south of Gainsborough. The quarry has planning permission but extraction has yet to fully commence. The quarry has planning permission to extract 500,000 tonnes per annum over a 20-year period, however the operator states that annual output is likely to be 100,000 tonnes per annum. The quarry will be restored to a combination of nature conservation including wetland, agriculture and forestry. (See appendix 3 – inset 4)

Bawtry Road (MP2d)

- 4.29. The existing permitted quarry is located between Misson to the east and Newington to the south. The quarry is expected to have sufficient permitted reserves until 2026. The quarry will be restored to agricultural land.
- 4.30. The western extension to the quarry (MP2k) is expected to be worked once existing reserves have been worked in 2026. Output will remain in line with the existing permitted quarry at approximately 30,000 tonnes per annum and will continue to use existing plant site and access. Reserves are expected to last approximately 6 years. (See appendix 3 – inset 2)

Scrooby

- 4.31. Extraction has taken place at Scrooby since the 1930s, working both sand and gravel and Sherwood Sandstone (see policy MP3 for Sherwood Sandstone). An

existing permitted Sand and gravel quarry (MP2j) has sufficient reserves until 2023. The existing processing plant remains in use.

- 4.32. Two extensions to this quarry are allocated. Both would utilise the existing processing plant and site access.
- 4.33. The Scrooby Thompson Land (MP2l) is expected to be worked in 2020 and 2021. The quarry would be worked at a rate of approximately 40,000 tonnes in 2020 and 20,000 tonnes in 2021.
- 4.34. The Scrooby north quarry (MP2m) will be worked from 2023 at an approximate output of 40,000 tonnes per annum. (See appendix 3 – inset 3)

Existing Permitted Quarries and Proposed Extensions- Newark Area

Cromwell Quarry (MP2e)

- 4.35. The existing quarry is located to the north-east of Cromwell village alongside the A1, nine kilometres north of Newark and is currently being worked. Due to the quarry's location close to the A1, mineral can be transported to northern or southern markets.

Besthorpe Quarry (MP2f)

- 4.36. The existing quarry is located to the north west of Besthorpe village near Newark. The quarry has sufficient permitted reserves until the end of 2020. Output at the quarry is approximately 150-200,000 tonnes per annum. Historically a proportion of the sand and gravel produced at the quarry was barged up the river to the Europort at Wakefield. However, this has not taken place for a number of years. The site is predominantly being restored to wetland habitats and is being managed by Nottinghamshire Wildlife Trust. (see appendix 3 - Inset 8)
- 4.37. The eastern extension to the quarry (MP2o) is expected to be worked once existing reserves have been extracted. Output will remain in line with the existing permitted quarry and will use the existing plant site. Estimated reserves total 3.3mt and are expected to last 16 years.

Girton Quarry (MP2g)

- 4.38. The existing quarry is located 8km north of North Collingham and 16km from Newark. The quarry is currently 'mothballed' but has permission until 2036. Sand and gravel is being worked from existing stockpiles at around 50,000 tonnes per annum but this is expected to increase to 100,000 in approximately 2020 when the quarry is expected to re-open. The quarry will be restored back to agriculture and wetland conservation. (See appendix 3 – inset 7)

Langford Lowfields Quarry (MP2h)

- 4.39. The existing quarry is located between Langford and Collingham, north of Newark. Planned output at the quarry is approximately 450,000 tonnes per annum. The quarry is being reclaimed to a major wildfowl/wetland reserve which is being managed by the RSPB. Planning permission was granted in 2018 for a southern and western extension extending the life the quarry until 2026.
- 4.40. The northern extension to the quarry (MP2n) covers 124 Ha and is expected to be worked once existing reserves have been extracted in 2026. Output will remain in line with the existing permitted quarry and will use the existing plant site. Reserves are expected to last beyond the plan period.

Existing Permitted Quarries and Proposed Extensions- Nottingham Area

East Leake Quarry (MP2i)

- 4.41. The existing permitted quarry is located 1km to the south of East Leake. The quarry has sufficient permitted reserves until the end of 2026 at an output of 180,000 tonnes per annum. The quarry is being restored to agriculture and nature conservation. One extension to the site is allocated which would utilise the existing processing plant and site access.

New greenfield quarry - Nottingham area

Mill Hill near Barton In Fabis (MP2p)

- 4.42. This allocation is for a new greenfield site that is located 6km west of Nottingham. Output from the site would be approximately 280,000 tonnes per annum. The site is expected to become operational early in the plan period and would be worked over a 12 -15 year period. The quarry would be restored using a range of habitats including floodplain grazing marsh, reed bed, low land grassland and agricultural land. The draft allocation area contains approximately 3 million tonnes of reserves, however a planning application for a larger site that also covers an area within the Nottingham City administrative area has been received by both the County and City Councils and is currently being determined. (appendix 3 – inset 16).

MP3: Sherwood Sandstone Provision

Introduction

- 4.43. Sherwood Sandstone is a specialist form of sand and gravel that is used primarily as asphalt and mortar sand. It accounts for around a sixth of the County's sand and gravel production. The Sherwood Sandstone resource covers nearly a quarter of the County, occurring as a broad belt between Nottingham and South Yorkshire. This is also a major aquifer and serves as an important water source for a wide area. Different grades and colours of sands (which have varying end uses) are found in the resource, however there is no comprehensive geological information about how these are distributed.

Policy MP3: Sherwood Sandstone Provision

An adequate supply of Sherwood Sandstone will be identified to meet expected demand over the plan period from:

- a) The extraction of remaining reserves at the following permitted quarries:

	(Million tonnes)
MP3a Burntstump	1.88mt
MP3b Bestwood 2	2.74mt
MP3c Scrooby Top	0.60mt

- b) The following extensions to existing quarries.

MP3d Bestwood 2 North	0.75mt
MP3e Scrooby Top North	1.68mt* (4.83mt)

Note: The above sites are shown on the Policies Map

Planning applications for site allocations should be made in accordance with the site development briefs set out in Appendix 2

* Available within the plan period (total estimated reserves in brackets).

Justification

- 4.44. Based on the Sherwood Sandstone requirement set out in the aggregate provision policy (MP1), the plan needs to provide 7.03 million tonnes of Sherwood Sandstone over the plan period.
- 4.45. As of December 2016, there were 4 permitted Sherwood Sandstone sites which contained estimated reserves of 3.85 million tonnes. Whilst these sites will help to

maintain a seven-year landbank and ensure continuity of supplies, there is a need to secure additional reserves over the plan period.

- 4.46. Using the annual production figure included in Table 1 and the estimated Sherwood Sandstone reserves from 2016, the plan would need to provide an additional 3.3 million tonnes of Sherwood Sandstone up to 2036.
- 4.47. The plan will therefore have to allocate further reserves to make up the expected shortfall in provision. Policy MP3 therefore identifies proposed extensions at three existing sites as discussed below. The delivery schedule, in Appendix 1 shows how these extensions are expected to contribute towards the shortfall.
- 4.48. Planning permission was granted to extend Bestwood 2 quarry (eastern extension) in 2018 which increased permitted reserves by 1.44 million tonnes. This has extended the life of the existing Bestwood 2 quarry which will continue to provide Sherwood Sandstone over the plan period.
- 4.49. As a result Policy MP3, allocates 2 extensions to existing quarries (MP3d-e) which total 2.43 million tonnes.
- 4.50. Table 4 below sets out a summary of the site allocations and how each is expected to contribute towards the Sherwood Sandstone shortfall over the plan period. A delivery schedule, which looks at how each of the extensions and new site will contribute to the shortfall, can also be found in appendix 1.

Table 4 Contributions to the Sherwood Sandstone shortfall over the plan period

Site	Reserves (million tonnes)	Operational period (inclusive)
MP3d Bestwood 2 North	0.75	2029-2035
MP3e Scrooby Top North	1.68*	2022 - beyond plan period
Total	2.43	

*available within the plan period

Site Information

Burnt Stump (MP3a)

- 4.51. This existing quarry is located 3.5km west of Calverton. The quarry has planning permission until the end of 2021, although given the high level of permitted reserves the operator may apply for an extension of time in the future. Restoration will be to agriculture and woodland. (See appendix 3 – inset 13).

Bestwood 2 (MP3b)

- 4.52. This existing permitted quarry is located 1 mile south of Ravenshead and 6 miles south of Mansfield. The existing quarry has a planned output of 140,000 tonnes per annum and is due to be worked out by 2029. The site restoration will include heathland, marshland and sandstone cliff habitats.
- 4.53. A northern extension is allocated (MP3d). The allocation will be commenced once the existing permitted quarry has been worked out in 2029. Output will remain at 140,000 tonnes per annum for approximately 6 years. The existing processing plant and access will be used. (see appendix 3 – inset 12)

Scrooby Top (MP3c)

- 4.54. Extraction has taken place at Scrooby since the 1930s working both sand and gravel and Sherwood Sandstone (see policy MP2 for sand and gravel). Extraction at this site is expected to be adequate until 2022.
- 4.55. A northern extension is allocated (MP3e) The allocation covers 25 ha and will be commenced once the existing permitted reserves are worked out. Output is planned at 120,000 tonnes per annum for 40 years and will utilise the existing processing plant and access. (See appendix 3 – inset 3).

MP4: Crushed Rock (Limestone) Provision

Introduction

- 4.56. Around 60 million tonnes of limestone are extracted in Great Britain every year making it the largest mineral extractive industry in the Country¹. The majority of this is used as an aggregate, the remainder being used in the cement, chemical, glass, iron and steel industries and agriculture. Limestone is also an important source of building and ornamental stone.
- 4.57. Although the East Midlands is one of the most important limestone producing areas, Nottinghamshire's resources are relatively limited and the only permitted reserves are at Nether Langwith Quarry (currently dormant). Limestone is the only 'hard rock' of any economic interest to be found in the County and by regional standards output is very low.

Policy MP4: Crushed Rock (limestone) Provision

An adequate supply of limestone will be identified to meet expected demand over the plan period from the extraction of remaining reserves at the following permitted site:

	(Million tonnes)
MP4a Nether Langwith	3.34mt

Note: The above site is shown on the Policies Map

Justification

- 4.58. Based on the limestone requirements set out in the aggregate provision policy (MP1), the plan does not need to provide any further limestone as current permitted reserves at Nether Langwith quarry (see appendix 3 – inset 5) are adequate to cover the plan period. The quarry has planning permission until 2035 at a planned output of 250,000 tonnes per annum, however actual output has been much lower and it has not been worked for a number of years. At this point it would provide the opportunity to review the restoration scheme to ensure it is in-line with policy SP2 Biodiversity-Led Restoration.

¹ UK Minerals Statistics Yearbook 2011 British Geological Survey 2012, page 12

MP5: Secondary and Recycled Aggregates

Introduction

- 4.59. The terms 'recycled' and 'secondary' aggregate are often used interchangeably. The term 'recycled aggregates' refers to aggregates that have been used previously in construction. Recycled aggregates can comprise construction and demolition wastes, asphalt road planings and used railway ballast.
- 4.60. 'Secondary aggregates' are by-products of other processes and will not have been used previously as aggregates. They include colliery spoil, china clay waste, slate waste, power station ashes, blast furnace and steel slags, incinerator ashes and foundry sands.

Policy MP5: Secondary and Recycled Aggregates

Development proposals which will increase the supply of secondary and/or recycled aggregates will be supported where it can be demonstrated that there are no significant environmental, transport or other unacceptable impacts.

Justification

- 4.61. Government policy continues to encourage the use of secondary and recycled materials in construction in order to reduce the need for material from traditional sources. There are substantial amounts of these materials that could contribute further to aggregate supply. In order to conserve natural resources, aggregates (and products manufactured from aggregates) should be recycled wherever possible.
- 4.62. Although, there is considerable potential for using certain waste materials as secondary aggregates, large quantities either remain on site or end up in landfill. Making greater use of by-products and other waste materials will therefore also help to meet the Government's aim of reducing waste disposal to landfill. The Nottinghamshire and Nottingham Replacement Waste Local Plan sets out strategic policies to promote both temporary and permanent facilities for aggregates recycling facilities.
- 4.63. Where recycled materials are technically, economically and environmentally acceptable as substitutes for primary materials, then they should be used. It is accepted, however, that there may be problems associated with the ability of these materials to meet required British Standard specifications and that their availability or location might make their use disadvantageous in economic terms.
- 4.64. It is recognised that many of the adverse environmental effects resulting from the extraction of primary aggregates apply to the use of secondary materials. This is

because the processes are similar involving the generation of noise, dust and visual intrusion, and road transport using heavy goods vehicles. Incorporating recycling and secondary aggregate operations into an existing mineral development could also increase the overall harmful effect that the site has on the amenity of the surrounding area or could increase the life of the development beyond that which is considered acceptable.

MP6: Brick Clay Provision

Introduction

- 4.65. Brick clay refers to the clay and shale used in the manufacture of building and construction materials. In Nottinghamshire the clay extracted is used for facing bricks, pavers, roofing tiles and clay pipes, although nationally other important uses include cement production.
- 4.66. Extraction currently only takes place from the Mercia Mudstone resource to the east and south of the County. Resources do exist within the smaller Edlington Formation and Coal measures to the west of the County, however these have not been worked since the 1970s. No detailed assessment has been completed regarding the areas of the Mercia Mudstone which are best suited to brick manufacture; however, the 'Gunthorpe Formation' location close to both of Nottinghamshire's existing brick works has been identified by the current operators as particularly suitable.

Policy MP6: Brick Clay Provision

1. An adequate supply of brick clay will be identified to meet expected demand over the plan period and enable a 25-year landbank per brick works to be maintained from:
 - a) The extraction of remaining reserves at the following permitted sites:
 - MP6a Kirton
 - MP6b Dorket Head

Note: The above sites are shown on the Policies Map

2. Proposals for clay extraction outside the sites identified above will be supported where it can be demonstrated that there are insufficient reserves available to meet the 25-year landbank requirement per site and that the identified sites are not deliverable.

Justification

- 4.67. There is no national demand forecast or local apportionment for brick clay although the National Planning Policy Framework (NPPF) does require a 25-year landbank of permitted brick clay reserves to be identified for each brick works. In Nottinghamshire there are two brick works with associated clay pits operated by two national producers – Dorket Head, near Arnold, and Kirton near Ollerton. Each site is discussed below.

Site Information

Kirton (MP6a)

- 4.68. The existing brick pit is located to the east of Kirton village, 3km from New Ollerton and provides both red-firing and cream-firing clays directly to the brick works adjacent. The red-firing clay accounts for about 90% of demand. Reserves of red-firing clay are expected to be adequate until 2044. Reserves of cream-firing clay are located to the east of the brick works within a separate working area and are expected to be sufficient until at least 2030. The existing pits are being restored to agricultural land at a lower ground level. A small proportion of clay is imported from Waingroves quarry in Derbyshire for use as a blending material. (Appendix 3 – inset 6)

Dorket Head (MP6b)

- 4.69. The existing brick pit is located to the north of Arnold, ten kilometres from Nottingham. Clay from the pit is supplied directly to the brick works adjacent with permitted reserves expected to be sufficient until 2033. Part of the site is being restored to agricultural land through a landfill scheme whilst the remainder of the site will be restored to agricultural land and woodland at a lower ground level (see appendix 3 – inset 14).

New brick works and clay pits

- 4.70. Any applications for new brick works and clay pits would need to have regard to the Strategic and Development Management policies of the plan, but more particularly be considered in light of the need for the development and any potential environmental, social or economic impacts.

MP7: Gypsum Provision

Introduction

- 4.71. In Nottinghamshire two distinct gypsum resources are worked. The Marblaegis Mine at East Leake exploits the 'Tutbury Gypsum' and supplies an associated plasterboard plant and plaster works. Bantycok Quarry near Balderton, Newark exploits the 'Newark Gypsum'. The lowest seams at this site are very high quality and are the only mineral of this grade to be found in the UK. It is used in specialist plasters and a wide range of other products ranging from dentistry to food additives.
- 4.72. Since the mid-1990s national and local gypsum production has declined due to increased supplies of desulphogypsum (DSG), a by-product of flue gas desulphurisation plants that have been retrofitted at most coal fired power stations, including all three power stations in Nottinghamshire. The long-term future of desulphogypsum is uncertain as new emission controls due in the 2020s could see more coal fired power stations close or switch to other fuels. This is likely to increase the demand for natural gypsum.

Policy MP7: Gypsum Provision

1. An adequate supply of Gypsum will be identified to meet demand over the plan period from:
 - a) The extraction of remaining reserves at the following permitted sites:

MP7a	Marblaegis Mine	
MP7b	Bantycok Quarry	
 - b) The following extension to the existing Bantycok quarry:

MP7c	Bantycok Quarry South	8.5 million tonnes
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2. Proposals for gypsum extraction outside the permitted sites identified above will be supported where a need can be demonstrated.

Note: The above sites are shown on the Policies Map

Planning applications for site allocations should be made in accordance with the site development briefs set out in Appendix 2

Justification

- 4.73. There is no national demand forecast or requirement to identify a local apportionment figure for Gypsum production and it is up to the industry to identify adequate reserves to maintain production.

Site Information

4.74. Permitted reserves at the Marblaegis Mine (MP7a) are sufficient until at least 2026 and represent the full extent of the mine within Nottinghamshire. (See appendix 3 – inset 17). When these reserves are utilised, mining will move eastwards towards Wymeswold in Leicestershire.

4.75. Permitted reserves at Bantycok Quarry are currently expected to be adequate until around 2023 at current rates of extraction. (See appendix 3 – inset 15)

Bantycok Quarry South (MP7c)

4.76. A southern extension to the existing quarry is being proposed for allocation which would be worked once the existing permitted quarry has been exhausted. Output is expected to be between 350,000 – 500,000 tonnes per annum giving the quarry an additional 15-24 years. The restoration of the quarry is proposed to be largely back to agriculture in line with the existing quarry restoration.

MP8: Silica Sand Provision

Introduction

- 4.77. Silica sand is a non-aggregate form of Sherwood Sandstone that is also known as 'industrial sand'. Unlike aggregate sands, which are used for their physical properties alone, silica sands are valued for a combination of chemical and physical properties. It is used in the making of glass and creating moulds and castings in industrial processing. This sand is also used in sand blasting, adding texture to slick roads and as a raw material in production of ceramics and sports surfaces. Compared to aggregate sand, silica sand resources are much less widespread. In Nottinghamshire silica sand is found within the 'Nottingham Castle Formation'.
- 4.78. The specialist nature of silica sand products means that the market area is very large and serves local, regional and national requirements. Due to the relatively small volumes of material and the varied destinations all silica sand extracted in Nottinghamshire is currently transported by road.

Policy MP8: Silica Sand Provision

1. The extraction of remaining reserves at the following permitted sites will be utilised to contribute towards the provision of an adequate and steady supply of silica sand sufficient for at least ten years:

MP8a Two Oaks Farm

Note: The above sites are shown on the Policies Map

2. Proposals for silica sand extraction outside the sites identified above will be supported where a need can be demonstrated.

Justification

- 4.79. There is no national demand forecast or local apportionment for silica sand although the NPPF does require a 10-year landbank of permitted reserves to be identified.
- 4.80. A silica sand quarry at Two Oaks Farm (see appendix 3 – inset 11), south of Mansfield has permitted reserves of approximately 12 million tonnes which is expected to be adequate for around 40 years. This satisfies the recommended 10-year landbank per quarry (or 15 years when significant new capital is needed) set out in national policy.

MP9: Industrial Dolomite Provision

Introduction

- 4.81. Industrial dolomite is an industrial grade limestone that is mainly used in the iron and steel industry. The resource in the UK is rare and locally is only found in parts of the Magnesian Limestone which is mainly worked for aggregate grade mineral. The end market for industrial dolomite products is international due to the scarcity of this high-quality mineral.
- 4.82. No industrial dolomite is currently worked in Nottinghamshire although there are known resources in a small area near Holbeck village. Just across the County boundary at Whitwell in Derbyshire industrial dolomite is quarried alongside aggregate stone on a large scale. Typically, around 1 million tonnes are extracted every year at this quarry with the tonnage being split evenly between the industrial grade and aggregate limestone. The industrial dolomite is processed into a range of refractory and other products in the on-site kilns and then exported to 28 countries spanning 4 continents.

Policy MP9: Industrial Dolomite Provision

Proposals for industrial dolomite extraction will be supported where a need can be demonstrated.

Justification

- 4.83. There is no national demand forecast or local apportionment for industrial dolomite. However, the NPPF states that Minerals Planning Authorities should plan for a steady and adequate supply of industrial minerals. Given the scarcity of the resource and the international market it supplies it will be important to work with Derbyshire County Council in relation to the existing site at Whitwell Quarry, to ensure that this can be achieved.
- 4.84. Existing permitted reserves at Whitwell quarry in Derbyshire are expected to be adequate until 2033 for industrial dolomite and 2040 for aggregate grade limestone, however due to operational requirements further reserves are likely to be needed before this date to maintain future production.
- 4.85. No site-specific proposals for Industrial Dolomite were put forward for consideration as part of the evidence gathering process. As a result, a criteria-based policy has been included in the Plan.
- 4.86. The known industrial dolomite resource in Nottinghamshire is located close to Creswell Crags which is categorised as a Scheduled Ancient Monument, a Site of

Special Scientific Interest and forms part of the Registered Park and Garden of Welbeck Abbey. The Craggs are also identified on a short list for a potential future World Heritage Site. Therefore, any proposal would require careful consideration and assessment of the potential impacts on the historic environment offset against the international need for the mineral.

MP10: Building Stone Provision

Introduction

- 4.87. The continued quarrying of local building stones play an important role in helping to preserve the historic environment and enhancing the local distinctiveness of an area. Local stone is needed to allow existing historic buildings to be properly repaired and it also means new buildings in historic areas can blend in more effectively. The only permitted building stone quarry in Nottinghamshire quarries Bulwell Stone, a buff coloured limestone used as a building stone and more widely as a walling stone used to front many older properties in Nottingham and its suburbs.

Policy MP10: Building Stone Provision

1. The extraction of building stone at the following permitted site will be utilised to maintain future supply:

MP10a Yellowstone Quarry

2. Proposals for the extraction of building stone outside the permitted site identified above will be supported where it can be demonstrated that extraction will be primarily for non-aggregate use.

Note: The above site is shown on the Policies Map

Justification

- 4.88. National policy is reflected through Strategic Objective 7 (page 15), in that the identification of building stone quarries should be supported to ensure that adequate provision can be made to help conserve the historic built environment and local distinctiveness. Yellowstone quarry at Linby has planning permission to extract building stone but it is currently inactive. If reopened this could provide building stone to serve the local market and is the only such quarry in Nottinghamshire. (see appendix 3 – insert 11).
- 4.89. To date no other sites have been put forward, however demand for a specific building stone could drive the need to develop a new quarry. In this instance criterion 2 in policy MP10 will be used to assess future applications at other sites to ensure that the specialised resource is not used for aggregate purposes. This is in line with national requirements to make the best use of the limited resources to secure long term conservation.
- 4.90. In demonstrating a need, regard should be had to the Strategic Stone Study for Nottinghamshire (2013). This was undertaken by the British Geological Survey (BGS) and highlights the wide variety of local stones that have been quarried in the past. Evidence of this historic working may help to identify potential sources of

these materials. These stones are a key component of the County's local distinctiveness and maybe required in the future for historic building repair or to allow sympathetic new development in historic areas.

MP11: Coal

Introduction

- 4.91. Most of Nottinghamshire's coal resources are deeply buried and have to be exploited by deep coal mining. It is only in the far west of the County along the Erewash Valley where the coal measures are exposed, that surface (opencast) extraction is possible. The last deep mine in Nottinghamshire located at Thoresby Colliery closed in July 2015. A proposal to work surface mined coal at Shortwood Farm near Cossall has planning permission but has yet to be worked. (see Plan 4).

Colliery tipping

- 4.92. When coal is mined, a considerable amount of waste spoil is removed, which has to be disposed of. Due to the closures of the remaining collieries in Nottinghamshire, it is unlikely that any additional land will be required for spoil disposal over the plan period. If in the future new coal reserves are exploited this may be a significant consideration for any new proposal.

Coal recovery

- 4.93. Historical coal processing was often inefficient and substantial quantities of coal were left in the spoil. At some sites it may now be economic to recover this coal, which can amount to several hundred thousand tonnes in a single large tip. Coal recovery involves the re-excavation of spoil for processing, the remainder of which is then re-deposited within the original tipping area. The last tip to be worked in this way was Langton Colliery tip near Kirkby in Ashfield, between 2011 and 2013 (see Plan 4).

Policy MP11: Coal

1. Permission for the extraction of coal will only be granted where:
 - a) the proposal is environmentally acceptable, or can be made so by mitigation; or
 - b) the proposal provides national, local or community benefits which clearly outweigh the likely adverse impacts.

Along with the above the following will be taken into account:

Surface mined coal: Incidental mineral extraction

2. Where proposals for surface mined coal are acceptable, proposals for the recovery and stockpiling of fireclays and other incidental minerals will be supported where this does not result in any unacceptable environmental or amenity impact.

Colliery Tipping

3. Proposals for colliery tipping will be supported where:
 - a) a need can be demonstrated; and
 - b) the proposal is environmentally acceptable.

Reworking colliery spoil tips/lagoons

4. Applications will be supported for the reworking of colliery spoil tips/lagoons where the environmental and economic benefits of the development, including addressing the likelihood of spontaneous combustion and substantial environmental improvement of the site, outweigh the environmental or amenity impacts of the development or the loss of established landscape and wildlife features.

Justification

- 4.94. National guidance sets out that permission should not be granted for the extraction of coal unless the proposal is environmentally acceptable or can be made so by planning conditions or obligations or, if it is not environmentally acceptable, where national, local or community benefits clearly outweigh the likely impacts. There are no production targets as the Government believes this is a matter for the markets reinforced by long term policy measures.
- 4.95. Although it is unlikely that additional colliery tipping will be required during the plan period, this activity can have significant impacts in terms of land take and visual prominence. Should proposals for future coal extraction come forward, these will need to be accompanied by details of how the spoil would be managed.

- 4.96. The reworking of colliery spoil tips and lagoons is in principle a sustainable activity as it recovers coal that has been discarded as waste and it can provide an opportunity to properly reclaim old tips/lagoons that may have been left in a poor state. However, it can also have a significant impact on the environment in terms of visual intrusion, traffic movements, noise and dust. These impacts have to be weighed against the benefits, which could include opportunities for landscape or habitat enhancement.

MP12: Oil and Gas

Introduction

- 4.97. Oil and gas (Hydrocarbons) are the most important energy minerals produced and consumed in the UK. In 2014, 81 million tonnes were produced in the UK, whilst 132 million tonnes were consumed².
- 4.98. Historically, two main forms of hydrocarbons have been worked in Nottinghamshire; oil and mine gas. However other potential sources such as coal bed methane and shale gas (unconventional hydrocarbons) are being explored and could be worked over the plan period. Plan 5 identifies the known hydrocarbon resources and existing permitted sites in Nottinghamshire.

Oil

- 4.99. Oil has been extracted on a small scale since the Second World War when oil reserves in deeply buried sandstones were identified at Eakring. Since then further oil fields have been identified, mostly in north Nottinghamshire, but also as far south as Rempstone near the boundary with Leicestershire. The oil recovered in Nottinghamshire is of high quality and mainly used in the plastics and chemical industries rather than as a fuel. Most is taken by rail from the central collecting station at Gainsborough to refineries at Immingham, Humberside.

Mine gas

- 4.100. Mine gas refers to the methane that is released from coal seams during deep mining. When mining ceases and ventilation shafts are closed, this gas can fill the mineshafts and other voids and can escape to the surface where it can pose a threat to health and safety in the locality. The situation has become much more prevalent recently because of the number of Nottinghamshire collieries that have closed over the last 30 years. Mine gas can be recovered and burnt to generate electricity.

Coal bed methane

- 4.101. Coal bed methane extraction involves removing methane directly from the coal seam without mining the coal. The industry is most developed in the USA, whilst in the UK and Europe it remains in its infancy. Interest is however developing, and it could become a significant energy source for the future. In Nottinghamshire several proposals for coal bed methane exploration have been granted planning permission. Nearly all of Nottinghamshire overlies a potential coal bed methane resource but the most promising prospects are believed to exist in the eastern half of the County due to the geological formation.

² UK Minerals Statistics Yearbook 2015 British Geological Survey, page 58-59

Underground coal gasification

- 4.102. Energy can also be recovered from coal in the ground by a process known as 'underground coal gasification'. This burns the coal underground using steam/water and oxygen to generate hydrogen, carbon monoxide and methane. It generates far more energy than coal bed methane which does not extract any energy from the solid coal itself. This technology has not been applied to any significant extent and the prospect of this technology being developed remains uncertain.

Shale gas

- 4.103. Vast quantities of methane exist in many shale deposits worldwide and recent technological advances have now made it economically possible to exploit them. The technology and exploitation of shale gas is most advanced in the USA where it has gone through a period of very rapid development and is now exploited on a very large scale. The UK also has a significant, but largely untested potential shale gas resource. In Nottinghamshire, potential shale gas resources are thought to exist in deeply buried shale deposits found in the far south and north of the County.
- 4.104. Shale gas extraction involves vertical and horizontal drilling to reach the shale rock formation. A mixture of water, sand and additives is then pumped under high pressure into the bore hole to fracture the rock (a process known as 'fracking'). The gas trapped in the rock is then released and can be collected.

Policy MP12: Oil and Gas

1. Exploration, appraisal and commercial production of oil and gas will be supported, provided the site and equipment are located where this will not have an unacceptable environmental impact.
2. Proposals at each stage must provide for the restoration and subsequent aftercare of the site, whether or not oil or gas is found.

Justification

- 4.105. The NPPF states that for oil and gas including unconventional hydrocarbons, minerals planning authorities should develop criteria-based policies that clearly distinguish between the three phases of development (exploration, appraisal and production).
- 4.106. The initial exploration phase seeks to establish whether oil and gas are present and may involve seismic surveys, exploratory drilling or hydraulic fracturing. Appraisal is the next phase to find out the extent and quality of the deposit. This

could include additional seismic work, drilling additional wells, further hydraulic fracturing and flow tests to establish the economic viability of the resource and its potential productive life. The production phases normally involves drilling a number of wells. This could be those used during earlier exploration and/or appraisal, or wells at a new site. Associated equipment such as pipelines, processing facilities and temporary storage tanks are also likely to be required.

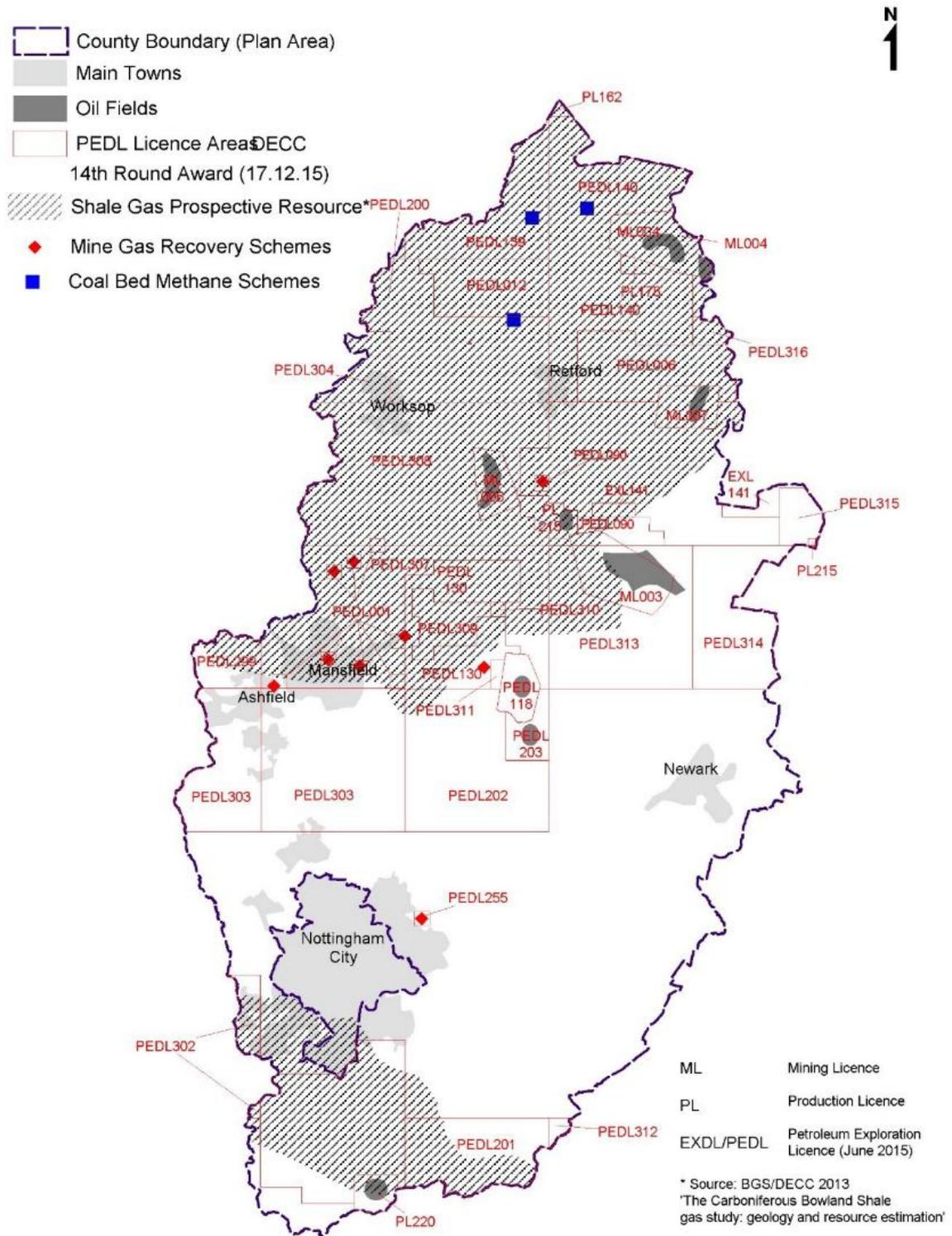
- 4.107. The Planning Practice Guidance states that existing hydrocarbon developments, along with Petroleum Licence Areas should be identified in local plans (see plan 5). Site specific allocations can be included in the local plan if put forward by the industry, however no such sites were put forward as part of the ‘call for sites’ exercise undertaken as part of the evidence gathering process.
- 4.108. It is considered that there is no justifiable reason in planning policy terms to separate shale gas from other hydrocarbon development. All hydrocarbon development has the potential to deliver national energy requirements but should be subject to environmental safeguards. Applied to the local circumstances of the Minerals Local Plan, the assessment of environmental and amenity impact (i.e. the constraints on hydrocarbon development) is covered by and can be delivered through the application of the development management policies. Separate legislation also identifies certain requirements in relation to protected groundwater areas or other protected areas³.
- 4.109. Oil and gas extraction can only take place in areas where the Oil and Gas Authority has issued a Petroleum Exploration and Development License (PEDL) under powers granted by the Petroleum Act 1998. The current licensed areas are shown on the policies map.
- 4.110. A UK Petroleum Exploration and Development Licence (PEDL) allows a company to pursue a range of oil and gas exploration activities, subject to necessary drilling/development consents and planning permission.
- 4.111. Planning permission is one of the main regulatory requirements that operators must meet before drilling a well for both conventional and unconventional hydrocarbons. The County Council is responsible for granting permission for the location of any wells and well pads and will impose conditions to ensure that the impact on the land is acceptable. However, it is not the only regulatory body that permission for extraction is required from. They include:
- The Oil and Gas Authority issues PEDL, gives consent to drill under the Licence once other permissions and approvals are in place, and have responsibility for assessing risk of and monitoring seismic activity, as well as granting consent for flaring or venting;

³ The Onshore Hydraulic Fracturing (Protected Areas) Regulations 2016

- Environment Agency (EA) – protect water resources (including groundwater aquifers), ensure appropriate treatment and disposal of mining waste, emissions to air, and suitable treatment and manage any naturally occurring radioactive materials;
- Health and Safety Executive (HSE) – regulates the safety aspects of all phases of extraction, in particular responsibility for ensuring the appropriate design and construction of a well casing for any borehole.

4.112. A Frequently Asked Questions (FAQ) document on unconventional hydrocarbons has been produced by the County Council and can be found on the Council's website.

Plan 5: Coal and hydrocarbons



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British Geological Survey, 2013. Digital Geological Map of Great Britain 1:625 000 scale (DiGMapGB-625)
 Superficial Deposits data [CD-Rom] Version 1.10. Keyworth, Nottingham: British Geological Survey. Release date 03-07-2013

5. Development Management Policies

Introduction

- 5.1. The purpose of development management policies is to help to deliver the strategic policies and objectives by providing the criteria against which future minerals development will be assessed. They relate specifically to individual, site level criteria such as environmental impacts and standards and provide guidance about how planning applications for minerals development in the County will be assessed.
- 5.2. Applicants are advised to discuss proposals for minerals development with the County Council prior to submission of a planning application, as set out in the adopted Statement of Community Involvement (SCI). Such pre-application engagement can enable early identification of potential constraints and has the potential to improve the efficiency and effectiveness of the planning system. This approach is encouraged by the Government and more details are set out in the National Planning Policy Framework.
- 5.3. Applications for minerals development should provide sufficient information to allow a balanced assessment to be made.

Environmental Impact Assessment

- 5.4. Environmental Impact Assessment (EIA) is often required for major developments that are likely to have significant impacts on the environment. The EIA process is used to identify the likelihood of significant impacts occurring as a result of a development, how these could be mitigated, and alternative ways in which the development could be carried out. Where EIA is required, the findings of this process must be included in a separate Environmental Statement to be submitted alongside the planning application.
- 5.5. All mineral planning applications that meet the appropriate thresholds and criteria set out in the EIA Regulations (2017) will therefore be screened to determine whether or not EIA is required. Applicants may also request a formal screening opinion from the MPA prior to submitting a planning application. Where EIA is required, applicants may also request a scoping opinion setting out the issues to be addressed within the Environmental Statement.

Review of Mineral Permissions

- 5.6. Mineral planning permissions are subject to periodic review in accordance with the legislative requirements of the Planning and Compensation Act 1991 and the Environment Act 1995. This review process is used to ensure that mineral sites continue to work under modern conditions which reflect sustainability aspirations and offer appropriate environmental protection.

- 5.7. The review process is carried out in a similar way to the processing of a planning application but is focussed on bringing planning conditions up to date. The process cannot be used to remove legal working rights and compensation may be payable if working rights are unreasonably affected. Review submissions may be subject to Environmental Impact Assessment in the same way as a planning application. Applicants submitting review schemes should have regard to the requirements of the policies contained in this document and ensure that all the environmental issues are satisfactorily addressed.

DM1: Protecting Local Amenity

Introduction

- 5.8. Minerals extraction by its very nature can have significant effects on the existing environment and the amenity of those living and working nearby. Potential impacts include noise, blasting, dust, increased levels of traffic and visual impact. It is therefore important that proposals for new minerals development take account of potential issues to ensure that, where possible, they are avoided in the first instance. Where this is not possible, adequate mitigation measures should be put in place to minimise the impacts of the development to an acceptable level.

Policy DM1: Protecting Local Amenity

Proposals for minerals development will be supported where it can be demonstrated that any adverse impacts on amenity are avoided or adequately mitigated to an acceptable level. The types of impacts that need to be considered include but are not restricted to:

- Landscape and Visual impacts;
- Noise;
- Blast vibration;
- Dust;
- Mud
- Air emissions;
- Lighting;
- Transport;
- Stability of the land at and around the site, both above and below ground level.
- Loss of designated open/green space

Justification

- 5.9. Ensuring a good standard of amenity for all existing and future occupants of land and buildings is a core planning principle of the National Planning Policy Framework. New and existing development should not contribute to, or be put at risk from, pollution or other sources of nuisance or intrusion which could adversely affect local amenity, particularly in relation to sensitive receptors.
- 5.10. The precise level of impacts will vary according to local conditions and the type, scale, and intensity of development proposed. Factors to be considered will therefore include the local topography, the position of the proposed development in relation to other uses and the degree to which any adverse effects can be mitigated. Depending upon the proximity and sensitivity of surrounding land uses an appropriate stand-off distance may be required between the proposed mineral

working area and nearby residential or other sensitive uses. This will be determined on a case by case basis taking account of any proposed mitigation measures.

- 5.11. The visual impacts of mineral working will vary depending on the scale, duration, and type of operation proposed. It is important that sites are located sensitively in terms of their wider setting and that the detailed site layout is designed to minimise potential impacts. This could include measures such as additional landscape screening; the direction and phasing of site working and reclamation; and the location of fixed or mobile processing plant, buildings, stockpiles and internal haul roads. National guidance suggests that a landscaping strategy should accompany proposals for mineral development which should define the likely impacts and identify appropriate screening and mitigation measures to minimise visual impact and the impact on landscape quality.
- 5.12. In accordance with national policy, all mineral working proposals should ensure that any unavoidable noise, mud, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source. Where appropriate this will include establishing appropriate noise limits for extraction in proximity to noise sensitive properties. Appropriate measures to mitigate potential noise impacts include the use of noise suppression equipment on plant and machinery and acoustic barriers, site specific noise limits and restrictions on site operating hours. Further guidance on noise assessment is provided within the Planning Practice Guidance and Explanatory Note of the Noise Policy Statement for England.
- 5.13. Proposals will also need to demonstrate that they will not have an adverse impact on air quality from dust, plant or vehicle emissions. A dust assessment study may be required to determine the impacts during site construction, operation and restoration. This should include details of appropriate mitigation measures such as relocating potential sources of dust within the site to minimise impacts and the use of dust suppression equipment, limiting on-site vehicle speeds and the temporary suspension of dust-causing activities during unfavourably dry or windy conditions. Dust monitoring may need to be carried out where dust generating activities are to be carried out close to neighbouring sensitive properties. The use of site sweepers and wheel-washing equipment may also be required to limit the spread of dust or mud off-site.
- 5.14. The planning process should ensure, wherever possible, that the potential for air emissions from site machinery and or related transport to occur from new, or changes to, existing development are dealt with through appropriate site layout, design, maintenance and operation.
- 5.15. Good site design is also encouraged in order to limit the impact of light pollution on local amenity, intrinsically dark landscapes and nature conservation. Guidance,

such as that from the Institute of Lighting Professionals (Guidance Notes for the Reduction of Obtrusive Light), should be considered to ensure lighting schemes are suitable for the site location. Factors to consider will include the height and angle of lighting installations, the use of shielding and proposed hours of use.

- 5.16. Potential impacts on local amenity arising from the transportation of minerals include an increase in the number and size of vehicles on the existing road network, damage to roads and verges, vibration, mud, dust and noise. Measures to limit the adverse effects on local amenity could include sheeting of lorries, wheel cleaning facilities; highway improvements and maintenance; and controls over the number of vehicles and hours of working. Policy DM9 contains further measures relating to highway safety.
- 5.17. Mineral development proposals must also take account of existing and potential future site stability issues. National policy is clear that, where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.
- 5.18. Areas of open space and locally designated Green Space Areas have an important role to play in protecting local amenity and can provide health and recreational benefits to people living and working nearby. They can also help to benefit local wildlife. The Council's Health and Well-Being Strategy recognises the importance of our environment in maintaining physical and mental health.
- 5.19. Most forms of minerals development are likely to require an Environmental Impact Assessment (EIA) to examine the likely significant environmental effects what is being proposed. EIA is undertaken by developers as a means of drawing together, in a systematic way, an assessment of the likely significant environmental effects of certain types of minerals proposal.
- 5.20. Where there is a possibility that a proposed mineral development will require an EIA, developers are advised to consult the County Council well in advance of a planning application, and formally request an opinion on whether an EIA is required and, if so, its scope.
- 5.21. Where appropriate, avoidance or mitigation measures required to make a minerals development acceptable as a result of this policy will be secured through planning conditions attached to the planning permission. Where measures cannot be secured in this way, planning obligations (also known as Section 106 Agreements) may be used to make the development acceptable in planning terms. See Policy DM11: Planning Obligations for further details.

DM2: Water Resources and Flood Risk

Introduction

- 5.22. Minerals development by its very nature will at some point affect surface and or ground water resources. This could be as a result of pumping water from areas where mineral is worked below the water table or where mineral is extracted in the flood plain. These activities could have impacts on a much wider area than just the boundary of the proposal. It is therefore important that these impacts are avoided and reduced through good design and management of minerals sites.
- 5.23. The protection of ground and surface water quality is important for both people and wildlife. Proposals for mineral working must therefore ensure that there is no adverse impact on the flow, quantity and quality of surface and groundwater.

Policy DM2: Water Resources and Flood Risk

Water resources

1. Proposals for minerals development will be supported where it can be demonstrated that there are no unacceptable impacts on surface water quality and flows or groundwater quality and levels at or in the vicinity of the site.
2. Where opportunities exist, measures should be included to improve overall water quality.
3. Water resources, where required, should be used as efficiently as possible.

Flooding

4. Proposals for minerals development will be supported where it can be demonstrated that there will be no unacceptable impact on:
 - a. Flood flows and storage capacity at the proposed site or in the vicinity of the site;
 - b. The integrity or function of flood defences or structures acting as flood defences;
 - c. Local land drainage systems.
5. Where the opportunity exists, restoration proposals should seek to incorporate flood risk reduction measures e.g. flood plain storage and reconnection, flood defence structures, and land management practices to benefit local communities.
6. Minerals development should include Sustainable Drainage Systems (SuDS) to manage surface water drainage unless it can be shown that it is impracticable to do so.

Justification

- 5.24. Applicants will be required to assess the potential impacts upon the water environment at both extraction and restoration phases, undertaking a hydrological/hydrogeological investigation where necessary. Where appropriate this should include details of how potential impacts from site pumping (de-watering) will be mitigated. Measures will also need to be taken to protect ground and surface water sources from potential contamination from dust or fuel spillage from plant, vehicles and storage tanks.
- 5.25. The Environment Agency is the main authority for safeguarding the water environment; it is responsible for improving and protecting inland and coastal waters ensuring sustainable use of natural water resources, creating better habitats and other factors that help to improve the quality of life. The Environment Agency publishes Information on groundwater vulnerability and the location of source protection zones for water supply.
- 5.26. The Environment Agency's Approach to Groundwater Protection uses aquifer designations which are consistent with the Water Framework Directive. This reflects the importance of aquifers in terms of groundwater as a resource and also their role in supporting surface water flows and wetland ecosystems. A key aim of the Water Framework Directive is to prevent deterioration in the status of water bodies, improve their ecological and chemical status and prevent further pollution.
- 5.27. Water supply and the disposal of sewage and foul water from any site should be discussed with the relevant water company and the Environment Agency to ensure no deterioration of surface water or groundwater quality. Where water abstraction is required as part of the proposed working scheme, applicants should consult with the Environment Agency and refer to the Agency's Abstraction Licencing Strategy.
- 5.28. Applicants must also consider potential flood risk issues at the outset of any scheme. National guidance states that inappropriate development in areas of flood risk should be avoided by directing development away from areas of highest risk. However, minerals can only be worked where they are found, and extraction is therefore classed as a temporary activity. Due to their specific nature, mineral workings are classified as either Water Compatible or Less Vulnerable development. As such, minerals development can be permitted within Flood Zones 1, 2 and 3a. Sand and gravel quarries are also appropriate in Flood Zone 3b subject to meeting additional criteria. The site selection process for the site allocations identified within the Local Plan has taken account of the Sequential Test, the purpose of which is to steer new development to areas with the lowest probability of flooding.

- 5.29. At the planning application stage, operators may be required to undertake a site-specific Flood Risk Assessment where:
- Development sites are located in Flood Zone 2 or Flood Zone 3;
 - The proposed development is classed as a major development (all sites over 1 ha) and located in Flood Zone 1. Since the risk of fluvial or tidal flooding is minimal such assessments should focus on the management of surface water;
 - Development sites located in an area known to have experienced flooding problems from any flood source;
 - Where a development site is located within 20m of a Main River.
- 5.30. The National Planning Practice Guidance provides details as to the content of Site-Specific Flood Risk Assessments. As a minimum, assessments should take account of:
- The areas liable to flooding;
 - The probability of flooding occurring, both during operations and after;
 - The extent and standard of existing flood defences and their effectiveness over time;
 - The likely depth of flooding;
 - The rates of flow likely to be involved;
 - The likelihood of impacts to other areas, properties and habitats;
 - The potential effects of climate change;
 - Identify opportunities to reduce overall flood risk
 - Application of the sequential test at a site level
- 5.31. Mineral extraction within floodplains can temporarily reduce storage capacity, impede flows and therefore increase the risk of flooding elsewhere. Potential obstructions can include soil and overburden mounds and fixed plant. In addition, buildings and hard standing associated with minerals development can lead to an increase in surface run-off and therefore contribute to flooding.
- 5.32. Careful site design at the planning application stage will be required to address potential flood issues and emergency planning, including locating any stockpiles, storage mounds, fixed plant or buildings in the least vulnerable parts of the site and, if it's not possible to locate any essential sleeping or residential accommodation for staff in areas not vulnerable to flooding, to ensure that they are subject to a specific flood warning and evacuation plan. Where appropriate, Sustainable Drainage Systems (SuDS) that are capable of storing and controlling the discharge of water should be incorporated into the design of proposals.
- 5.33. There may also be occasions where site operators are required to provide future flood defence maintenance to ensure the standard of protection is maintained for the duration of site operations.

- 5.34. Multiple environmental benefits can however be delivered through the restoration of mineral workings; simultaneous benefits to flood risk management, habitat creation and Water Framework Directive improvements can be achieved. The restoration of quarries should ensure that opportunities are explored for delivering wider environmental benefits through site restoration schemes. This could include river bank realignment and floodplain reconnection.
- 5.35. A number of different bodies have responsibilities in terms of managing flood risk. The Environment Agency is responsible for managing the risk of flooding from main rivers and reservoirs and coastal areas and prepares national and regional flood risk guidance and strategies.
- 5.36. Nottinghamshire County Council has a strategic role in overseeing the management of local flood risk, flooding from surface water runoff, groundwater and ordinary watercourses and will be working with the Environment Agency and the Water Companies on strategies to tackle this issue. The County Council is developing a Flood Risk Management Strategy in partnership with other organisations including District and Borough Councils, Severn Trent Water, the Environment Agency, Internal Drainage Boards and Nottingham City Council.
- 5.37. Internal Drainage Boards (IDBs) are statutory public bodies and operate in accordance with the Land Drainage Act and other legislation. There are two in Nottinghamshire; The Trent Valley Board's district extends through the Trent Valley from south Nottingham to just north of Gainsborough and part of the Vale of Belvoir. The Isle of Axholme and North Nottinghamshire Water Level Management Board covers the Idle Valley. Their principal role is to manage water levels in connection with flood risk and land drainage. Boards have powers to maintain a selected network of watercourses within their areas. Other watercourses are the responsibility of the landowner, but the Boards also have permissive powers to ensure that they are satisfactorily maintained.

DM3: Agricultural Land and Soil Quality

Introduction

- 5.38. Most of the County's undeveloped land is in agricultural use. Agricultural land and high-quality soils are a vital natural and economic resource and it is important to protect the highest quality land from development that would harm the long-term soil quality and agricultural potential.

Policy DM3: Agricultural Land and Soil Quality

Agricultural land

1. Proposals for minerals development located on the best and most versatile agricultural land (grades 1, 2 and 3a) will be supported where it can be demonstrated that:
 - a. Proposals will not affect the long-term agricultural potential of the land or soils; or
 - b. There is no available alternative and the need for development outweighs the adverse impact upon agricultural land quality.
2. Where alternative options are limited to varying grades of best and most versatile land, the development should be located within the lowest grade.

Soil quality

3. Measures will be taken to ensure that soil quality will be adequately protected and maintained throughout the life of the development and, in particular, during stripping, storage, management and final placement of soils, subsoils and overburden arising as a result of site operations.

Justification

- 5.39. Minerals development often involves the use of large areas of agricultural land as extraction can only take place where the minerals naturally occur. National policy and guidance state that where significant development of agricultural land is considered to be necessary, poorer quality land should be used in preference to that classed as best and most versatile, provided this is consistent with other sustainability criteria.
- 5.40. Where sites are already in agricultural use, it may be desirable for the land to be returned to agriculture following development although other uses (such as nature conservation uses) may be appropriate provided that the long-term potential of the best and most versatile agricultural land can be maintained.

- 5.41. In keeping with the approach set out in Policy SP2, this could include biodiversity led-restoration schemes as long as the land and soil is maintained in a state capable of supporting agriculture in future, should the need arise.
- 5.42. Where agricultural restoration is the preferred option, this can still deliver significant benefits for 'farmland' biodiversity in the form of hedgerows, ponds small woodlands and other habitat features and, if well designed, thereby delivering a net gain for biodiversity. Moreover, many Habitats of Principal Importance such as Lowland Meadows or Floodplain Grazing Marsh can be compatible with commercial livestock systems and are dependent upon agricultural management. Water features in agricultural restoration can contribute to agricultural irrigation, biodiversity, flood alleviation and storage, and landscape enhancement in a multi-functional way, and should all be considered.
- 5.43. Soils are an important and valuable restoration material and their proper handling and conservation is essential. The whole soil profile is not just important for agricultural restoration. It can also be important for other uses, such as sports pitches and nature conservation. Mismanagement of the soil resource is likely to seriously prejudice the standard of restoration. The practice of site restoration and returning soil to a good quality can help reduce surface water runoff, via improved infiltration. This can lead to reduced suspended solids running off into local water courses which is beneficial for both the objectives of the Water Framework Directive and flood risk management.
- 5.44. For most sites a detailed soil survey will be required to identify soil types, profiles and depths. Where different soils are recorded, separate stripping, storage and replacement may be required to allow reinstatement of the original or suitable alternative soil profiles. Operators may therefore be required to submit a soil handling scheme as part of their proposals.
- 5.45. In some circumstances the relocation of soils of sufficient quality to ensure better agricultural use elsewhere may be appropriate to protect this important resource. Policy DM12: Restoration, After-use and Aftercare provides further information.

DM4: Protection and Enhancement of Biodiversity and Geodiversity

Introduction

- 5.46. The importance of biodiversity cannot be underestimated. It consists of the rich diversity of flora and fauna which form a critical part of the earth's ecosystem which humans are a part of and depend on. Biodiversity brings other benefits too. It can be important in flood protection, filter air and waterborne pollutants, cool the urban environment, moderate noise, foster understanding of the natural environment, increase the attractiveness of an area and therefore encourage more people to interact with their local environment and contribute to healthier lifestyles. It is therefore important to ensure that new minerals development is appropriately managed.

Policy DM4: Protection and Enhancement of Biodiversity and Geodiversity

1. Proposals for minerals development will be supported where it can be demonstrated that:
 - a) They will not adversely affect the integrity of a European site (either alone or in combination with other plans or projects, including as a result of changes to air or water quality, hydrology, noise, light and dust), unless there are no alternative solutions, imperative reasons of overriding public interest and necessary compensatory measures can be secured in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017;
 - b) They are not likely to give rise to an adverse effect on a Site of Special Scientific Interest, except where the need for and benefits of the development clearly outweigh the importance of the site and where no suitable alternative exists;
 - c) They are not likely to give rise to the loss or deterioration of Local Sites (Local Wildlife Sites or Local Geological Sites) except where the need for and benefits of the development in that location outweigh the impacts;
 - d) They would not result in the loss of populations of a priority species or areas of priority habitat except where the need for and benefits of the development in that location outweigh the impacts.
 - e) Development that would result in the loss or deterioration of irreplaceable habitats will only be permitted where there are wholly exceptional reasons and a suitable compensation strategy exists.
2. Where impacts on designated sites or priority habitats or species cannot be avoided, then:
 - a) In the case of European sites, mitigation must be secured which will ensure that there would be no adverse effect on the integrity of the site (s). Where mitigation is not possible and the applicant relies upon imperative reasons of overriding public interest, the Council will need to be satisfied that any necessary compensatory measures can be secured.

b) In all other cases, adequate mitigation relative to the scale of the impact and the importance of the resource must be put in place, with compensation measures secured as a last resort.

3. Nottinghamshire's biodiversity and geological resources will be enhanced by ensuring that minerals development:

a) Retains, protects, restores and enhances features of biodiversity or geological interest, and provides for appropriate management of these features, and in doing so contributes to targets within the Nottinghamshire Local Biodiversity Action Plan and provides net gains for biodiversity;

b) Makes provision for habitat adaptation and species migration, allowing species to respond to the impacts of climate change; and

c) Maintains and enhances ecological networks, both within the County and beyond, through the protection and creation of priority habitats and corridors, and linkages and stepping stones between such areas.

Justification

5.47. Nottinghamshire has an extensive network of sites, both designated and non-designated, which are important for their biodiversity and geological interest. At the international level, 'European sites' (also known as the Natura 2000 sites) are of exceptional importance in respect of rare, endangered or vulnerable natural habitats and species within the European Community. These sites consist of Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). Ramsar sites are also designated at the international level; however, Nottinghamshire does not currently contain any of these.

5.48. Sites of international importance are specifically protected under national legislation and any proposal that would be likely to have a significant effect on a European site, either alone or in combination with other plans or projects, would need to ensure that all impacts can be mitigated. This protection applies to candidate⁴ sites as well as those that have already been designated. Any development that is not directly connected with the management of any European sites, but likely to have a significant effect on them, will require a Habitats Regulations Assessment to be carried out at the planning application stage to ensure that any such effects can be mitigated.

5.49. Where a site hosts a priority habitat or species, and there is no alternative solution, the only considerations which can justify the grant of planning permission are (a) those which relate to human health, public safety or beneficial consequences of

⁴ A candidate site is one which has been put forward for designation but not confirmed.

primary importance to the environment or (b) other imperative reasons of overriding public interest agreed by the European Commission⁵

- 5.50. The Council is aware that a possible potential Special Protection Area (ppSPA) is under consideration for part of Nottinghamshire which could therefore become a candidate site. If a Special Protection Area is subsequently identified and sent to the European Commission for designation, the Council will assess the implications of this and what action is necessary to deal with any issues raised. In the meantime, the Council will adopt a "risk based" approach, as advised by Natural England, and assess any applications in accordance with the requirements of the Birds Directive.
- 5.51. At a national level, the County contains a number of SSSIs designated and protected under the Wildlife and Countryside Act 1981, as amended by the Countryside and Rights of Way Act 2000. Consultation with Natural England will be required for any development likely to affect a SSSI.
- 5.52. Local Sites are designated at a local level and include Local Wildlife Sites (LWSs) and Local Geological Sites (LGSs) and represent sites that are of at least county-level importance for their wildlife or geological interest. Some, but not all, Ancient woodlands are designated as LWSs within Nottinghamshire and are considered to be an irreplaceable habitat. Together, these designated sites form part of the country's irreplaceable natural capital and the Minerals Local Plan will contribute towards their protection and encourage and support opportunities for enhancement.
- 5.53. When determining planning applications, national policy is clear that distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks.
- 5.54. Other habitats of conservation importance fall outside of these designated sites, and these are identified as Habitats of Principal Importance for Conservation in England, designated under Section 41 of the Natural Environment and Rural Communities Act 2006, and regarded as conservation priorities in the UK Post-2010 Biodiversity Framework. Similarly, many species in Nottinghamshire that do not receive legal protection are identified as Species of Principal Importance for Conservation in England. Both were formerly known as UK Biodiversity Action Plan (UKBAP) priority habitats or species and are also listed in the Nottinghamshire Local Biodiversity Action Plan. They have high nature

⁵ Circular 06/2005

conservation value, contributing to the county's biodiversity and its ecological networks.

- 5.55. The National Planning Policy Framework (NPPF) also sets out the so-called mitigation hierarchy, which requires significant harm from development to be avoided, adequately mitigated, or, as a last resort, compensated for, stating that if this cannot be achieved, then planning permission should be refused.
- 5.56. Where compensation is required, this should ensure that there is no net loss of habitat, provide like for like replacements of habitat (recognising that newly created habitats may take many years to reach the quality and diversity of established habitats) and make up for any lost connections between habitats. Where significant impacts on species are predicted, compensation schemes should also provide overall habitat improvements, in terms of quality or area, in comparison to the habitat that is being lost. Use of the DEFRA Biodiversity Metric may be helpful in undertaking assessments to determine the compensatory habitat required.
- 5.57. Biodiversity enhancement, and the need to provide net gains for biodiversity accordance with national policy, should be seen as a cross cutting theme and opportunities to create and improve habitats will be supported in line with local and national biodiversity targets. The prevention of fragmentation of existing habitats is key to allow species to respond to the impacts of climate change by making provision for habitat adaptation and species mitigation. Where minerals development adversely affects biodiversity interest, negative impacts should be minimised and mitigation to address these impacts should be provided.
- 5.58. A number of species are protected by law, principally the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations (2017), whilst efforts to support improvements in the population of targeted species are reflected through the Nottinghamshire Local Biodiversity Action Plan.
- 5.59. Biodiversity Opportunity Mapping has been completed for a large part of Nottinghamshire, including the Trent Valley. The study should be used to help inform proposals for mineral workings and restoration.
- 5.60. In order to assess biodiversity impacts fully, applicants are likely to be required to carry out up-to-date ecological surveys as part of their application.

DM5: Landscape Character

Introduction

- 5.61. People value the countryside and its landscape for many different reasons, not all of them related to traditional concepts of aesthetics and beauty. It can provide habitats for wildlife and evidence of how people have lived on the land and harnessed its resources. Landscape has a social and community value, as an important part of people's day-to-day lives. It has an economic value, providing the context for economic activity and often being a central factor in attracting business and tourism.

Policy DM5: Landscape Character

1. Proposals for minerals development will be supported where it can be demonstrated that it will not adversely impact on the character and distinctiveness of the landscape.
2. Development that would have an unacceptable impact on the landscape interest will only be permitted where there is no available alternative, the need for development outweighs the landscape interest and adequate mitigation can be provided;
3. Landscaping, planting and restoration proposals should take account of the relevant landscape character policy area as set out in the Landscape Character Assessments covering Nottinghamshire.

Justification

- 5.62. National Planning Guidance states that valued landscapes should be protected and enhanced. The guidance allows for the inclusion of criteria-based policies in Local Plans against which proposals for any development on or affecting landscapes will be judged.
- 5.63. Landscapes form an important part of the character of Nottinghamshire and have been created from a complex mix of natural and man-made influences such as geology, soil, climate and land use. This has given rise to a variety of landscapes that continue to evolve over time. All landscapes hold value and some have more potential to be improved and restored than others.
- 5.64. Many activities have the potential to change the landscape and in the case of mineral extraction, this can be significant. Mineral workings can destroy landscape character, but their restoration can also help to improve landscapes, especially those which may be of a lower quality. Priority will be given to minerals developments that provide long term enhancements to landscape character.

- 5.65. In order to manage changes to landscape character, three Landscape Character Assessments (LCA) were published in 2009 (Bassetlaw, Newark and Sherwood and Greater Nottingham including Ashfield and Mansfield), these cover the whole of the County and draw on the National Character Areas. Within Nottinghamshire 11 local character areas have been identified and each Landscape Character Area has a unique combination of elements and features that make them distinctive:
- Derbyshire and Nottinghamshire Coalfields (DC);
 - East Nottinghamshire Sandlands (ES);
 - Idle Lowland (IL);
 - Leicestershire and Nottinghamshire Wolds (LW);
 - Magnesian Limestone (ML);
 - Mid Nottinghamshire Farmland (MN);
 - Sherwood (SH);
 - South Nottinghamshire Farmlands (SN)
 - Trent Valley (TV);
 - Trent Washlands (TW);Vale of Belvoir (VB).
- 5.66. The Trent Washlands in particular is identified as under pressure from minerals development.
- 5.67. The LCAs identify specific features of the different Landscape Character Areas and this information can then be used to give special protection to the feature or to identify suitable mitigation measures when loss is unavoidable. It is also valuable in the design of restoration schemes.
- 5.68. An Areas of Multiple Environmental Sensitivity Study has been carried out for parts of Nottinghamshire in areas around the River Trent to help inform site allocations, future proposals for mineral workings and restoration schemes. A similar study has also been carried out in Derbyshire (Areas of Multiple Environmental Sensitivity) to inform their future Minerals Local Plan.
- 5.69. To ensure that new minerals development considers existing landscapes and visual impact, a local landscape and visual impact assessment will be required for all proposals to identify potential impacts on the surrounding areas. All landscape proposals for the restoration of minerals sites, such as earthworks, after-use and planting, should reflect the landscape type and character area.

DM6: Historic Environment

Introduction

- 5.70. Nottinghamshire has a rich history and this can be seen in the wide range of historic buildings, settlements, landscapes, parks, gardens and monuments as well as archaeological sites and features that contribute to the local identity and sense of character. It is important to protect, conserve and enhance the historic environment of the County, the enjoyment of which contributes to the quality of life of present and future generations.

Policy DM6: Historic Environment

1. Proposals for minerals development will be supported where it can be demonstrated that there will not be any harm to the significance of a designated, or non-designated heritage asset of archaeological interest equivalent to a scheduled monument, and/or its setting.
2. Proposals likely to cause harm to a designated or non-designated heritage asset, as above, will only be permitted where it can be demonstrated that there are public benefits which outweigh the level of harm or loss, relative to the importance of the heritage asset affected.
3. Proposals that would directly or indirectly affect non-designated heritage assets will be assessed according to the scale of any harm or loss and the significance of the heritage asset.
4. Proposals for minerals development on a site of archaeological importance must ensure that satisfactory mitigation measures are incorporated, including the preservation in situ or the excavation and recording of any affected archaeological remains.
5. Where relevant, the enhancement of the historic environment, including individual heritage assets or historic landscapes, will be encouraged.
6. No development shall take place within the archaeological resource area at South Muskham.

Justification

- 5.71. Since minerals can only be worked where they exist, their development can lead to a conflict between the provision of essential minerals and the protection of heritage assets for the benefit of future generations.
- 5.72. National policy states that the most important heritage assets should be conserved, and that balancing the need for development against potential harm to heritage assets needs to be fully justified. The Council has a duty to protect,

conserve and enhance the significance, character and appearance of the area's historic environment when carrying out its statutory functions and through the planning system.

- 5.73. National policy recognises the importance of minimising the impacts on designated and non-designated heritage assets and their settings and requires a distinction to be made between the relative significance of the heritage assets. The NPPF states that, when considering the impact of a proposed development on the significance of a designated heritage asset, 'great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.'
- 5.74. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, the NPPF states that Local Planning Authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- a) the nature of the heritage asset prevents all reasonable uses of the site; and
 - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
 - c) Conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
 - d) the harm or loss is outweighed by the benefit of bringing the site back into use.
- 5.75. Where the harm to the significance of a designated heritage asset will be less than substantial the Local Planning Authority will weigh this against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 5.76. The historic environment of Nottinghamshire is vast and ranges from major historic and nationally important buildings and grounds to the many thousands of archaeological sites that lie buried underground. The historic environment, by its very nature, is an irreplaceable resource.
- 5.77. Nottinghamshire contains thousands of archaeological sites and historic features including national designations (including Listed Buildings, Scheduled Monuments, Registered Historic Parks and Gardens and Battlefields), local designations (including Conservation Areas and locally listed buildings and parks), and undesignated assets such as other historic buildings and known or unknown buried archaeology. One site, Creswell Crags, is currently on the UNESCO tentative list for Inscription as a World Heritage Site.
- 5.78. It is therefore important to conserve and enhance these assets in a manner appropriate to their significance.

Archaeology

- 5.79. The need for preservation in situ of other sites and remains will need to be assessed against their importance and the impact that their loss would have upon the overall archaeological resource in Nottinghamshire. Although the preservation of archaeological sites is a primary objective, it is clearly impracticable to preserve them all. Equally sites should not be destroyed without careful consideration and appropriate mitigation.
- 5.80. Where preservation in-situ is not feasible, sites need to be surveyed, excavated or otherwise appropriately recorded. These provisions can only be assessed after the archaeological characteristics of proposed development sites have been evaluated. An appropriate scheme of treatment is required to be agreed with the County Council prior to any development taking place.
- 5.81. A research project looking at aggregate resources in Nottinghamshire and the archaeological remains they contain revealed that discoveries within mineral workings have yielded a wealth of new information about the Iron Age and Roman periods in the Trent and Idle Valleys⁶. The report also highlights the fact that other areas outside the Trent and Idle Valleys are currently poorly understood in archaeological terms due to the lack of archaeological investigation. However, the ability to investigate unknown archaeology is not in itself a reason to justify mineral extraction.

Archaeological resource area at South Muskham

- 5.82. South Muskham parish contains one of the densest areas of known archaeological remains in the Trent Valley, reflecting a long history of settlement and landscape development. Whilst this area is of major regional and local archaeological importance it is not fully understood. A field walking programme has been undertaken but further studies are still required to ascertain the effect of losing individual sites or features in this area. As such there will be a presumption against mineral extraction within the South Muskham area for the duration of the Plan period. (See appendix 3 - inset 12).

Other Heritage Assets

- 5.83. Nottinghamshire's Historic Environment Record holds information on a large number of Listed Buildings and Conservation Areas and sites of local interest. Nottinghamshire also has a number of parks which are listed on the 'Register of Historic Park and Gardens of Special Historic Interest in England' produced by Historic England and others that are of local interest. A Registered Battlefield is also identified within Nottinghamshire (Stoke Field) which is acknowledged as an important English battlefield. Some Nottinghamshire District/Borough Local

⁶ 'Aggregates and Archaeology in Nottinghamshire' David Knight and Ursilla Spence

Planning Authorities have adopted criteria for the identification of 'non-designated heritage assets' and have produced, or are producing, a local list of these.

- 5.84. The potential direct or indirect impacts on the historic environment from minerals development may constitute harm. This should be avoided, however where public benefits related to the minerals development have been identified and justified, the use of careful design, buffer zones, considered restoration schemes and other mitigation may make it possible to accommodate mineral developments in the vicinity of designated heritage assets.
- 5.85. The role of Policy DM6 is to ensure that the historic environment is afforded the appropriate level of conservation and enhancement in conformity with national policy. As part of the process of preparing planning applications for new development, assessments should be carried out to describe and assess the significance of heritage assets (including significance derived from setting). This should be used by developers to inform the development proposals and, where necessary, including the preparation of a mitigation strategy for proposed minerals development to avoid or mitigate against any impacts.
- 5.86. In cases where it is necessary for an applicant to submit a Heritage Statement and/or Archaeological Evaluation, the scope and degree of detail necessary will vary according to the particular circumstances of each application. The level of detail required should be proportionate to the importance of the heritage asset, the size of the development and the level of its impact on the heritage asset including its setting.
- 5.87. As a minimum, the Nottinghamshire Historic Environment Records (HER) should be consulted. Other local heritage strategies and assessments have been prepared for some areas of the County and these should also be consulted, where appropriate. Where an application site includes, or is considered to have the potential to include, heritage assets with archaeological interest, the Council will require developers to submit an appropriate desk-based assessment and, where desk-based research is insufficient to properly assess the interest, a field evaluation. It is strongly advised that Heritage Statements and Archaeological Evaluations are compiled by a professional consultant or contractor so as to ensure that an appropriate statement is submitted. Applicants are advised to discuss proposals with the Council prior to submitting an application.

DM7: Public Access

Introduction

- 5.88. Nottinghamshire is a largely rural County and has nearly 2,700km of routes providing access into the countryside for walking, cycling and horse riding. The Rights of Way network also provides vital links between towns and villages and is increasingly being used as a route to school, work and shops.
- 5.89. The size and location of minerals development can have significant direct or indirect impacts on the rights of way network and its users. However, it can also provide opportunities to improve and extend existing infrastructure and enable the wider enjoyment of the countryside.

Policy DM7: Public Access

1. Proposals for minerals development will be supported where it can be demonstrated this will not have an unacceptable impact on the existing rights of way network and its users.
2. Where this is not practicable, satisfactory proposals for temporary or permanent diversions, which are of at least an equivalent interest or quality, must be provided.
3. Improvements and enhancements to the rights of way network will be sought and, where possible, public access to restored minerals workings will be increased.

Justification

- 5.90. National policy states that policies should protect and enhance public rights of way and access. Opportunities to provide better facilities for users, such as adding links to the existing rights of way, should be sought. Where appropriate, manned crossing points will be required to ensure that the existing rights of way network is not compromised during development. Proposals for new rights of way will need to consider how they can best link into the existing rights of way network. All proposals for new or improved rights of way will also need to consider the needs of people with mobility problems and other disabilities and comply with the requirements of the Equality Act 2010.
- 5.91. There are parts of Nottinghamshire that suffer from a poor-quality environment and where there is a lack of accessible green space. Therefore, efforts to improve public rights of way and access within mineral developments should be targeted to help address deficiencies as well as providing infrastructure.

- 5.92. Reference should be made to the Nottinghamshire County Council Rights of Way Improvement Plan and advice sought from the County Council's rights of way officers regarding temporary or permanent diversions and the opportunities for future improvements in the area.
- 5.93. Consultation with the County Council on any public right of way affected by a proposed minerals development should take place at the earliest possible stage. The statutory process for footpath diversion or closure is separate from the planning process and as such delays or failures to secure any required amendments to the rights of way network could affect the implementation of future minerals development.
- 5.94. Enhancements to the rights of way network will be secured through legal agreements rather than planning conditions to ensure that the enhanced rights of way are available in perpetuity. Similarly, permissive paths will not be considered for temporary or permanent diversions to an existing definitive right of way.

DM8: Cumulative Impact

Introduction

- 5.95. In some areas of Nottinghamshire, the extent of the mineral working may result in a large number of previously worked sites and further applications for extraction. The impacts, both real and perceived, of a concentration of workings close to a community or communities can impact on local amenity, quality of life and the wider environment and landscape character. The nature and scale of minerals workings could also have larger scale environmental effects by potentially giving rise to cumulative impacts on climate change.

Policy DM8: Cumulative Impact

Proposals for minerals development will be supported where it can be demonstrated that there are no unacceptable cumulative impacts on the environment or on the amenity of a local community.

Justification

- 5.96. National policy emphasises the need for cumulative impacts from multiple impacts from individual site and/or a number of sites in a locality to be taken into account.
- 5.97. Proposals for the simultaneous and/or successive working of a number of sites in a wider area of commercially-viable deposits may affect communities and localities over an extended period, depending on the nature, age and size of the site(s).
- 5.98. The capacity of a local area to accommodate minerals development depends upon the proximity of existing development, the type and duration of operations proposed, the phasing of working and the proposed restoration and after-use of the site.
- 5.99. A stage may be reached whereby it is the cumulative rather than the individual impact of a proposal that renders it environmentally unacceptable. Depending on local circumstances, there may also be a need to consider whether there are likely to be cumulative impacts resulting from proposed minerals development in combination with other existing or proposed non-mineral related development. The potential for cumulative impacts on the wider environment, such as on climate change, may also need to be considered.
- 5.100. The plan therefore seeks to ensure that the impacts of a mineral proposal are considered in conjunction with the impacts of all existing development and that cumulative impact on the environment of an area, on the amenity of a local community, or on the wider environment, such as on climate change are fully addressed.

DM9: Highways Safety and Vehicle Movements/ Routeing

Introduction

- 5.101. All new development proposals need to consider the needs of all road users. Safety and vehicular movements are key issues which must be addressed. The needs of pedestrians, cyclists and people with disabilities must be at the forefront of any considerations.

Policy DM9: Highways Safety and Vehicle Movements / Routeing

Proposals for minerals development will be supported where it can be demonstrated that:

- a) The highway network including any necessary improvements can satisfactorily and safely accommodate the vehicle movements, including peaks in vehicle movements, likely to be generated;
- b) The vehicle movements likely to be generated would not cause an unacceptable impact on the environment and/or disturbance to local amenity;
- c) Where appropriate, adequate vehicle routeing schemes have been put in place to minimise the impact of traffic on local communities;
- d) Measures have been put in place to prevent material such as mud contaminating public highways.

Justification

- 5.102. The vast majority of minerals are transported from quarries to the market via the existing road network due to the flexibility and relatively short distance most minerals are transported. This can cause a significant increase in the level of HGV traffic on the local and wider road networks. It is important that the impact of this traffic is minimised. This can be done through a number of different measures and can include:

- strategic signage for lorry movements;
- sheeting of lorries;
- installation of wheel cleaning facilities;
- highway improvements;
- hours of working / opening;
- traffic regulation orders;
- noise attenuation of reversing beepers, plant and equipment;
- private haul roads;
- road safety improvements;
- traffic management arrangements, including off peak movements and limiting total vehicle movements.

- 5.103. Highways England is responsible for the trunk road network which, in Nottinghamshire, includes the M1, A1, A46, A52 and the A453. They provide policy advice on other transport issues concerning their function, including the consideration of planning applications.
- 5.104. Nottinghamshire County Council is the Local Highway Authority and is responsible for the implementation of the Nottinghamshire Local Transport Plan. The County Council, as the Local Highway Authority, will require proposals to be accompanied by a Transport Assessment (TA) or Transport Statement (TS). In certain circumstances a Travel Plan may also need to be submitted. As such, planning applications must accord with current standards and other local guidance. In most instances, applicants will be required to attend a pre-application meeting to discuss the transport issues with officers from the Council.
- 5.105. Where a specific highways impact from the development is identified that requires mitigation, the Council will seek developer contributions to enable the necessary works to be completed.
- 5.106. Lorry routeing can be a major consideration in assessing the acceptability of a mineral development proposal. Whilst a reasonable route may exist, which the mineral operator may well be willing to use, it may be necessary to control routeing through planning conditions or in most instances through legally binding agreements (known as planning obligations or Section 106 Agreements – see DM11 for more information) between the applicant and the Council.

DM10: Airfield Safeguarding

Introduction

- 5.107. Mineral extraction sites that are restored to open water can increase the risk of bird-strike to aircraft if they are located near airfields. Although bird strike is considered to be the main risk to aviation safety from minerals development, the risk of flicker, shadow, glare and the height of any tall buildings or structures may also need to be considered. To help resolve potential conflicts, Airfield Safeguarding Areas (13km/ 8 mile radius) are designated around airports and civil and military airfields. Within these safeguarding zones, consultation with owners or operators of relevant airfields will be required in order to consider potential bird strike or other hazards.

Policy DM10: Airfield Safeguarding

Proposals for minerals development within the following Airfield Safeguarding Areas will be supported where the applicant can demonstrate that the proposed extraction, restoration and after use will not result in any unacceptable adverse impacts on aviation safety:

- a) East Midlands Airport;
- b) Gamston (Retford) Airport;
- c) Netherthorpe Airfield;
- d) Nottingham City Airport;
- e) Robin Hood Airport Doncaster Sheffield;

- f) RAF Scampton MoD Aerodrome;
- g) RAF Syerston MoD Aerodrome;
- h) RAF Waddington MoD Aerodrome.

Any new airfield safeguarding area notified to the Council during the Plan period will also be safeguarded.

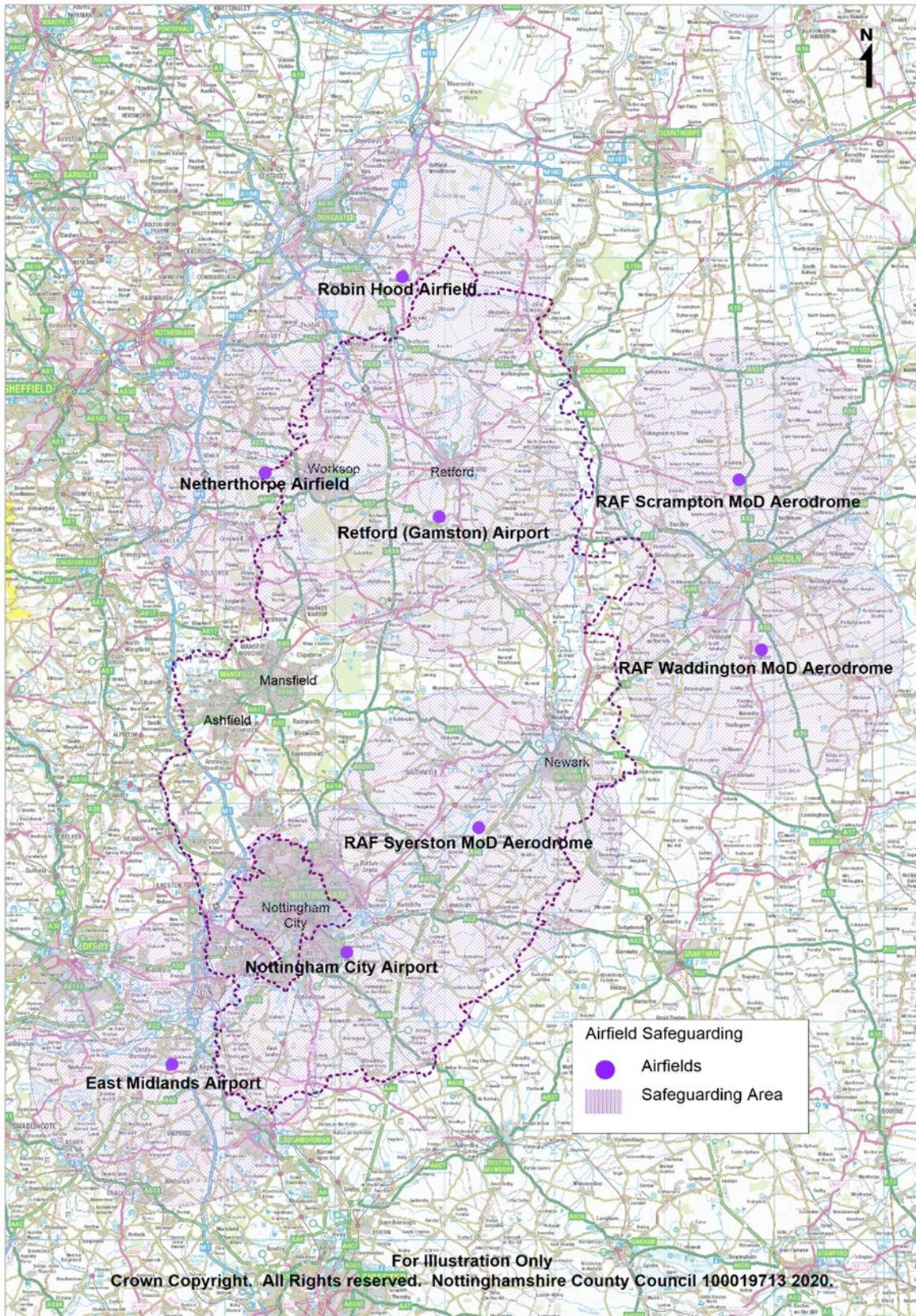
Justification

- 5.108. The purpose of airfield safeguarding is to ensure that the operation and development of civil and military airfields is not inhibited by development that could pose a hazard to aircraft or radar operation. National policy requires mineral working, restoration and after-use proposals to take account of aviation safety. The planning process therefore has an important role in preventing any unacceptable adverse impacts on aviation safety arising from minerals development.
- 5.109. The restoration of minerals sites to open water may lead to the creation of areas that attract roosting or loafing birds such as gulls and geese, especially when large areas of water greater than 200m across are created. This is potentially

dangerous in the vicinity of airports or airfields where any increase in the number of birds can increase the overall risk of birdstrike to aircraft. However, it is possible to have water-based restoration without constituting an unacceptable risk to aviation safety through measures such as the creation of reed beds or fragmented ponds, instead of open water, which generally do not attract the flocking birds that present a bird strike hazard.

- 5.110. It is important to note that this policy applies to all types of mineral site restoration as risks to aviation safety are not solely associated with water-based habitats. For example, some bird species associated with bird strike can also be found on agricultural land.
- 5.111. Other hazards to aviation, although less common in association with minerals development, include tall buildings or structures such as chimneys, masts, pylons and drilling rigs. Wind turbines can also cause problems due to the flicker effect of the rotating blades. Reflective surfaces such as solar panels also need to be carefully sited and angled to avoid glare.
- 5.112. This policy does not preclude any specific forms of restoration or after-use but seeks to ensure that aviation safety is fully considered and addressed through appropriate consultation, avoidance and mitigation. Advice Notes on the safeguarding of aerodromes have been produced by the Airport Operators' Association and General Aviation Awareness Council.
- 5.113. There are eight licenced safeguarded airfield areas affecting Nottinghamshire and these are identified on Plan 5. Other, non-licenced, aerodromes may be safeguarded by privately agreed consultation with the Local Planning Authority. This is called 'unofficial' safeguarding and is not obligatory under Statutory Direction. However, the County Council acknowledges the Governments advice that 'aerodrome owners should take steps to safeguard their operations' and as such Policy DM10 will also apply to these 'unofficial' safeguarded areas as recorded by Local Planning Authorities.

Plan 6: Airfield safeguarding



DM11: Planning Obligations

Introduction

- 5.114. To achieve sustainable development, additional planning requirements may be required to make a proposed development acceptable. The coordinated delivery of adequately funded infrastructure at the right time and in the right place is key to ensuring that local services, facilities and the transport network can cope with any added demand that arises from new minerals development.

Policy DM11: Planning Obligations

The County Council will seek to negotiate planning obligations as measures for controlling mineral operations and to secure sustainable development objectives which cannot be achieved by the use of planning conditions.

Justification

- 5.115. Planning obligations (also known as Section 106 agreements) are private agreements made between local authorities, developers and landowners which can be attached to a planning permission to make acceptable development which would otherwise be unacceptable in planning terms. The obligations set out in Section 106 agreements apply to the person or organisation that entered into the agreement, and any subsequent owner of the land to which the planning permission relates. This is something that any future owners will need to take in to account.
- 5.116. The National Planning Policy Framework provides Government guidance on the use of planning obligations. It contains three tests that planning obligations must meet:
- Necessary to make the proposed development acceptable in planning terms;
 - Directly related to the proposed development;
 - Fairly and reasonably related in scale and kind to the proposed development.
- 5.117. Circumstances where planning obligations may be sought include:
- Provision of off-site works such as highway improvements, landscape treatment and planting;
 - Facilitating the preservation by record of archaeological remains;
 - Contributing towards the delivery of the Nottinghamshire Local Biodiversity Action Plan targets (relevant to the site);
 - Providing long-term site management (where third parties are involved);
 - Flood risk management schemes.

- 5.118. The nature and scale of obligation requirements from a development will reflect:
- The nature and impact the development has upon strategic, local and on-site needs and requirements;
 - Current infrastructure and whether the development can be accommodated by the existing provision;
 - How the potential impacts of a development can be mitigated;
 - Viability. In considering issues of viability the Council will have regard to the quality and value of a scheme in the context of how the development contributed towards the vision, objectives and policies for the area.
- 5.119. Whether obligations will be ‘in kind’ (where the developer builds or directly provides the infrastructure), by means of financial payments or a combination of both will depend on the nature and circumstances of the infrastructure requirement. The National Planning Policy Framework sets out that development identified in the Local Plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. It emphasises that developers and landowners should receive a competitive return to enable the development to be delivered.

DM12: Restoration, aftercare and after-use

Introduction

- 5.120. It is essential that mineral extraction and restoration are properly designed at the planning application stage to ensure that both are technically and economically feasible, environmentally acceptable and that the impacts can be fully assessed.
- 5.121. Note: This policy should be considered along-side Policy SP2: Biodiversity-Led Restoration.

Policy DM12: Restoration, aftercare and after-use

1. Proposals for minerals development must include an appropriate scheme for the restoration, after care and long term after use to enable long term enhancement of the environment.

Restoration

2. Restoration of minerals development should be in keeping with the character and setting of the local area and should contribute to the delivery of local objectives for habitats, biodiversity, landscape, historic environment or community use where appropriate.
3. As a minimum, restoration plans should include:
 - a) An overall concept plan with sufficient detail to demonstrate that the scheme is feasible in both technical and economic terms and is consistent with the County Council's biodiversity-led restoration strategy; and
 - b) Illustrative details of contouring, landscaping, phasing and any other relevant information as appropriate.
4. Mineral extraction proposals which rely on the importation of waste for restoration must:
 - a) Include satisfactory evidence that the waste will be available over an appropriate timescale in the types and quantities assumed;
 - b) Provide the optimum restoration solution; and
 - c) Provide evidence that it is not practical to re-use or recycle the waste

Aftercare

5. Restoration proposals will be subject to a minimum five-year period of aftercare. Where proposals or elements of proposals, such as features of biodiversity interest, require a longer period of management the proposal will only be permitted if it includes details of the period of extended aftercare and how this will be achieved.

After-use

6. Where proposals for the after use includes habitat creation, applicants will be required to demonstrate how the proposals contribute to the delivery of Local Biodiversity Action Plan targets and have regard to the biodiversity-led restoration approach and the opportunities identified in the National Character Area profile.
7. All proposals will be required to make provision for the retention or replacement of soils, as appropriate, and for any necessary drainage, access, hedges and fences.
8. The after-use will be required to have regard to the wider context of the site, in terms of the character of the surrounding landscape and historic environment and existing land uses in the area.
9. Where opportunities arise, after-use proposals should provide benefits to the local and wider community.

Justification

- 5.122. National policy requires local planning authorities to ensure that worked land is reclaimed at the earliest opportunity and that high-quality restoration and aftercare takes place.
- 5.123. Although mineral working is a temporary land use, worked sites which are not appropriately restored can result in permanent adverse impacts on the environment. It is essential that the detailed restoration proposals for minerals development are properly considered at the application stage to minimise impacts and ensure long term benefits are secured.
- 5.124. The overall restoration proposal also establishes the long-term potential of the land for a wide range of after-uses that can benefit the local and/or wider community, including employment, conservation, recreation, forestry and agricultural uses as well as improved public access for all users. The phasing of operations to achieve restoration at the earliest opportunity is an important factor influencing the acceptability of minerals extraction to local residents.

- 5.125. Achieving high quality restoration must be integral to any proposals for minerals development. At the national level, Natural England has published a series of National Character Area profiles which suggest where action can be best targeted to conserve and improve the natural environment.
- 5.126. The 'Bigger and Better' document prepared by the RSPB in partnership with other environmental organisations, promotes a strategic, landscape scale approach to biodiversity-led minerals restoration which will help to establish a coherent and resilient network of wetlands across the whole of the Trent and Tame River Valleys. In addition, a more detailed concept plan has been developed for the section of the Trent Valley between Newark and South Clifton which is intended to complement the existing positive approach towards future mineral sites restoration in this area.
- 5.127. The Council's biodiversity-led restoration approach is based on the biodiversity opportunities in Nottinghamshire which assist in maximising the potential value of minerals restoration by carefully planning which habitats can be created, and where. The restoration process will be required to ensure that the priority habitats identified in the Nottinghamshire Local Biodiversity Action Plan are created or enhanced, where appropriate.
- 5.128. Most mineral workings are on agricultural land. In general, where the best and most versatile land is taken for mineral extraction, it is important that the potential for land to be returned to an after-use which maintains the quality of the land and soil is maintained through an appropriate landform and or soil profiles.
- 5.129. The Landscape Character Assessments covering Nottinghamshire identify specific features of the different Landscape Character Areas within the County. This information can then be used to assist in the designing of restoration schemes.
- 5.130. Proposals for minerals development should be accompanied by a restoration scheme that provides comprehensive details of the order and timing of phases of mineral working, restoration and of the final main after uses. Where possible the proposed scheme should incorporate some element of flexibility to take account of changing circumstances during the life of the development and beyond. It should aim to integrate and facilitate the delivery of any relevant mitigation measures, as identified in assessments undertaken to support the planning application. It is strongly advised that these matters are discussed with the Mineral Planning Authority at the pre-application stage, and where possible involve input from relevant key stakeholders to resolve any potential conflicts of interest.
- 5.131. Soils must be adequately protected and maintained throughout the life of the development, particularly if a site comprises land that qualifies as best and most versatile agricultural land (see Policy DM3: Agricultural land and soil quality).

Where necessary, proposals for minerals development should be supported by a site-specific Land Classification Survey, undertaken by an independent expert to determine the grading and agricultural value of the proposed site. The survey should incorporate a report/statement of physical characteristics, providing detailed information about the soils, subsoils and overburden within the boundaries of the site. Where the proposed after use is to be one which requires little or no soil, e.g. a lake or a nature reserve requiring impoverished soil resources, it would be better for soils to be removed from site and used beneficially elsewhere.

- 5.132. In some cases, materials (such as inert waste) will need to be imported to ensure that the site can be restored and returned to a beneficial after-use. Phased restoration of a site may require an adequate and timely supply of suitable material in order to ensure that the development can proceed on schedule. However, inert fill material may not necessarily be available in the required quantities and timescales, as the introduction and application of Landfill Tax has reduced the amount of inert material available. In addition, Government encourages the recycling and use of construction and demolition waste as an alternative to primary aggregates. Developers will be required to demonstrate that materials to be imported for restoration purposes are both suitable (based on the advice of the Environment Agency) and are available in sufficient quantity and when needed to achieve the proposed restoration scheme.
- 5.133. It should be noted that whilst a mineral extraction activity in one location may be appropriate, if the restoration/infill scheme intends to use waste material, then this activity may not be appropriate in that location, for example if there are amenity issues for nearby residents. Where waste material is to be imported, an Environmental Permit from the Environment Agency will be required. Where restoration involves the use of extractive waste (i.e. waste produced through the mineral extraction process, not imported) then the operator may be required to apply for a Mining Waste Environmental Permit from the Environment Agency.
- 5.134. Minerals development will be expected to contribute, where appropriate, to the green infrastructure (strategic networks of well-planned, multi-functional spaces) of Nottinghamshire, particularly through the restoration and after-use of minerals development sites.
- 5.135. After the mineral has been extracted and the stripped soils returned, the aftercare period is the time when the site is prepared for the agreed after-use. Aftercare can include the processes of cultivating, fertilising, planting, draining and otherwise treating the land. The minerals operator is normally still responsible for the site at this time. An appropriate period of aftercare is needed to ensure mineral sites are restored to a standard suitable for their intended after-use.

- 5.136. Different after-uses may require different periods of aftercare. The statutory aftercare period is 5 years, or such other maximum period as may be prescribed, and some uses such as nature conservation may benefit from an aftercare period of up to 20 years or more, whilst agriculture may only need a 5-year aftercare period. Extended aftercare periods will be negotiated for those uses that would benefit from such longer periods and will be secured by condition.
- 5.137. It is important that management responsibilities are identified and agreed between the developer and those taking on the aftercare of the site to ensure that the proposed after-use can and will be delivered. Planning agreements will be used to ensure that the appropriate aftercare provisions remain in effect for the required aftercare period.
- 5.138. All restoration proposals should take into account the relevant District/Borough Local Plans and where appropriate contribute to the delivery of those Plans. Minerals developers will also be encouraged to involve local communities and parish councils when considering options for restoration and aftercare.

DM13: Incidental Mineral Extraction

Introduction

- 5.139. In principle, recovering minerals as an incidental element of another development proposal promotes sustainable development by helping to conserve mineral resources that might otherwise be lost.

Policy DM13: Incidental Mineral Extraction

1. Planning applications for the extraction of minerals as a necessary element of other development proposals on the same site will be supported where it can be demonstrated that the scale and duration of the mineral extraction does not result in adverse environmental impacts and that it brings environmental and other benefits to the development it is incidental to.
2. Where planning permission is granted, conditions will be imposed to ensure that the site can be adequately restored to a satisfactory after-use should the main development be delayed or not implemented.

Justification

- 5.140. District/Borough Councils within Nottinghamshire should advise the County Council on proposals, such as ornamental lakes and major built development, which involve the excavation and removal of significant quantities of soils, overburden and mineral. Failure to do so may result in planning permission being granted without taking into account potential mineral planning issues. Developers submitting proposals to District/Borough Councils are likewise encouraged to consult the County Council at the pre-application stage where they expect incidental mineral extraction to be necessary.
- 5.141. In many cases the planning application for the main development may be determined by the District/Borough Council, and, except where quantities are very small, the mineral extraction may need to take the form of a separate planning application to be determined by the County Council. In these cases, in order to ensure that both proposals are compatible, it is important to consider both planning applications at the same time. Interim reclamation proposals must be included to ensure that the primary development proposals are not delayed or fail to be implemented.
- 5.142. Incidental mineral extraction is not precisely defined in terms of quantity of mineral worked or duration. It does not, however, apply to mineral development simply because it is small scale or short term. If mineral extraction is a significant reason for justifying or promoting the development, the proposal will need to be assessed against the relevant policies applicable to the mineral being worked.

DM14: Irrigation Lagoons

Introduction

- 5.143. Proposals to construct irrigation lagoons within agricultural land can involve the extraction of minerals to create the lagoon. The mineral is usually taken offsite for processing at a nearby quarry. Providing there is evidence of genuine agricultural benefits then the mineral extraction can normally be regarded as incidental.

Policy DM14: Irrigation Lagoons

Proposals for mineral extraction to create or extend irrigation lagoons will be supported where:

- a) There is satisfactory evidence that they will provide significant benefits to agricultural productivity;
- b) They can be worked without any unacceptable environmental impacts;
- c) The irrigation lagoon is landscaped and treated to maximise its potential for enhancing the landscape character and/or biodiversity.
- d) The irrigation lagoon is of a scale or degree that does not impact on the development of permitted or allocated mineral extraction sites.

Justification

- 5.144. The development of irrigation lagoons is often classed as 'permitted development' and would not require planning permission unless the mineral is taken off-site.
- 5.145. Sand and gravel deposits are technically very suited for this purpose because of the normally high water table level and relatively rapid recharge after the water is abstracted for irrigation. The cost of creating the lagoon is also likely to be offset by the value of the mineral. The main planning issues will generally comprise traffic during construction, the impact on archaeological sites, and the long-term landscape impact of the lagoon. Wildlife impact is less likely to be an issue, as these lagoons tend to be sited within arable fields.
- 5.146. Whilst the purpose of these lagoons is to provide irrigation, it is important that they are shaped and landscaped to blend in with and, where possible, enhance the landscape character of the area, including biodiversity. The standard rectangular reservoir should be avoided, as this will generally detract from the area.
- 5.147. It should be noted that irrigation lagoons will usually require a water abstraction licence from the Environment Agency. In certain parts of Nottinghamshire, particularly in the River Idle and River Torne catchment areas, no new water abstraction is allowed. Whether abstraction is allowed in the proposed area (and

similarly whether the applicant has started to pursue the securing of a licence) could be an indication of a genuine agricultural purpose for the lagoon and thus could be used as evidence referred to in part a) of the policy.

DM15: Borrow Pits

Introduction

- 5.148. The term 'borrow pit' is applied to a temporary mineral working supplying material for use solely in a specific construction project, particularly roads.
- 5.149. Borrow pits are typically located next to the construction site, and in the ideal situation are soon backfilled with waste materials, such as soft clay, that often have to be removed from the construction area – hence the material excavated is 'borrowed'. Normally, large quantities of material, mainly bulk fill, are required over a short time.

Policy DM15: Borrow Pits

Proposals for borrow pits will be supported where:

- a) They are adjacent to or close to the project/s they are intended to serve;
- b) They are time limited to the life of the project and material is to be used only for the specified project;
- c) They can be worked and reclaimed without any unacceptable environmental impacts;
- d) There are overriding environmental or other benefits compared to obtaining materials from alternative sources;
- e) Proposals provide for appropriate restoration measures which include full use of surplus spoil from the project.

Justification

- 5.150. With the exception of small borrow pits developed within the boundary of the construction sites including highways and railways, planning permission is required. Proposals for borrow pits will be treated in the same way as any other mineral extraction scheme. This means that borrow pits must be justified in terms of being the most suitable source of material to meet demand, and that appropriate environmental safeguards covering both working and restoration are included.
- 5.151. Advance planning is essential to ensure that the borrow pit can be developed within the timescales required. For example, if archaeological remains are present these may require a full and lengthy investigation before any mineral can be extracted. Submitting proposals after contracts are let is unlikely to allow sufficient time to resolve such complications. Urgency of need cannot be an overriding factor in the treatment of archaeological remains and other similar environmental factors.
- 5.152. It is important to ensure that borrow pits only supply the construction project intended. Therefore, in granting planning permission for borrow pits, the County

Council will take appropriate measures to control access and routeing, and permission will be time limited to the life of the construction project.

- 5.153. In considering 'need', the quantities and specifications of materials required for the construction project will be assessed in the context of the level and location of existing permitted reserves. Minerals won from borrow pits contribute to the County's aggregate requirements and may help to avoid the use of better-quality reserves from established quarries.
- 5.154. In general, it should usually be possible to meet requirements from local established quarries or from waste materials and the use of secondary aggregates. In such circumstances borrow pits can normally only be justified where they offer clear environmental gains over alternative sources of supply.
- 5.155. For example, where borrow pits are adjacent to construction sites the most obvious environmental benefits will be the avoidance of heavy traffic on public highways. There will also be significant economic and energy savings because of the reduced haulage costs.
- 5.156. These short-term gains could be offset if the borrow pit is not properly reclaimed, or it is inappropriately located. For example, a water area adjacent to a major highway may have limited recreational potential because of access problems and/or traffic noise. Where possible infilling with waste material from the construction project will normally be the preferred option.

DM16: Associated Industrial Development

Introduction

- 5.157. The Town and Country Planning (General Permitted Development) (England) Order 2015 allows certain types of ancillary development to be located within minerals workings subject to prior approval from the Minerals Planning Authority. This relates to the installation, maintenance, repair and replacement of plant, machinery or structures that are essential to the minerals operation. Various criteria relating to the height and appearance of buildings and structures and other restrictions may apply. All other industrial development will require planning permission in the normal way.

Policy DM16: Associated Industrial Development

Proposals for associated industrial development on or adjacent to mineral extraction sites will be required to demonstrate that they are clearly related to and linked to the life of the site.

Justification

- 5.158. Associated industrial development broadly comprises industrial processes which largely depend on the mineral worked from the related mine or quarry, such as ready mixed concrete plants associated with sand and gravel quarries.
- 5.159. Proposals for associated industrial development will only be permitted where it can be shown that there are clear overall environmental advantages in a close link between the industrial and extractive operations. Particular regard will be given to environmental and transport implications, and the likely duration of working.
- 5.160. The continued use of such industrial development following exhaustion of the mineral reserve means it will become dependent upon the import of raw materials. This usually involves significant movements of heavy goods vehicles and will therefore normally be resisted.
- 5.161. Any planning permission for associated industrial development will be time limited to expire on the cessation of working from the associated extraction area.

DM17: Mineral Exploration

Introduction

- 5.162. Exploration is essential to prove the existence and extent of all types of mineral resources. Prior to development, it is necessary to ensure that a resource is economically viable and to determine how it can be worked. Mineral exploration is a temporary activity and certain types and scales of development of this nature are classed as 'permitted development' under the General Permitted Development Order (meaning that planning permission is not required). However, where the mineral exploration is not classed as 'permitted' and planning permission is sought, it is important for safeguards to be in place to minimise the environmental, amenity and long-term impacts of the development.

Policy DM17: Mineral Exploration

Proposals for mineral exploration will be permitted, subject to satisfactory environmental, amenity and restoration safeguards.

Justification

- 5.163. There are three main methods of mineral exploration; geophysical surveys, trial pits and boreholes:

Geophysical surveys

- 5.164. Seismic surveys are the most common type of geophysical survey, especially in the exploration of coal and oil. Whilst these surveys can provide useful information about the underlying geological structure, they do not prove the existence of mineral resources.
- 5.165. Most Seismic surveys have little environmental impact. However, noise and vibration can raise concerns when carried out in sensitive areas. This is especially the case when shot hole drilling is used and/or where surveys are carried out over a prolonged period. Particular concerns are the potential impacts on the local historic and natural environment that could occur as a result of survey work. Applicants are encouraged to contact the County Council prior to undertaking surveys.
- 5.166. Most seismic surveys have permitted development rights but there are several exceptions relating to sensitive areas, proximity to buildings, size of the explosive charge and the duration of operations. In these cases, planning permission is required. In any event, operators are encouraged to notify local residents at an

early stage, prior to surveys being carried out to allay concerns and unnecessary fears.

Trial pits and shallow boreholes

- 5.167. Trial pits and shallow boreholes are methods of surface mineral exploration which obtain data on the depth, extent and quality of the mineral, the make-up of overburden and hydrological data. After the information is recorded, the pits are backfilled and reinstated.
- 5.168. As with geophysical surveys, concerns are often raised regarding the impact that digging shallow pits may have on the archaeology, however, these pits can provide an ideal opportunity to evaluate the site's archaeology at an early stage and developers are encouraged to involve archaeologists during this exploration phase.
- 5.169. Due to the short duration of these operations, it is very rare that the Minerals Planning Authority will have to be notified, or planning permission be obtained. However, exceptions to this include operations in close proximity to buildings and operations in environmentally sensitive locations. There are also limits on the intensity of drilling, the use of explosives and the heights of rigs. Operations are encouraged to consult the County Council where there are doubts over the planning situation.

Deep boreholes

- 5.170. In Nottinghamshire deep boreholes, are used mainly in the exploration of coal, oil and gas.
- 5.171. A hard base, normally comprising crushed limestone, is required for the drilling rig and associated equipment. Supporting equipment includes mud pits, pipe racks, pumps and cabins. The environmental implications of deep borehole drilling are therefore much greater than those for the other exploration methods noted above.
- 5.172. The main considerations associated with deep boreholes include visual impact, noise, access, water pollution and directional drilling.

6. Implementation and Monitoring

Implementation

- 6.1. Local Plans should be monitored regularly to ensure that the policies within them are deliverable and effective and to identify whether the Plan or any of its policies need to be reviewed.
- 6.2. The policies set out in the Minerals Local Plan will primarily be implemented through the development management process in terms of determining planning applications and in carrying out the Council's ongoing minerals development monitoring and enforcement role.
- 6.3. Monitoring is important in facilitating the delivery of sustainable minerals development, the County will monitor all minerals development granted by the authority and will use appropriate compliance measures, such as regular site visits and enforcement action, to ensure all permitted minerals development comply with the terms of their planning permissions.
- 6.4. The Minerals Local Plan identifies the provision of aggregate minerals supply that is needed to meet demand during the plan period; 2018-2036. It makes separate provision for secondary and recycled aggregates, brick clay, gypsum, silica sand, industrial dolomite, building stone, coal and hydrocarbons.
- 6.5. The Plan contains overarching strategic policies mineral provision policies and development management policies, all of which have been developed to ensure that the overall approach is delivered in an environmentally sustainable way.

Monitoring

- 6.6. The Localism Act 2011 requires the production of monitoring reports. Details of what this must contain are set out in The Town and Country Planning (Local Planning) (England) Regulations 2012 with further guidance in the National Planning Policy Guidance.
- 6.7. The County Council produces a monitoring report each year to review:
 - Progress in preparing the new planning policy documents that will make up the development framework;
 - How well existing minerals and waste planning policies are working;
 - New national or other relevant policy guidance that needs to be taken into account;
 - Updates in local social, economic and environmental indicators that may influence existing and future minerals and waste policies.

- 6.8. Alongside the monitoring report, a requirement to prepare a Local Aggregates Assessment (LAA) was introduced through the publication of the National Planning Policy Framework in March 2012.
- 6.9. The LAA sets out:
- Summaries of past aggregate production, number of active quarries and the distribution of the extracted mineral.
 - Future apportionment levels based on the NPPF 10 year average figure and comparison to past apportionment figures.
 - The key issues that could affect the future demand for aggregates over the next plan period.
- 6.10. More detailed guidance on LAAs was published by the Department for Communities and Local Government (DCLG) in October 2012 and adds the requirement to produce a 3-year average production figure in order to monitor future demand.
- 6.11. Nottinghamshire County Council will work with the minerals industry and other mineral planning authorities, including through the East Midlands Aggregates Working Party to monitor sales, distribution and reserves of aggregate minerals and changes in patterns of supply to inform future forecasting and demand.
- 6.12. Observations recorded in the monitoring report and LAA will feed into reviews of the Minerals Local Plan, and if the strategy is not delivering or is indeed over delivering minerals an early review of the local plan may be necessary.
- 6.13. Appendix 4 contains a detailed monitoring and implementation table which sets out the policies, performance indicators and triggers for monitoring.

Glossary

Aftercare: Action necessary to bring restored land up to the required standard for an agreed after-use such as agriculture, forestry or amenity.

Air Quality Management Area (AQMA): A designation made by a local authority where an assessment of air quality results in the need to devise an action plan to improve quality of air.

Amenity: Something considered necessary to live comfortably.

Ancient Woodland: Woodland that is believed to have existed from at least medieval times.

Annual Monitoring Report: A report prepared by the County Council that monitors the progress of local plan preparation and the implementation of adopted policies.

Areas of Multiple Environmental Sensitivity study (AMES): A local study completed by Nottinghamshire County Council which sought to identify those areas of landscape considered to be of multiple environmental sensitivity relating to ecology, the historic environment and local attributes and thus establish the areas which might be considered most and least vulnerable or sensitive to development related impacts.

Best and most versatile agricultural land (BMV): The Agricultural Land Classification (ALC) provides a method for assessing the quality of farmland to enable informed choices to be made about its future use in the planning system. It helps underpin the principles of sustainable development. The ALC system classifies land into five grades, with Grade 3 subdivided into 3a and 3b. The best and most versatile land is defined as Grades 1, 2 and 3a by policy guidance. This is the land which is most flexible, productive and efficient in response to inputs and which can best deliver future crops for food and non-food uses such as biomass. Where significant development of agricultural land is unavoidable, poorer quality land should be used in preference to that of higher quality, except where this would be inconsistent with other sustainability considerations. Government policy is set out in the National Planning Policy Framework (NPPF).

Biodiversity Action Plan (BAP): A plan that identifies species and habitats that are a conservation priority to the locality and sets a series of targets for their protection and restoration/recreation.

Biodiversity Opportunity Mapping (BOM): A Nottinghamshire wide project led by the Nottinghamshire Biodiversity Action Group to increase understanding about the current distribution of biodiversity and to provide a spatial vision for the development of biodiversity in the long and medium term. It also looks at the most effective ways to re-create habitat networks at the landscape-scale. It is intended to help focus resources, deliver the local contribution to the England Biodiversity Strategy, inform spatial planning and inform other strategies and influence policy makers.

Bird strike: Risk of aircraft collision with birds, which are often attracted to open areas of water and landfill sites containing organic waste.

Climate change: The significant and lasting change in the distribution of weather patterns over periods ranging from decades to millions of years.

Conservation Areas: Designated areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.

Core Strategy: Under the previous planning system, local planning authorities produced a local development framework which comprised a portfolio of local development documents that together provided the framework for delivering a local authorities' planning strategy. This included a Core Strategy which set out the strategic overview for the plan area. Under changes to the planning system this has been replaced with the production of a single local plan.

Countryside: Areas that are not urbanised.

Cumulative impact: Impacts that accumulate over time, from one or more sources, and can result in the degradation of important resources.

Development Plan: The series of planning documents that form all of the planning policy for an area, it includes Local Plans (District and County) and neighbourhood plans. All documents forming the development plan have to be found 'sound' by a Government Inspector during a public independent examination before they can be adopted.

Environment Agency (EA): A public organisation with the responsibility for protecting and improving the environment in England and Wales. Its functions include the regulation of industrial processes, the maintenance of flood defences and water resources, water quality and the improvement of wildlife habitats.

Environmental Impact Assessment (EIA): Systematic investigation and assessment of the likely effects of a proposed development, to be taken into account in the decision-making process under the Town and Country Planning (Environment Impact Assessment) (England and Wales) Regulations 1999. The process is undertaken for a proposed development that would significantly affect the environment because of its siting, design, size or scale.

General Permitted Development Order (GPDO): Legislation which sets out the classes of development for which a granted of planning permission is automatically given, provided that no restrictive covenant is attached or that the development is exempt.

Green Belt: An area designated to provide permanent separation between urban areas. The main aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important quality of Green Belts is their openness.

Green infrastructure: A network of multi-functional green space, both new and existing, both rural and urban, which supports the natural and ecological processes and is integral to the health and quality of life of sustainable communities.

Greenhouse gas: Gases resulting from various processes which, when emitted into the atmosphere, trap heat from the sun causing rises in global temperatures – a process often referred to as the greenhouse effect.

Groundwater Source Protection Zones: Geographical areas, defined by the Environment Agency, used to protect sources of groundwater abstraction.

Habitats Regulation Assessment (HRA): Statutory requirement for Planning Authorities to assess the potential effects of land-use plans on designated European Sites in Great Britain. The Habitats Regulations Assessment is intended to assess the potential effects of a development plan on one or more European Sites (collectively termed 'Natura 2000' sites). The Natura 2000 sites comprise Special Protection Areas (SPAs) and Special Areas of Conservation (SACs). SPAs are classified under the European Council Directive on the conservation of wild birds (79/409/EEC; Birds Directive) for the protection of wild birds and their habitats (including particularly rare and vulnerable species listed in Annex 1 of the Birds Directive, and migratory species).

Health and Safety Executive (HSE): The national independent watchdog for work-related health, safety and illness.

Health Impact Assessments (HIA): A practical and flexible framework by which the effects of policies, plans or projects on health and inequality can be identified. Such effects are examined in terms of their differential impact, their relative importance and the interaction between impacts. In doing so, HIAs can make recommendations to inform decision making, particularly in terms of minimising negative impacts and maximising opportunity to promote health and wellbeing.

Heavy goods vehicles (HGV): A vehicle that is over 3,500kg unladen weight and used for carrying goods.

Highways Authority: The organisation responsible for the administration of public roads.

Highways England: A government company charged with driving forward England's motorways and major A roads. Including modernising and maintaining the highways, as well as running the network and keeping traffic moving.

Historic England: The public body that looks after England's historic environment. It champions historic places, helping people to understand, value and care for them.

Historic Environment Record (HER): A public record of all aspects of the historic environment of the County.

Hydraulic fracturing: A technique used to extract oil or gas found in rock deep underground. A mixture of water, sand and chemicals is pumped under high pressure into a pre drilled bore hole to fracture the rock releasing the oil or gas.

Landbank: A measure of the stock of planning permissions in an area, showing the amount of unexploited mineral with planning permission for extraction, and how long those supplied will last at the locally apportioned rate of supply.

Landscape character: A combination of factors such as topography, vegetation pattern, land use and cultural associations that combine to create a distinct, recognisable character.

Landscape Character Assessment (LCA): A technique used to identify what makes a place unique in landscape terms. Characterisation involves assessing the physical components of a landscape alongside cultural influences.

Listed Building: Buildings of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Protected under the Planning (Listed Buildings and Conservation Areas) Act 1990.

Local Nature Reserves (LNR): A statutory designation made (by principal local authorities) under Section 21 of the National Parks and Access to the Countryside Act 1949. They are places of local, but not necessarily national, wildlife or geological importance and also often have good public access and facilities. Local Nature Reserves are almost always owned by local authorities, who often pass the management of the Local Nature Reserves onto County Wildlife trusts.

Local Transport Plan (LTP): A statutory plan detailing the future transport approach in a given area.

Local Wildlife Sites (LWS): Sites that support wildlife-rich habitats, or particularly important species, but which aren't protected nationally.

Material considerations: A material consideration in the UK is a process in Planning Law in which the decision maker, when assessing an application for development, must consider in deciding the outcome of an application.

Ministry of Defence (MoD): The Government department responsible for implementation of the government defence policy and the headquarters of UK armed forces.

Minerals Consultation Areas (MCA): An area identified to ensure consultation between the relevant District or Borough planning authority, the minerals industry and the Minerals and Waste Planning Authorities before certain non-mineral planning applications made within the area are determined. The Nottinghamshire Minerals Consultation Area covers the same areas as the Minerals Safeguarding Area. (with the exception of Colwick Wharf)

Mineral reserve(s): Those minerals that have a valid planning permission for extraction (also referred to as permitted reserves)

Minerals resource(s): Natural deposits of minerals that are found in sufficient quantities to be of likely economic interest and could be worked in the future

Minerals Safeguarding Areas (MSA): The MSA is defined by minerals and waste planning authorities. They include viable resources of minerals and are defined so that inferred resources of minerals are not sterilised by non-mineral development. The MSA does not provide a presumption for these resources to be worked. The Nottinghamshire Minerals Safeguarding Areas covers the same areas as the Mineral Consultation Areas.

National Nature Reserve (NNR): A nationally important biological or geological site declared by Natural England and managed through ownership, leasehold or a nature reserve agreement.

National Planning Policy Framework (NPPF): The national planning document setting out the Government's planning policies for England and how these are expected to be applied. It acts as guidance for local planning authorities and decision-takers in both drawing up plans and making decisions about planning applications.

Natura 2000 sites: Designated land including Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) and Ramsar sites.

Natural England: The government's adviser for the natural environment in England, which helps to protect England's nature and landscape for people to enjoy and for the service they provide.

Permitted development rights: Permitted development rights grant automatic planning permission to proposals for development that is a physical operation, or a material change of use, or both.

Permitted reserves: Mineral resource with planning permission for extraction.

Policies Map: A map on an Ordnance Survey base showing spatial application of appropriate policies from the Local Plan. Also known as a proposals map.

Ramsar Sites: (Wetlands of International Importance): Sites of international importance for waterfowl protected under the Ramsar Convention of the Conservation of Wetlands of International Importance, ratified by the UK Government in 1976.

Recycled aggregates: Materials that have been used previously, including construction and demolition waste, asphalt road planings and used railway ballast.

Regionally Important Geological Sites (RIGS): Sites, designated by locally developed criteria, which are currently the most important sites for geology and geomorphology outside statutorily protected land, such as Sites of Special Scientific Interest (SSSI).

Register of Historic Parks and Gardens of Special Historic Interest: A register held by Historic England established in 1983 which identifies sites assessed to be of national importance. (also referred to as 'registered parks and gardens').

Renewable energy: Energy which comes from natural resources such as sunlight, wind, rain, tides and geothermal heat, which are naturally replenished.

Restoration: The process of returning a site to its former use, or delivering new conditions that will support an agreed after-use, such as recreation or the creation of wildlife habitats.

Rights of Way (RoW): Marked routes which the public have a legally protected right to use.

Scheduled Ancient Monument (SAM): Nationally important archaeological sites included in the Schedule of Ancient Monuments maintained by the Secretary of State under the Ancient Monuments and Archaeological Areas Act 1979.

Secondary aggregate: Materials that are by-products of other processes, including the production of primary aggregates. They do not meet primary aggregate specifications but can be used instead of them.

Section 106 agreement (S106): The Town and Country Planning Act 1990 allows a local planning authority (LPA) to enter into a legally-binding agreement or planning obligation with a landowner when granting planning permission. The obligation is termed a Section 106 Agreement. These agreements are a way of dealing with matters that are necessary to make a development acceptable in planning terms. They are increasingly used to support the provision of services and infrastructure, such as highways, recreational facilities, education, health and affordable housing.

Site of Special Scientific Interest (SSSI): A national designation for an area of special interest because of its flora, fauna, or geological or physiographical features, selected by Natural England and notified under Section 28 of the Wildlife and Countryside Act 1981.

Sites and Monuments Record (SMR): The National Trust Sites and Monuments Record (NTSMR) is a resource and repository of information about the archaeology and historic landscapes under National Trust care.

Special Area of Conservation (SAC): Areas which have been given special protection under the European Union's Habitats Directive. They provide increased protection to a variety of wild animals, plants and habitats and are a vital part of global efforts to conserve the world's biodiversity.

Special Protection Area (SPA): An area of importance for the habitats of certain rare or vulnerable categories of birds or for regularly occurring migratory bird species, required to be designated for protection by member states under the European Community Directive on the Conservation of Wild Birds (79/409/EC).

Statement of Community Involvement (SCI): A Local Development Document which sets out the standards the Planning Authority intend to achieve when involving the community in preparing Local Development Documents, or when making a significant development control decision. It also sets out how the Authority intends to achieve these standards. A consultation statement must be produced showing how the Authority has complied with its SCI.

Sterilisation: When a change of use, or the development, of land prevents possible mineral exploitation in the foreseeable future.

Strategic Flood Risk Assessment (SFRA): An assessment of the potential flood risk such as from groundwater and fluvial flood risk, undertaken at the appropriate level (County or district).

Strategic Transport Assessment: An assessment of the likely impact of planning policies (site allocations) on the highway network. The purpose of the Nottinghamshire Strategic Transport Assessment is to describe the HGV impacts upon the Highway network as a result of the proposed MLP sites whilst considering the goals and targets set out in the relevant local and national planning policy documents.

Sustainability Appraisal (SA): In United Kingdom planning law, an appraisal of the economic, environmental, and social effects of a plan from the outset of the preparation process, to allow decisions that are compatible with sustainable development. Since 2001, sustainability appraisals have had to conform to the EU directive on Strategic Environmental Assessment.

Sustainable Community Strategy: A document outlining the local community's wishes and priorities for their area, they can be used as a tool to ensure local government and other services work together to meet local needs.

Sustainable Development: Development that meets the needs of the present without compromising the ability of future generations to meet their own needs. It encompasses five guiding principles: living within the planet's environmental limits, ensuring a strong, healthy and just society, achieving a sustainable economy, promoting good governance and using sound science responsibly.

Sustainable Drainage Systems (SuDS): A sequence of water management practices and facilities designed to drain surface water in a more suitable way than the conventional practice of routing run off through a pipe to a watercourse.

Townscape: The appearance of a town or city; an urban scene.

Transport Assessment (TA) / Transport Statement (TS): The National Planning Policy Framework requires that all developments that are likely to generate significant amounts of transport movements should include a Transport Assessment or Transport Statement as part of a planning application. Both will examine the transport issues relating to the proposed development and identify measures needed to deal with the impacts, improve accessibility and safety for all modes of transport and promote measures to encourage sustainable transport. The reports are usually accompanied by a Travel Plan that includes measures to encourage use of sustainable transport that will be implemented as part of the development. A Strategic Transport Assessment will cover the same issues but will look at a range of proposed allocations to assess the potential individual and cumulative impacts of the developments.

Trunk road network: The strategic network of roads used to move people and freight around the country. The Highways England is responsible for its construction and maintenance.

Urban Areas: An area characterised by higher population density and vast human features in comparison to areas surrounding it. Urban areas may be cities, towns or conurbations.

Water Framework Directive: A European directive which became part of UK law in December 2003. It provides an opportunity to plan and deliver a better water environment, focussing on ecology, which will be delivered through river basin management planning.

Appendix 1: Delivery Schedules

Sand and gravel and Sherwood Sandstone delivery schedules

The delivery schedules set out the expected life of existing permitted quarries over the plan period and how the site allocations (extensions to existing permitted quarries and/or new green field quarries) will maintain output over the plan period.

Given the nature of extraction and the influence of future economic conditions, the figures set out in the schedules should only be used as an indicative illustration.

For a number of quarries two figures are stated. The forecasted figure relates to information supplied by the mineral operators through the call for sites process or the wider public consultation process. The permitted figures relate to the maximum output figures as stated in the relevant planning permission for the quarry.

Due to reasons of confidentiality, detailed annual sales data cannot be used on a site by site basis

Key to the following tables:

- Existing sites are highlighted in light grey
- Extensions to existing sites are highlighted in dark grey
- New quarries are highlighted in black

Sand and gravel delivery schedule

Site (site code)	Output	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036
Idle Valley																				
Newington South (MP2a)	Forecasted	150																		
Finningley (MP2b)	Forecasted	0																		
	Permitted	160																		
Sturton Le Steeple (MP2c)	Forecasted			50	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
	Permitted			500	500	500	500	500	500	500	500	500	500	500	500	500	500	500	500	
Bawtry Road (MP2d)	Permitted		40	40	40	40	40	40	40											
Bawtry Road West (MP2k)	Forecasted									30	30	30	30	30	30					
Scrooby South (MP2j)	Forecasted	40	40	40	40	40														
	Permitted	72	72	72	72	72														
Scrooby North (MP2m)	Forecasted						40	40	40	40	40	40	40	40	40	40	40	40	40	40
Scrooby Thompson Land (MP2l)	Forecasted			40	20															
Newark																				
Cromwell (MP2e)	Forecasted	200	200	200	200															
	Permitted	200	200	200	200	200	200	200	200	200	200									
Besthorpe (MP2f)	Forecasted	150	150	200																
	Permitted	120	120	120	120	120														
Besthorpe East (MP2o)	Forecasted				200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200
Girton (MP2g)	Forecasted	0	50	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100		
	Permitted		200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	
Langford Lowfields (MP2h)	Permitted	450	450	450	450	450	450	450	450	450	250									
Langford Lowfields North (MP2n)	Forecasted										200	450	450	450	450	450	450	450	450	450
Nottingham																				
Mill Hill near Barton in Fabis (MP2p)	Forecasted				280	280	280	280	280	280	280	280	280	280	280	280				
East Leake (MP2i)	Permitted	180	180	180	180	180	180	180	180	180										

Sherwood Sandstone delivery schedule

Site	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036
Calverton/ Burnstump (MP3a)	30	30	30	30	30**	30	30	30	30	30	30	30	30	30	30	30	30	30	30
Bestwood 2 (MP3b)	140	140	140	140	140	140	140	140	140	140	140	140							140*
Bestwood 2 North (MP3d)													140	140	140	140	140	140	
Scrooby Top (MP3c)	120	120	120	120	120														
Scrooby Top North (MP3e)						120	120	120	120	120	120	120	120	120	120	120	120	120	120

Appendix 2: Site Allocation Development Briefs

The purpose of the site development briefs is to identify the key site-specific issues that will need to be addressed as part of the detailed planning application process for each of the allocated quarries. The options for biodiversity led restoration have been identified through the development of a biodiversity opportunity mapping project which seeks to identify opportunities for the enhancement, expansion, creation and re-linking of wildlife habitats across the county. Each site development brief includes a range of priority habitats, as identified within the Local Biodiversity Action Plan (LBAP), that could be included within the site restoration. This is to allow flexibility as the most appropriate restoration will depend on site specific proposals.

MP2k – Bawtry Road west

Grid reference: 467589, 395160

District: Bassetlaw District Council

Parish: Misson Parish Council

Total mineral resource: 180,000 tonnes

Quarry restoration

All proposals for restoration schemes should be in line with the County Council's approach to Biodiversity-Led Restoration contained within Policy SP2.

Restoration will depend on landform, hydrology and substrate characteristics. However, priority habitats could include:

- Lowland Dry Acid Grassland
- Lowland Heathland
- Floodplain Grazing Marsh
- Lowland Fens
- Marsh and Swamp
- Reedbed
- Ponds
- Wet Woodland
- Oak-birch Woodland

Restoration proposals should seek to avoid 'habitat packing', where small areas of many different habitat types are packed into the site. Proposals should instead focus on maximising the biodiversity benefits from larger areas of priority habitat. Priority should be given to wetland/open habitats rather than woodland although it should be noted that the site is adjacent to a former quarry area known as Rugged Butts (SINC/LWS 2/969), which is now a significant area of acid grassland. It may therefore be appropriate to seek to expand this area by creating similar habitats within the restoration at Bawtry Road west. There is also potential for flood risk improvements as part of the restoration.

Location

- South west of Mission and north east of Newington
- See Policies Map Inset 2

Environmental and cultural designations

- Impact on the setting of the designated heritage assets at Austerfield and Misson and on the nearby valuable cluster of LWSs and SSSIs around Newington and Misson should be considered
- Impact on the setting of Norworth Hill Farmstead cluster of non-designated heritage assets should be considered.
- Woodland area along disused railway line should be retained
- Hedge planting along northern boundary and eastern edge of the site
- Consideration of Landscape Character Assessment, Policy Zone recommendation: 'Conserve and Restore' - actions should encourage the

conservation of distinctive features in good condition, whilst restoring elements or areas in poorer condition and removing or mitigating detracting features.

- High potential for the site to contain non-designated archaeology.

Access and transport

- Access on to public highway as per existing site (MP2d - Bawtry Road)
- Lorry routing and signage agreements to avoid the village of Misson to be retained

Amenity

- Misson Byway No.2 (Byrons Lane), which follows the northern boundary of the site should be protected.

Water and flooding

- Prior to making a planning application, applicants should discuss water abstraction issues with the Environment Agency.

A Flood Risk Assessment should address:

- Surface and ground water flooding
- Overland flow paths
- Potential impact on the groundwater resource as the site is within a Source Protection Zone 3 and underlain by a Principal Aquifer.

MP2I – Scrooby Thompson Land

Grid reference: 465749, 388835

District: Bassetlaw District Council

Parish: Scrooby Parish Council

Total mineral resource: 60,000 tonnes

Quarry restoration

All proposals for restoration schemes should be in line with the County Council's approach to Biodiversity-Led Restoration contained within Policy SP2.

Restoration of the site should be primarily biodiversity-led, however the higher quality agricultural soils should be taken into account in the final restoration proposal reflecting policy DM3; Agricultural land and soil quality. Restoration will depend on landform, hydrology and substrate characteristics. However, priority habitats could include:

- Lowland Dry Acid Grassland
- Lowland Heathland
- Floodplain Grazing Marsh
- Lowland Fens
- Marsh and Swamp
- Reedbed
- Ponds
- Wet Woodland
- Oak-birch Woodland

Restoration should seek to maximise the extent of target habitat(s) and avoid habitat packing, where small areas of lots of habitats are packed into the site. Proposals should instead focus on maximising the biodiversity benefits from larger areas of priority habitat. Priority should be given to wetland/open habitats rather than woodland.

Location

- North west of Ranskill
- See Policies Map Inset 3

Environmental and cultural designations

- Impact on the setting of Grade II listed buildings – Scrooby Top Farmhouse Restaurant and Scrooby Top Cottages and attached buildings due west of the site should be considered.
- Impact on Serlby Hall Parkland (non- designated HA) and the setting of associated designated heritage assets, including Serlby Hall.
- Working should avoid impacts on designated sites in the local area including Scrooby sand pits, Scrooby Top quarry, Mattersey Hill Marsh and River Idle Washlands SSSIs.
- Consideration of Landscape Character Assessment, Policy Zone recommendation: 'Conserve and Reinforce' – actions should conserve distinctive features and features in good condition, and strengthen and reinforce those features that may be vulnerable

- Site is within an area with historical records of nightjar and woodlark.
- High potential for the site to contain non-designated archaeology.
- Potential impacts on the setting of listed buildings at Scrooby Top Farmhouse and Cottages.
- Potential impacts on the Mattersey Hill Marsh and River Idle Washlands SSSIs

Access and transport

- Access on to public highway as per existing site (MP3c – Scrooby Top)
- Strategic Transport Assessment advises segregated HGV right-turn into site
- Access through existing areas must not bring about unacceptable restoration delays

Amenity

- Potential for creation of permissive or definitive access to restored areas
- Screening should be provided from residential properties to the north west of the site.

Water and flooding

- Prior to making a planning application, applicants should discuss water abstraction issues with the Environment Agency

A Flood Risk Assessment should address:

- Surface and ground water flooding
- Overland flow paths
- Potential impact on the groundwater resource as the site is within a Source Protection Zone 3 and underlain by a Principal Aquifer.

MP2m – Scrooby North

Grid reference: 465400, 389809

District: Bassetlaw District Council

Parish: Scrooby Parish Council

Total mineral resource: 560,000 tonnes available during the plan period.

Quarry restoration

All proposals for restoration schemes should be in line with the County Council's approach to Biodiversity-Led Restoration contained within Policy SP2.

Restoration of the site should be primarily biodiversity-led, however the higher quality agricultural soils should be taken into account in the final restoration proposal reflecting policy DM3; Agricultural land and soil quality. Restoration will depend on landform, hydrology and substrate characteristics. However, priority habitats could include:

- Lowland Dry Acid Grassland
- Lowland Heathland
- Floodplain Grazing Marsh
- Lowland Fens
- Marsh and Swamp
- Reedbed
- Ponds
- Wet Woodland
- Oak-birch Woodland

Restoration should seek to maximise the extent of target habitat(s) and avoid habitat packing, where small areas of lots of habitats are packed into the site. Proposals should instead focus on maximising the biodiversity benefits from larger areas of priority habitat. Priority should be given to wetland/open habitats rather than woodland.

Location

- North west of Ranskill
- See Policies Map Inset 3

Environmental and cultural designations

- Impact on the setting of Grade II listed buildings – Scrooby Top Farmhouse Restaurant and Scrooby Top Cottages and attached buildings due west of the site should be considered.
- Impact on Serlby Hall Parkland (non-designated HA) and the setting of associated designated heritage assets, including Serlby Hall.
- Working should avoid impacts on designated sites in the local area including Scrooby sand pits.
- Gap up hedgerow to north boundary and plant new hedgerow to eastern and southern boundaries
- Consideration of Landscape Character Assessment, Policy Zone recommendation: 'Conserve and Reinforce' – actions should conserve distinctive features and features in good condition and strengthen and reinforce those features that may be vulnerable.
- Site is within an area with historical records of nightjar and woodlark.
- Potential impacts on the Mattersey Hill Marsh and River Idle Washlands SSSIs

Access and transport

- Access on to public highway as per existing site (MP3c – Scrooby Top)
- Strategic Transport Assessment advises segregated HGV right-turn into site
- Access through existing areas must not bring about unacceptable restoration delays

Amenity

- Restoration could create a new access from Green Lane (Scrooby Bridleway 4) to Scrooby Bridleway 1

Water and flooding

- Two licensed abstractions lie within the site. If dewatering occurs there is the potential that levels in the lagoon could be lowered, restricting abstraction
- Site lies within Ranskill Brook WFD water body which is currently undergoing a hydrological investigation to ascertain reasons for low flows
- Prior to making a planning application, applicants should discuss water abstraction issues with the Environment Agency

A Flood Risk Assessment should address:

- Surface and ground water flooding
- Overland flow paths
- Potential impact on the groundwater resource as the site is within a Source Protection Zone 3 and underlain by a Principal Aquifer.

MP2n – Langford Lowfields North

Grid reference: 481811, 361325

District: Newark and Sherwood District Council

Parish: Collingham Parish Council

Total mineral resource: 4.7 million tonnes available during the plan period

Quarry restoration

All proposals for restoration schemes should be in line with the County Council's approach to Biodiversity-Led Restoration contained within Policy SP2.

Restoration of this site should be biodiversity-led as it has the potential to provide new areas of wetland to increase the overall resource and in doing so contribute to aspirations for this habitat over a 5-10 year time frame, as per the Trent Valley Biodiversity Opportunity Mapping Project. Restoration will depend on landform, hydrology and substrate characteristics. However, priority habitats could include:

- Lowland Neutral Grassland
- Floodplain Grazing Marsh
- Marsh and Swamp
- Reedbed
- Ponds
- Wet Woodland

Restoration of this site has the potential to provide significant new areas of wetland habitats to increase the overall resource and in doing so contribute to aspirations for these habitats over a 50-year time frame, as per the Trent Valley Biodiversity Opportunity Mapping Project. The approach to restoration across this site and the other sites in the Collingham and Besthorpe area should ideally be co-ordinated through a Master-planning process, or similar, to ensure that opportunities are maximised.

Restoration should seek to maximise the extent of target habitat(s) and avoid habitat packing, where small areas of lots of habitats are packed into the site. Proposals should instead focus on maximising the biodiversity benefits from larger areas of priority habitat. Priority should be given to wetland/open habitats rather than woodland. Given the proximity of the site to Langford Lowfields, Besthorpe and Cromwell quarries, the restoration plan should aim to complement existing and proposed restoration schemes as well as existing habitats to maximise biodiversity gain in the area.

As the site lies within an area of very high multiple environmental sensitivity for ecology, heritage and landscape, the biodiversity-led restoration outlined above should be sensitive to these elements. This is particularly important to the eastern edge where the site is bounded by a multiple environmental sensitivity hotspot for ecology, heritage and landscape (as per the Trent Valley Areas of Multiple Environmental Sensitivity Project).

Location

- South west of Colingham and north east of Holme
- See Policies Map Inset 8

Environmental and cultural designations

- Protection of the nearby Conservation Areas of Collingham and Besthorpe and their listed buildings. Reference should also be made to the Collingham Conservation Area Character Appraisal (CACA)
- Impact on setting of heritage assets at Collingham Wharf should be considered.
- Protection of Horse Pool LWS and Besthorpe Meadow SSSI must be considered
- High archaeological potential to be managed through appropriate survey methods
- Retain existing strong mixed species hedgerows and incorporate into restoration design as far as possible
- Consideration of Landscape Character Assessment, Policy Zone recommendation: 'Create and Reinforce' – actions should strengthen or reinforce distinctive features and patterns in the landscape, whilst creating new features or areas where they have been lost or are in poor condition
- High potential for the site to contain non-designated archaeology
- Impact on high quality agricultural land

Access and transport

- Access on to public highway as per existing site (MP2h – Langford Lowfields)
- Existing HGV routing agreement to be maintained

Amenity

- Protection or suitable management of South Collingham footpath 1, Langford footpaths 9 and 10 and footpath 21
- Opportunity through restoration phase to resolve the anomaly of South Clifton footpath 2, which is currently dead-ended
- Provide screening of site from Westfield Farm to mitigate possible noise, dust and visual impacts

Water and flooding

- Ensure the 9m easement from the watercourse along the southern boundary is suitable to withstand ingress of water into the quarry.
- Site must be designed and constructed to remain operational and safe for users in times of flood, result in no net loss of floodplain storage, not impede water flows and not increase flood risk elsewhere.
- Prior to making a planning application, applicants should discuss water abstraction issues with the Environment Agency.

A Flood Risk Assessment should address:

- Surface and ground water flooding
- Overland flow paths

- Mitigation of potential flooding as site lies in Flood Zone 3
- Potential impact on the groundwater resource as the site is underlain by a Secondary Aquifer
- The impact of existing flood defences failing

Other

- The site is crossed by a National Grid high voltage overhead electricity transmission line (4VK route)

MP2o- Besthorpe East

Grid reference: 482294, 363202

District: Newark and Sherwood District Council

Parish: Collingham Parish Council

Area: 36.13 hectares

Total mineral resource: 3.3 million tonnes

Quarry restoration

All proposals for restoration schemes should be in line with the County Council's approach to Biodiversity-Led Restoration contained within Policy SP2.

Restoration of this site should be biodiversity-led as it has the potential to provide new areas of wetland to increase the overall resource and in doing so contribute to aspirations for this habitat over a 50-year time frame, as per the Trent Valley Biodiversity Opportunity Mapping Project. Restoration will depend on landform, hydrology and substrate characteristics. However, priority habitats could include:

- Lowland Neutral Grassland
- Floodplain Grazing Marsh
- Marsh and Swamp
- Reedbed
- Ponds
- Wet Woodland

Restoration of this site has the potential to provide significant new areas of wetland habitats to increase the overall resource and in doing so contribute to aspirations for these habitats over a 50-year time frame, as per the Trent Valley Biodiversity Opportunity Mapping Project. The approach to restoration across this site and the other sites in the Collingham and Besthorpe area should ideally be co-ordinated through a Master-planning process, or similar, to ensure that opportunities are maximised.

Restoration should seek to maximise the extent of target habitat(s) and avoid habitat packing, where small areas of lots of habitats are packed into the site. Proposals should instead focus on maximising the biodiversity benefits from larger areas of priority habitat. Priority should be given to wetland/open habitats rather than woodland. Given the proximity of the site to reedbeds at Langford Lowfields, Besthorpe and Cromwell quarries, reedbed would be an appropriate habitat at this location for at least part of the restoration, although there are also opportunities to deliver Floodplain Grazing Marsh to augment the existing area of this habitat at Besthorpe Meadow SSSI.

As the site lies within an area of very high multiple environmental sensitivity for ecology, heritage and landscape, the biodiversity-led restoration outlined above should be sensitive to these elements. This is particularly important to the northern and southern boundaries, where the site abuts hotspots of multiple environmental sensitivity (as per the Trent Valley Areas of Multiple Environmental Sensitivity Project).

Location

- North west of Collingham and south of Besthorpe village
- See Policies Map Inset 8

Environmental and cultural designations

- High archaeological potential will need to be managed through appropriate survey methods.
- Indirect impact on the nearby valuable cluster of LWSs and SSSIs around Besthorpe and Collingham and adjacent meadow area (Northcroft Lane Meadow) and its mature hedgerows should be taken into account
- Possible opportunities to enhance the feeder dykes into the River Fleet
- Plant native species hedge to south of existing access track to quarry.
- Consideration of Landscape Character Assessment, Policy Zone recommendation: 'Create and Reinforce' – actions should strengthen or reinforce distinctive features and patterns in the landscape, whilst creating new features or areas where they have been lost or are in poor condition
- High potential for non-designated archaeology on the site.
- Potential impacts on the setting of the conservation areas of Besthorpe and Collingham. Reference should also be made to the Collingham Conservation Area Character Appraisal (CACA)
- Impact on the setting of heritage assets at Collingham Wharf should be considered.
- Impact on high quality agricultural land

Access and transport

- Access on to public highway as per existing site (MP2f - Besthorpe)
- Existing routeing agreement to avoid Collingham village to be retained
- Maximise use of barge transportation
- Avoid use of Northcroft Lane (a byway) for access to A1133 by lorries

Amenity

- Footpath 17C should be diverted during working and likely crossing of Byway 41 by a conveyor to be managed
- Scope for rights of way improvement as part of the restoration works

Water and flooding

- Ensure the 9-metre easement from watercourse that forms the eastern boundary is suitable to withstand ingress of water into the quarry.
- Potential indirect hydrological impact on the Besthorpe Meadow SSSI. Wet working should be considered.
- Prior to making a planning application, applicants should discuss water abstraction issues with the Environment Agency

A Flood Risk Assessment should address:

- Surface and ground water flooding
- Overland flow paths
- Potential impact on the groundwater resource as the site is underlain by a Secondary Aquifer.
- Mitigation of potential flooding as site lies in Flood Zone 3

Other

- Site is crossed by a National Grid high voltage overhead electricity transmission line (4VK route)

MP2p - Mill Hill near Barton in Fabis

Grid reference: 453142, 333775

District: Rushcliffe Parish Council

Parish: Barton in Fabis Parish Council

Total mineral resource: 3.0 million tonnes excluding potential reserves within Nottingham City Administrative Boundary.

Quarry restoration

Restoration should be biodiversity-led, and precise details will be dependent upon landform and substrate characteristics. Restoration will depend on landform, hydrology and substrate characteristics. However, restoration should target the creation of:

- Wet Grassland (Floodplain Grazing Marsh)
- Reedbed
- Marsh and Swamp
- Ponds

Other habitats that may be appropriate for creation include:

- Lowland Neutral Grassland
- Wet Woodland
- Mixed Ash-dominated Woodland (Lowland Mixed Deciduous Woodland)

Restoration should seek to maximise the extent of target habitat(s) and avoid habitat packing, where small areas of lots of habitats are packed into the site. Proposals should instead focus on maximising the biodiversity benefits from larger areas of priority habitat. Priority should be given to wetland/open habitats rather than woodland (although there may be limited opportunities for the latter along the bluff on the eastern side of the site) and should complement existing wetland habitat in the vicinity. Opportunities for created habitats to have multi-functional benefits (flood storage) should be explored and taken where possible.

Location

- North east of Barton in Fabis village and west/south west of Clifton
- See Policies Map Inset 16

Environmental and cultural designations

- Direct and indirect impact on LWS within and near the site and indirect impacts on Holme Pit SSSI and Attenborough Gravel Pits SSSI must be considered.
- Consideration of the impact on the Green Belt
- Potential impacts on the Trent Valley Green Infrastructure Corridor
- Potential impacts on Attenborough Nature Reserve
- High archaeological potential to be managed through appropriate survey methods, including use of metal detector on conveyor belt

- Consideration of Landscape Character Assessment, Policy Zone recommendation: 'Enhance' - emphasis should be to improve existing features which may not be currently well- managed or where existing features are of good quality but could be of greater benefit if improved.
- Appropriate bird surveys should be undertaken including the potential effects on birds associated with the SSSI.
- Permanent impact on the setting of the Clifton Hall Registered Park and Garden.
- Expert assessment of the Clifton Hall Registered Park and Garden and the preparation and implementation of a Conservation Management Plan to improve the condition and management of the heritage asset to provide appropriate mitigation.
- Potential impacts on designated heritage assets within Barton-In-Fabis, Attenborough and Clifton.

Access and transport

- Access on to the public highway to east of the site on to the old A453

Amenity

- Protection or suitable management of Barton in Fabis footpaths FP2, FP69, BW1 and BW3 including retention of existing vegetation/screening where appropriate and provision of safe crossing points for users.

Water and flooding

- Mitigation of potential flooding, including overland flood flows, should be considered through a Flood Risk Assessment as site lies in Flood Zone 3. No excavation within 45m of the toe of any flood defence or the River Trent itself
- Prior to making a planning application, applicants should discuss water abstraction issues with the Environment Agency.

Other

- Take account of the high-pressure gas main running across the site and meet the statutory safety clearances.
- East Midlands Airport should be consulted as part of any detailed planning application due to the quarry's location in the airport safeguarding zone and the potential for bird strike arising from any restoration scheme.

MP3d - Bestwood 2 North

Grid reference: 457333, 352598

District: Gedling Borough Council

Parish: Ravenshead Parish Council

Total mineral resource: 0.75 million tonnes

Quarry restoration

All proposals for restoration schemes should be in line with the County Council's approach to Biodiversity-Led Restoration contained within Policy SP2.

Restoration will depend on landform, and substrate characteristics. However, priority habitats could include:

- Lowland Dry Acid Grassland
- Lowland Heathland
- Marsh and Swamp
- Ponds
- Oak-birch Woodland

Restoration should seek to maximise the extent of target habitat(s) and avoid habitat packing, where small areas of lots of habitats are packed into the site. Proposals should instead focus on maximising the biodiversity benefits from larger areas of priority habitat. Priority should be given to wetland/open habitats rather than woodland. Heathland/ Acid Grassland habitats should be priorities for creation; however, Oak-birch Woodland creation may be required to mitigate against the loss of exiting woodland from within Longdale Plantation (SINC/LWS 2/363).

Location

- South of Ravenshead
- See Policies Map Inset 12

Environmental and cultural designations

- The restoration scheme would have to demonstrate that the partial loss of the LWS could be outweighed by the greater than County need for the development and that high-quality habitat, at least equal to that which would be lost, could be established and maintained in the long term
- Indirect impact on the setting of various Scheduled Ancient Monuments, registered parks and gardens, conservation areas and listed buildings (associated with Papplewick Pumping Station, Newstead Abbey and Papplewick Hall) must be considered
- Consideration of Landscape Character Assessment, Policy Zone recommendation: 'Conserve and Reinforce' – actions should conserve distinctive features and features in good condition and strengthen and reinforce those features that may be vulnerable.
- In-line with the recommendations in the Minerals Local Plan Habitats Regulation Assessment Screening Report, any potential impacts on the Sherwood ppSPA will need to be fully investigated and mitigated as part of any planning application.

- A survey for nightjar and woodlark will be required if trees are less than 20 years old. If these species are nesting, creation or replacement habitat will also be required
- Consideration of the impact on the Green Belt

Access and transport

- Access on to public highway as per existing site (MP3b – Bestwood 2)

Amenity

- Potential to create right of way links through restoration

Water and flooding

- Mitigation of potential flooding should be considered through a Flood Risk Assessment.
- Assess potential Impact on groundwater and surface water quality through environmental assessment (including impact on Source Protection Zone 3 and the Principal Aquifer).
- Prior to making a planning application, applicants should discuss water abstraction issues with the Environment Agency.

MP3e – Scrooby Top North

Grid reference: 464999, 389528

District: Bassetlaw District Council

Parish: Scrooby Parish Council

Total mineral resource: 1.68 million tonnes available over the plan period

Quarry restoration

All proposals for restoration schemes should be in line with the County Council's approach to Biodiversity-Led Restoration contained within Policy SP2.

Restoration should include agricultural and biodiversity-led elements. Restoration will depend on landform, and substrate characteristics. However, priority habitats could include:

- Lowland Dry Acid Grassland
- Lowland Heathland
- Marsh and Swamp
- Reedbed
- Ponds
- Wet Woodland
- Oak-birch Woodland

Restoration should seek to maximise the extent of target habitat(s) and avoid habitat packing, where small areas of lots of habitats are packed into the site. Proposals should instead focus on maximising the biodiversity benefits from larger areas of priority habitat. Priority should be given to wetland/open habitats rather than woodland.

Location

- North west of Ranskill
- See Policies Map Inset 3

Environmental and cultural designations

- Impacts on the setting of two designated listed buildings to the south of the site should be considered.
- Impact on Serlby Hall Parkland (non-designated HA) and the setting of associated designated heritage assets, including Serlby Hall.
- Impacts on ecological interest of Scrooby Sand Pits should be considered
- High archaeological potential to be managed through appropriate survey methods
- Protect and retain character of existing Green Land (Scrooby BW4) to north and north west of the site.
- Retain existing woodland strips to western edge of site which provide screening from A638 and plant additional mixed species hedgerow to north, east and southern boundaries of the site
- Consideration of Landscape Character Assessment, Policy Zone recommendation: 'Conserve and Reinforce' – actions should conserve distinctive

features and features in good condition, and strengthen and reinforce those features that may be vulnerable

- Consideration of historic records of nightjar and woodlark on the site, which are protected under the Birds Directive and the Conservation Regulations 2010.
- Potential impacts on the Mattersey Hill Marsh and River Idle Washlands SSSIs

Access and transport

- Access on to public highway as per existing site (MP3c – Scrooby Top)

Water and flooding

- Assess potential Impact on groundwater and surface water quality through environmental assessment (including impact on Source Protection Zone 3 and the Principal Aquifer).
- Prior to making a planning application, applicants should discuss water abstraction issues with the Environment Agency.

A Flood Risk Assessment should address:

- Surface and groundwater water flooding
- Mitigation of potential flooding
- Prior to making a planning application, applicants should discuss water abstraction issues with the Environment Agency

MP7c – Bantycock quarry south

Grid reference: 481165, 348611

District: Newark and Sherwood District Council

Parish: Fernwood Parish Council

Total mineral resource: 8.5 million tonnes

Quarry restoration

All proposals for restoration schemes should be in line with the County Council's approach to Biodiversity-Led Restoration contained within Policy SP2.

Restoration will depend on landform, and substrate characteristics. However, priority habitats could include:

- Calcareous grassland (on drier areas)
- Floodplain grazing marsh/seasonally wet grassland (on lower areas)
- Marsh and swamp
- Reedbed
- Lowland mixed deciduous woodland
- Wet woodland
- Hedgerows
- Ditches
- Ponds

Restoration should seek to maximise the extent of target habitat(s) and avoid habitat packing, where small areas of lots of habitats are packed into the site. Proposals should instead focus on maximising the biodiversity benefits from larger areas of priority habitat. Priority should be given to wetland/open habitats rather than woodland. Restoration involving the return of land to agriculture and nature conservation corridors should complement the approved restoration scheme for the existing quarry to the north, and the Staple Land Quarry landfill to the west.

Any proposed habitats should be appropriate for the Trent and Belvoir Vales National Character Area. Effort should be made to retain as many existing habitat features as possible, especially given the potential loss of Cowtham House Arable LWS and at least partial loss of Shire Dyke, Balderton South LWS.

Location

- South of Newark on Trent, to the south-west of Fernwood.
- See Policies Map Inset 15

Environmental and cultural designations

- Direct and indirect impacts on heritage assets at Balderton Grange and Cowtham House should be considered.
- The restoration scheme would have to demonstrate that the loss of the LWSs (Cowtham House Arable LWS and Shire Dyke Balderton South LWS are within the site area) could be outweighed by the greater than County need for the

development and that high-quality habitat, at least equal to that which would be lost, could be established and maintained in the long term.

Access and transport

- Access on to public highway as per existing site to the north (MP7b- Bantycok Quarry).
- Over time access arrangements will be affected by the Newark Southern Link Road which is currently only partially built.

Amenity

- Potential to create right of way links through restoration, extending those proposed for northern extraction areas and linking into Cotham FP7.

Water and flooding

- Mitigation of potential flooding should be considered through a Flood Risk Assessment.
- Consideration of water quality in relation to the aquifer.
- Prior to making a planning application, applicants should discuss water abstraction issues with the Environment Agency

Other

- Take account of the high-pressure gas pipeline (FM09 Silk Willoughby to Staythorpe) running across the site and meet the statutory safety clearances.

Appendix 3: Policies Map

Nottinghamshire Minerals Local Plan

Policies Map

LEGEND

Features

County Boundary (Plan Area)

Transport Network

Railways
 Core Road Network

Waterways

Navigable
 Other

HS2

HS2:2B Safeguarded Route

Environmental Designations

Special Area of Nature Conservation (SAC)
 National Nature reserve (NNR)
 Greenbelt

Hydrocarbons

PEDL Licence Areas Oil & Gas Resource

Note: The HS2 phase 2b Safeguarding Directions have been made by the Secretary of State for Transport. They are not proposals of the LPA and the route in question will not be determined through the development plan process. The route will be considered in Parliament under hybrid Bill procedures, which will provide appropriate opportunities for petitions to be made to Parliament by those directly affected by the scheme.

Policies

Mineral Safeguarding and Consultation Areas (DM13)

Sand and Gravel
 Sherwood Sandstone
 Alluvial Sand and Gravel
 Limestone
 Brick Clay
 Gypsum
 Surface Coal
 Industrial Dolomite

Airfield Safeguarding (DM10)

Airfields
 Safeguarding Areas

Associated Infrastructure (SP7)

Wharves
 Associated minerals infrastructure

Sites

Permitted Sites (MP2-4, 6-8 and 10)
 New Sites and Extensions (MP2,3 and 7)
 Archaeological Resource Area (DM6)

Site Codes

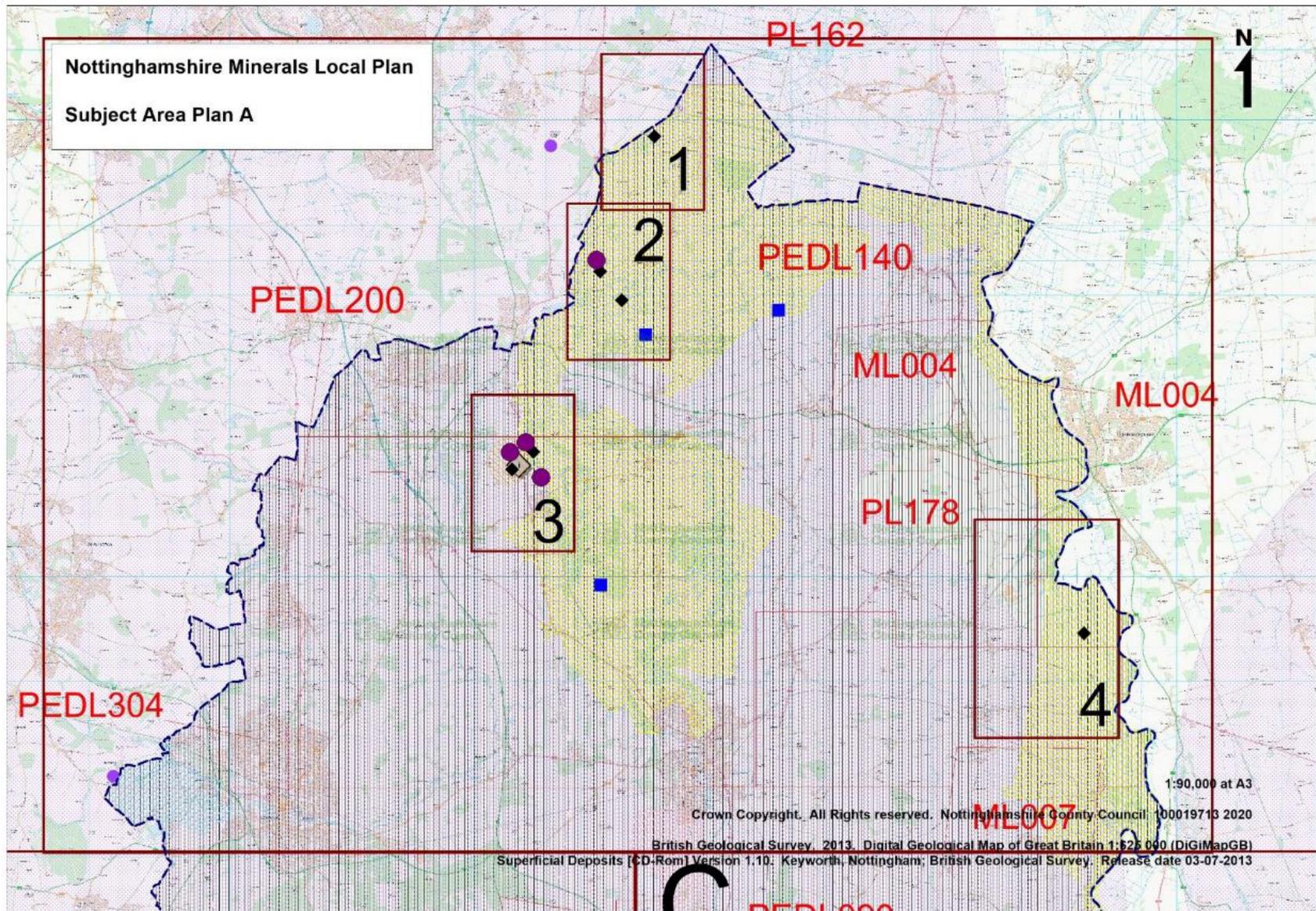
SG = Sand and Gravel
 SS = Sherwood Sandstone
 LS = Limestone
 BC = Brick Clay
 GY = Gypsum
 SL = Silica Sand
 BS = Building Stone

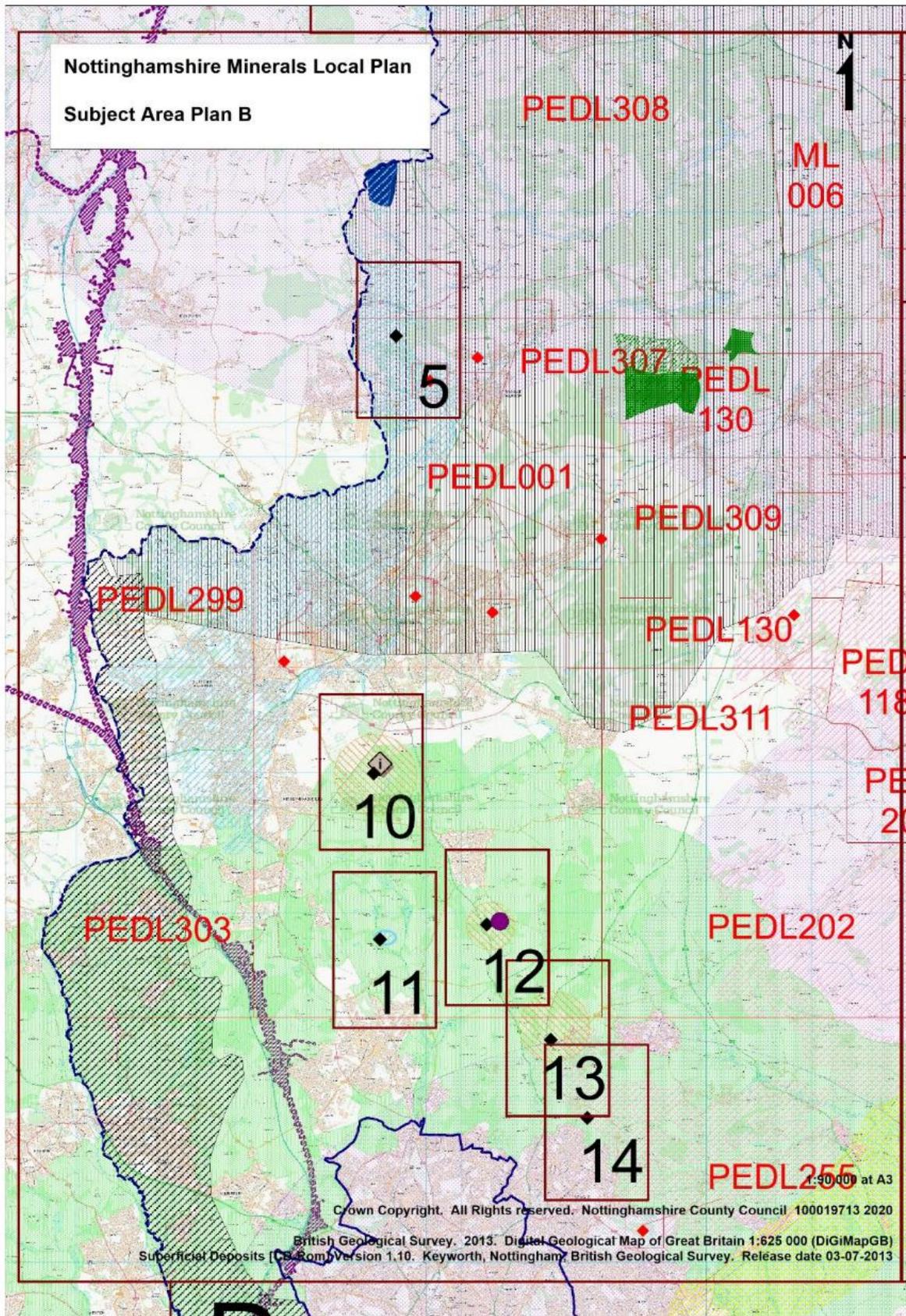
Insets - additional features

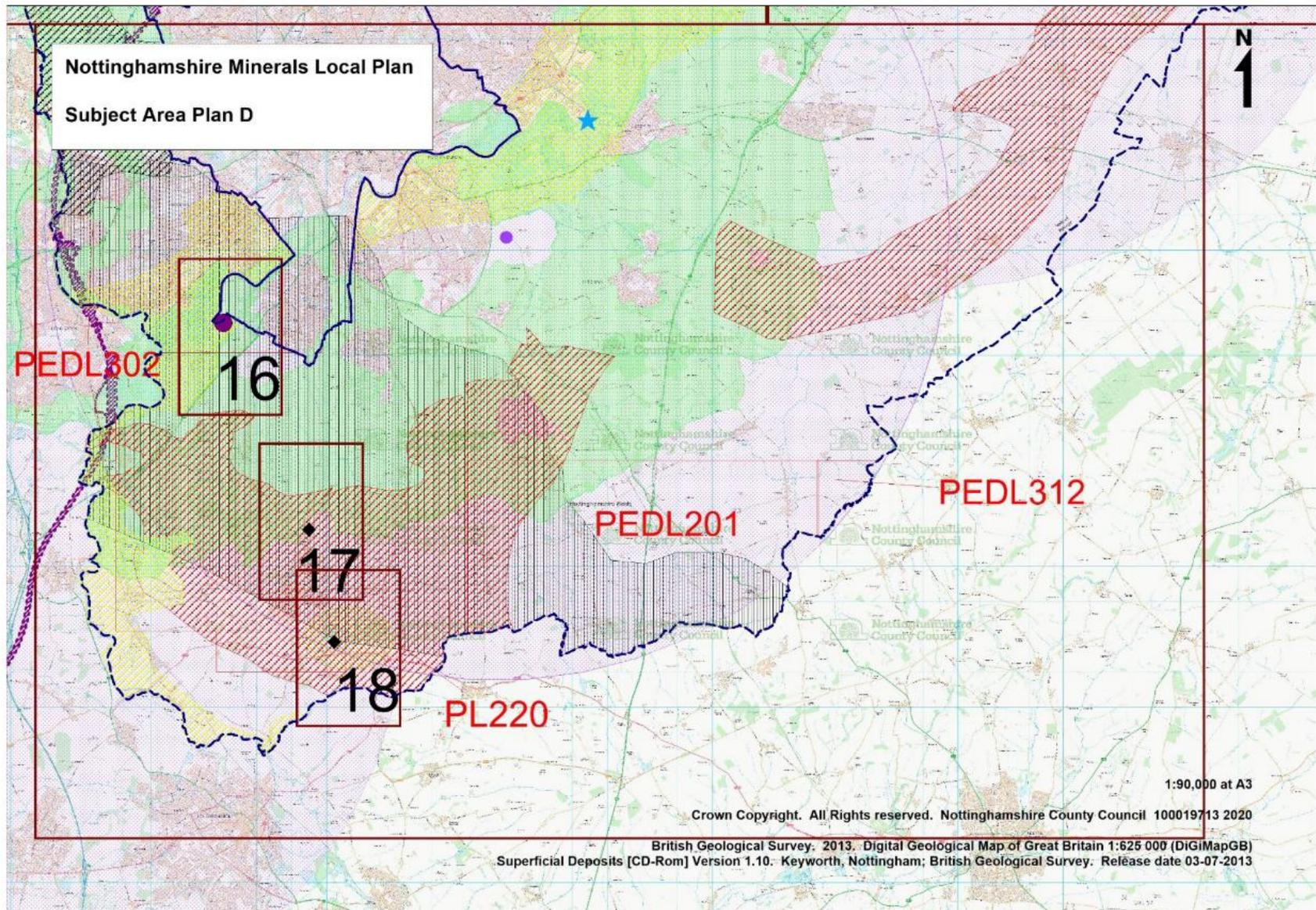
New Sites and Extensions (MP2,3 and 7)
 Existing Mineral extraction sites
 Archaeological Resource Area (DM6)

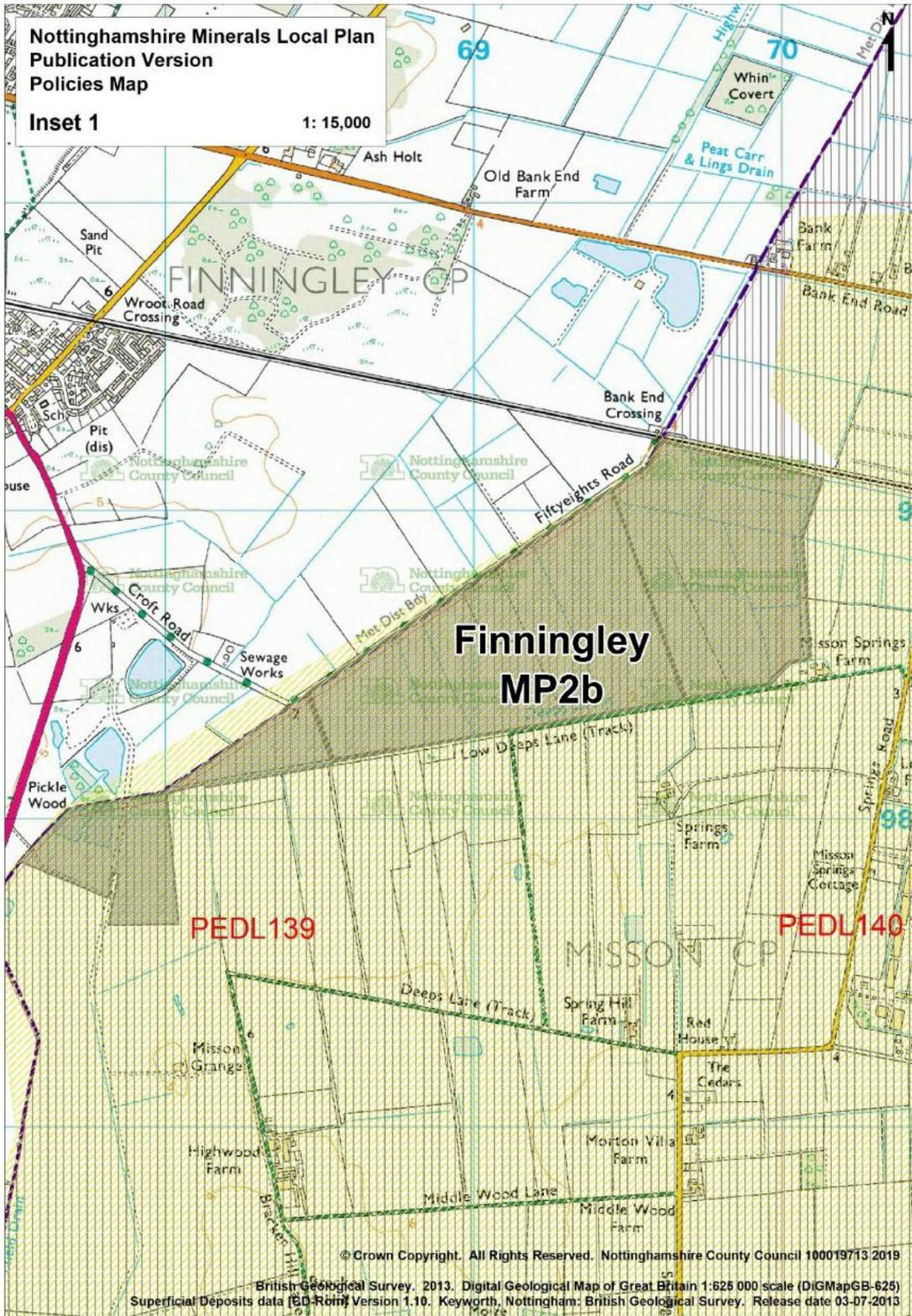
Environmental Designations

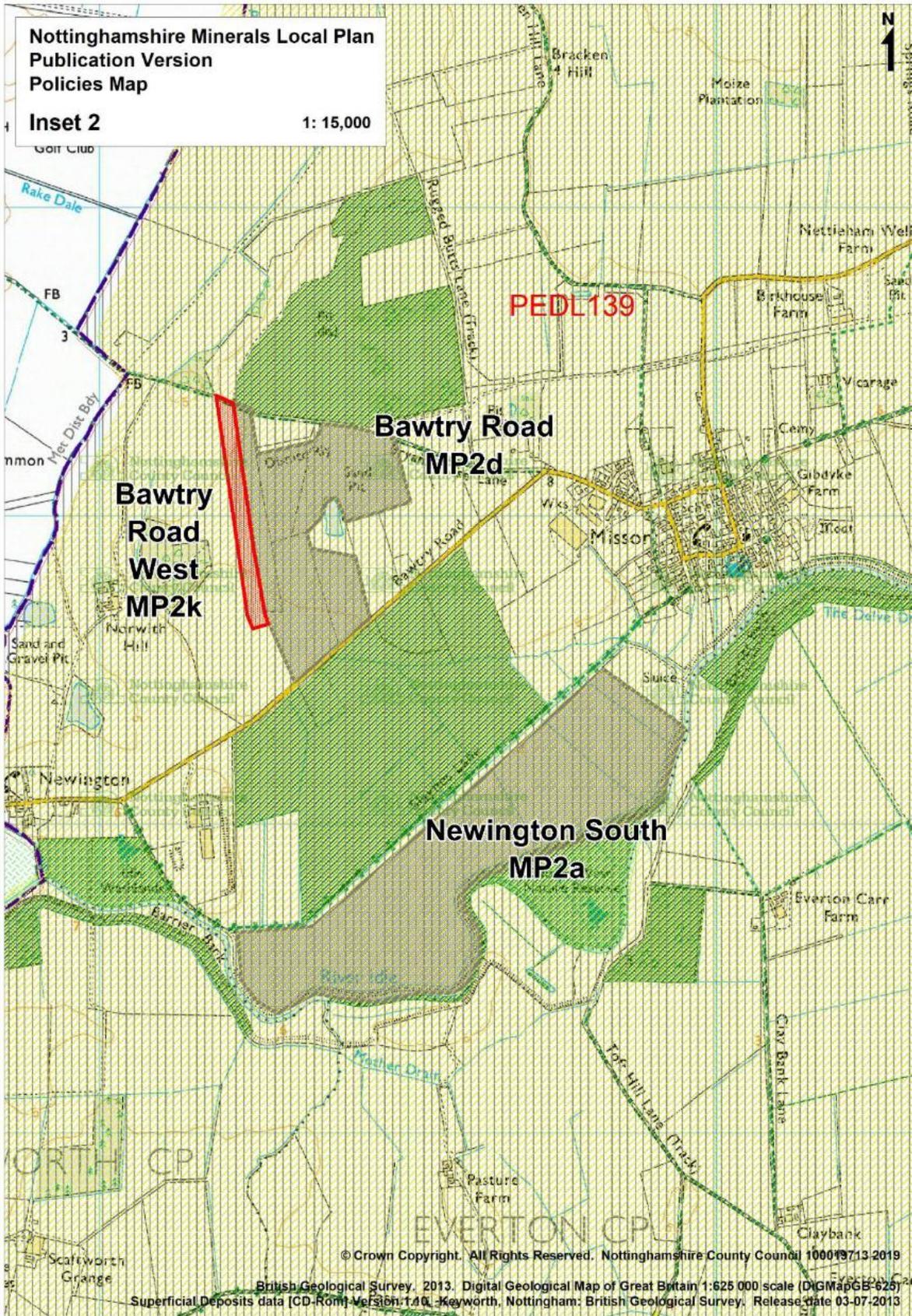
Site of Special Scientific Interest (SSSI)
 LWS Geo
 LWS Bio

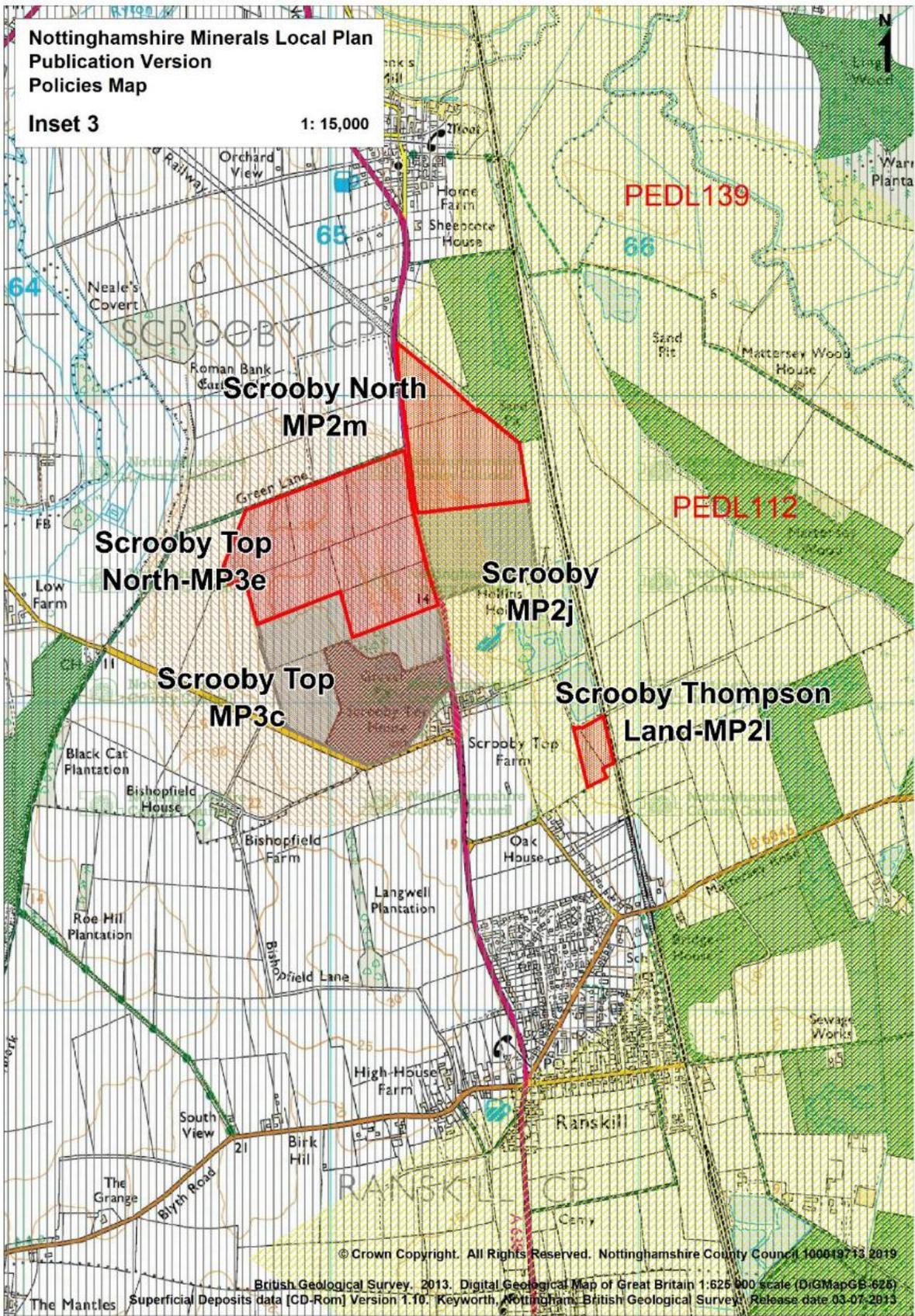


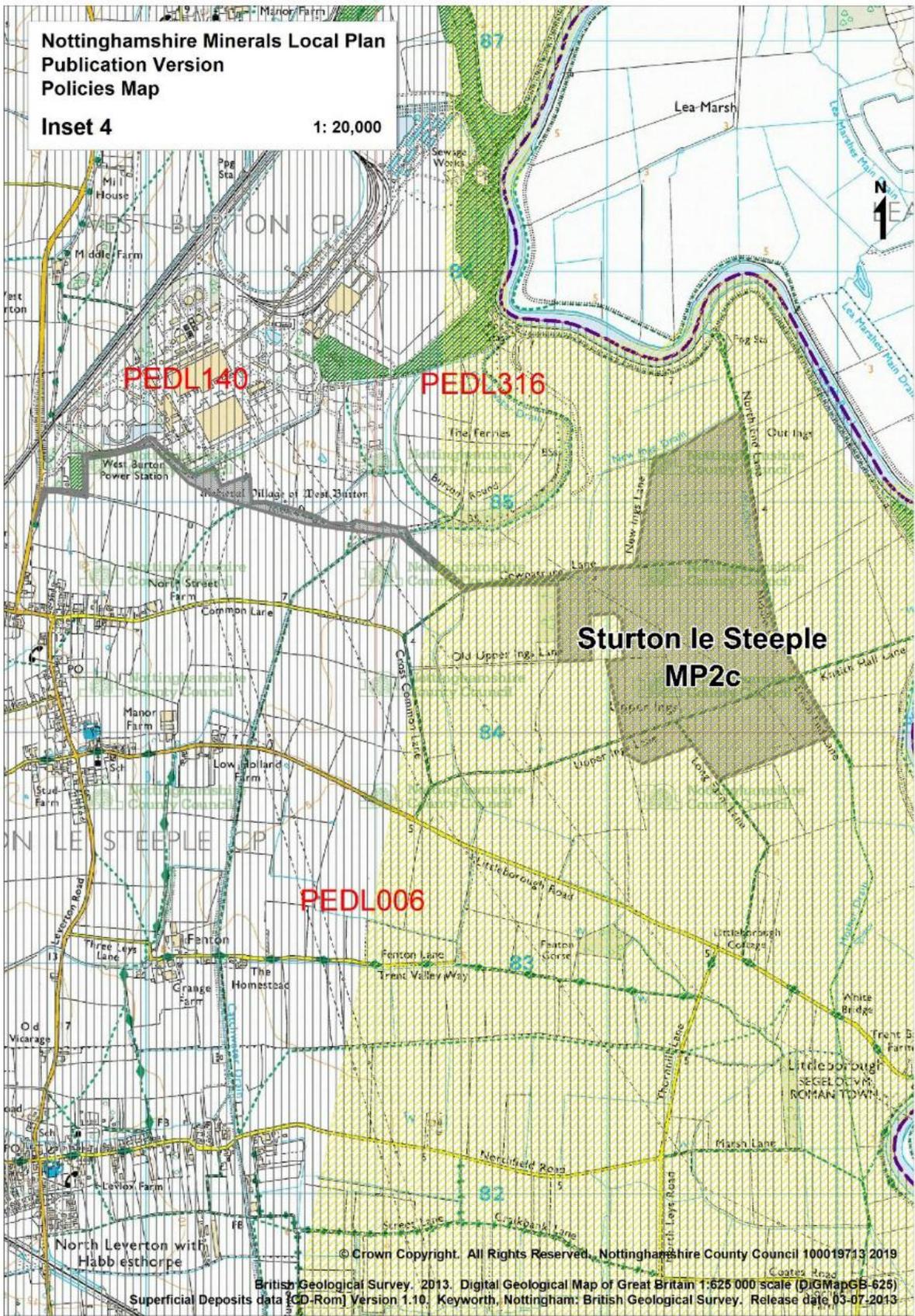


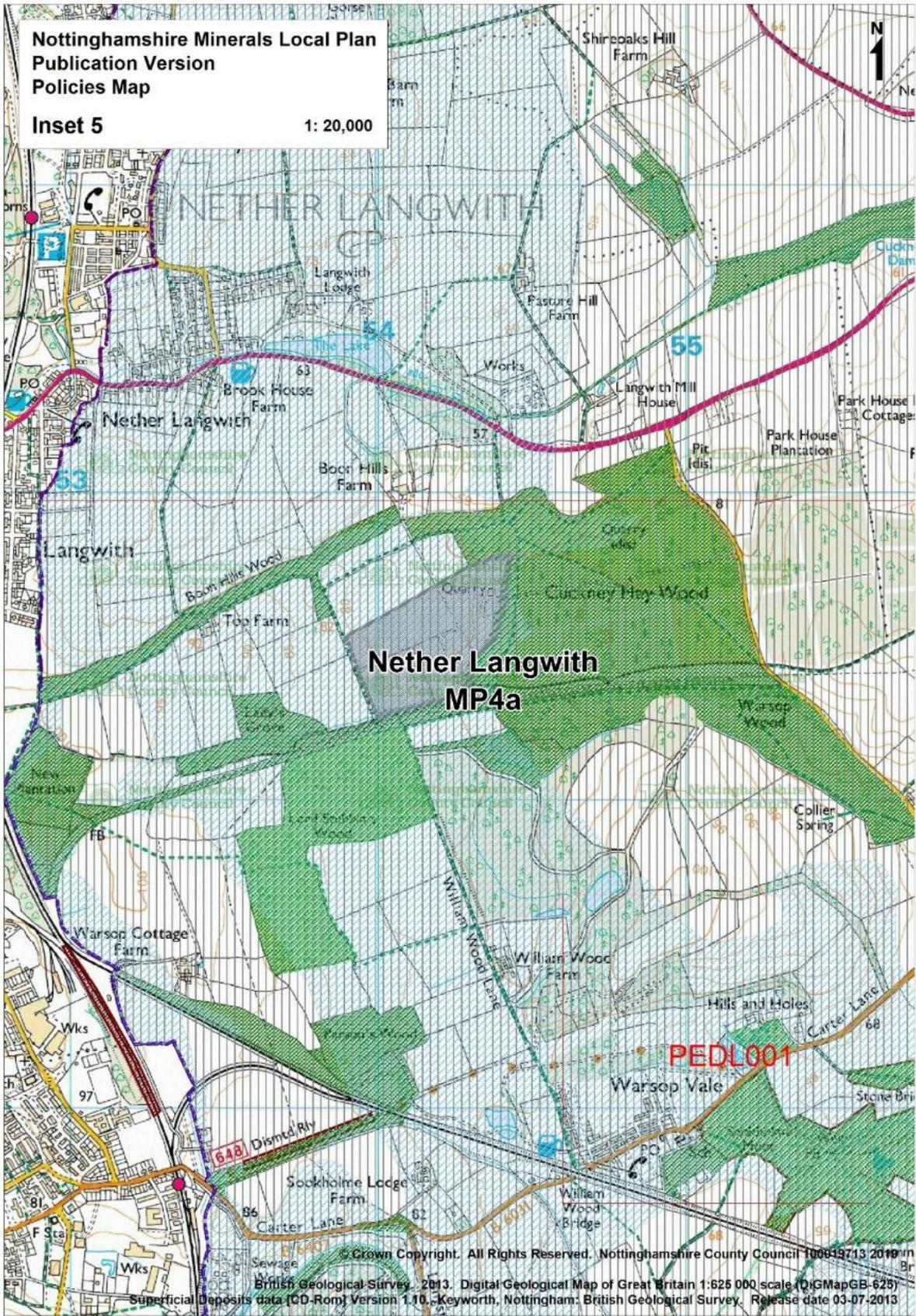


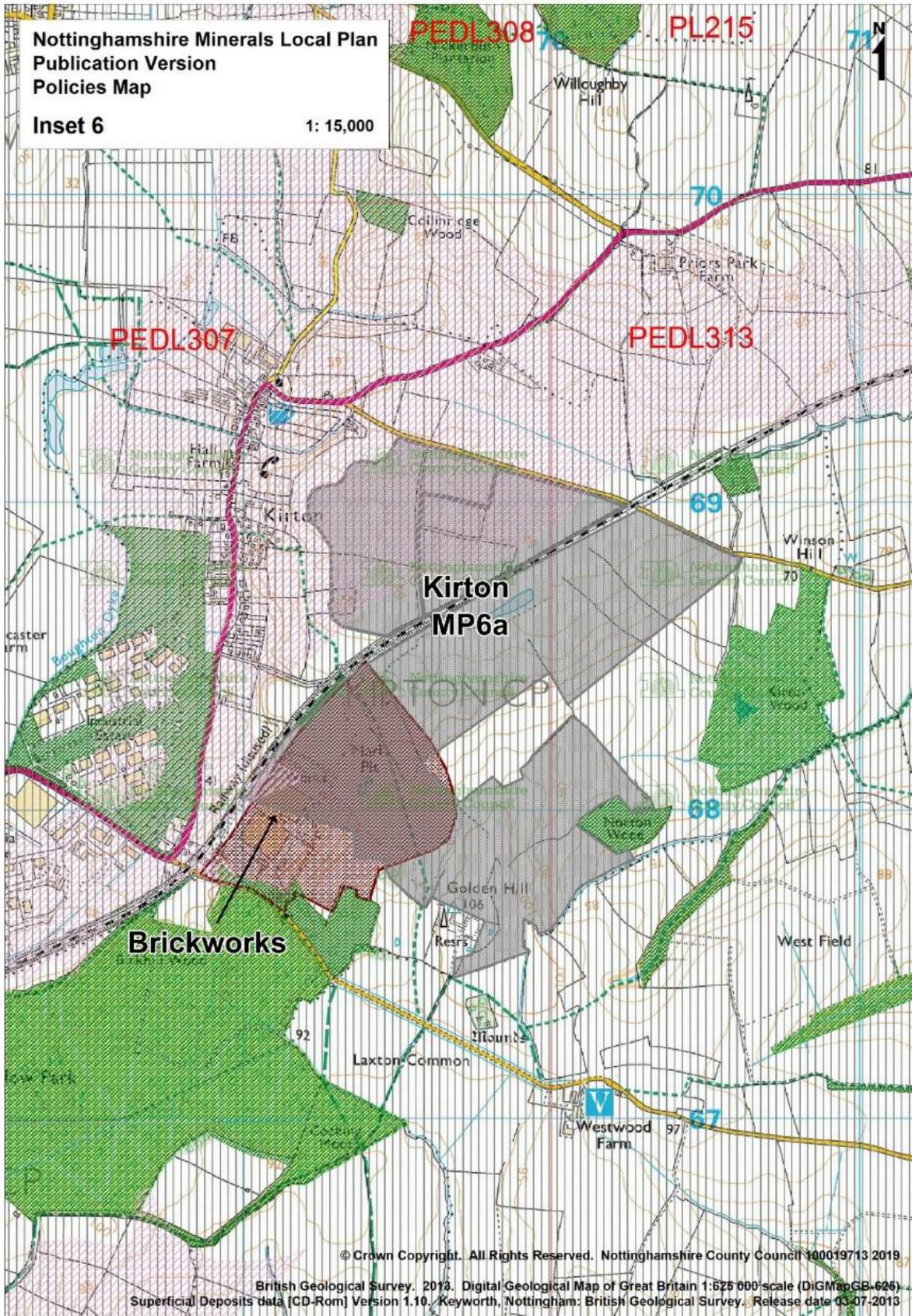


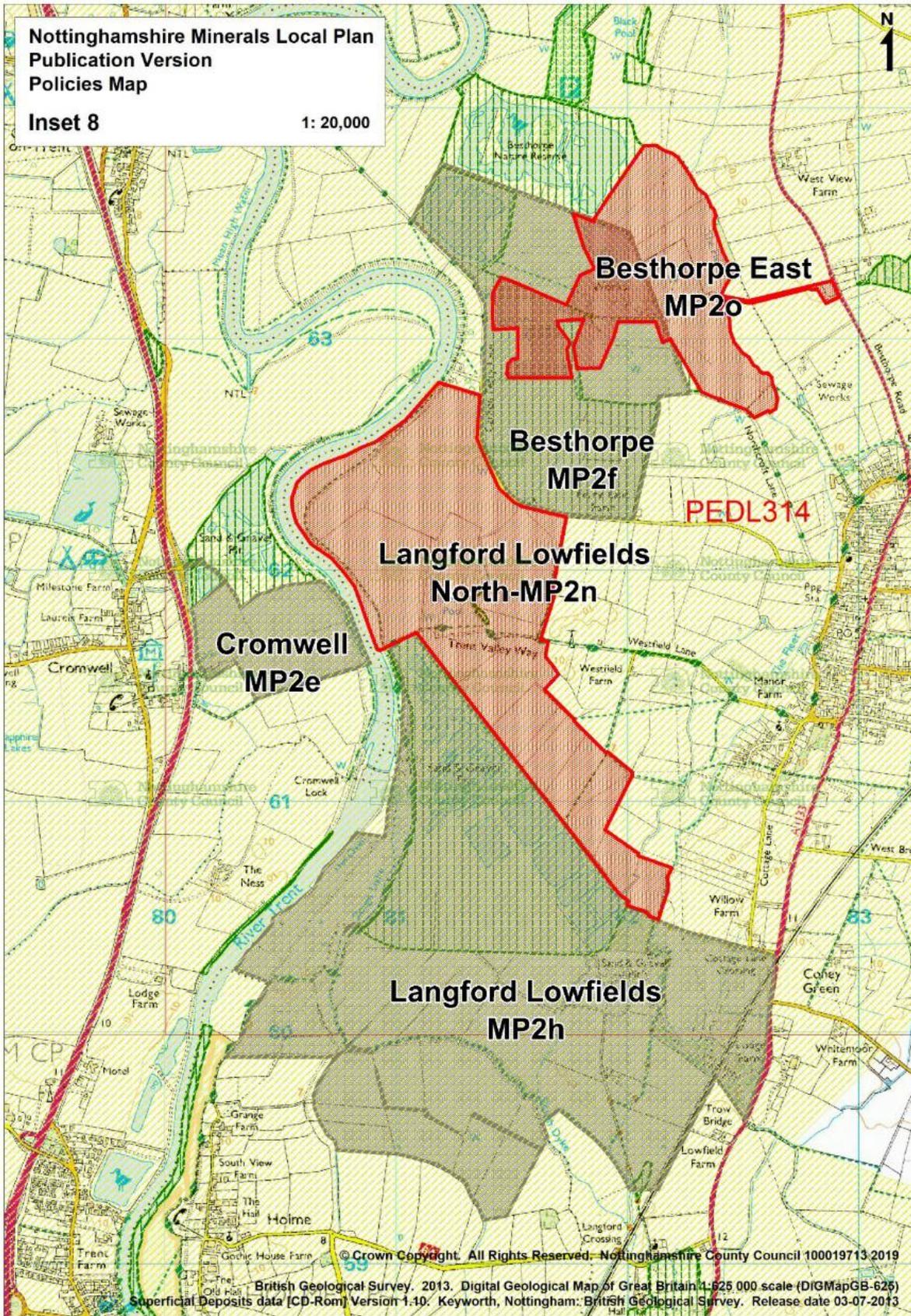








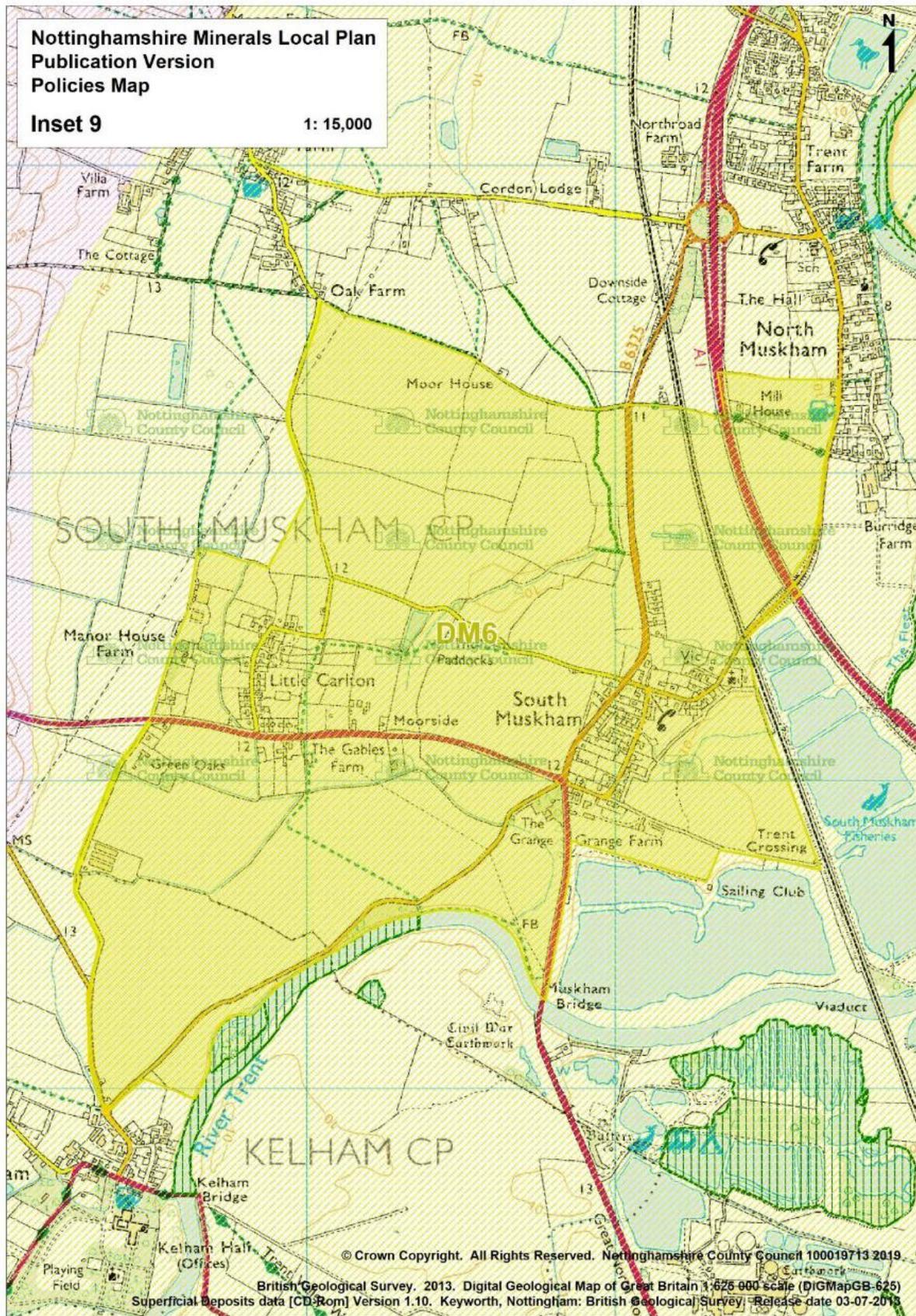




**Nottinghamshire Minerals Local Plan
Publication Version
Policies Map**

Inset 9

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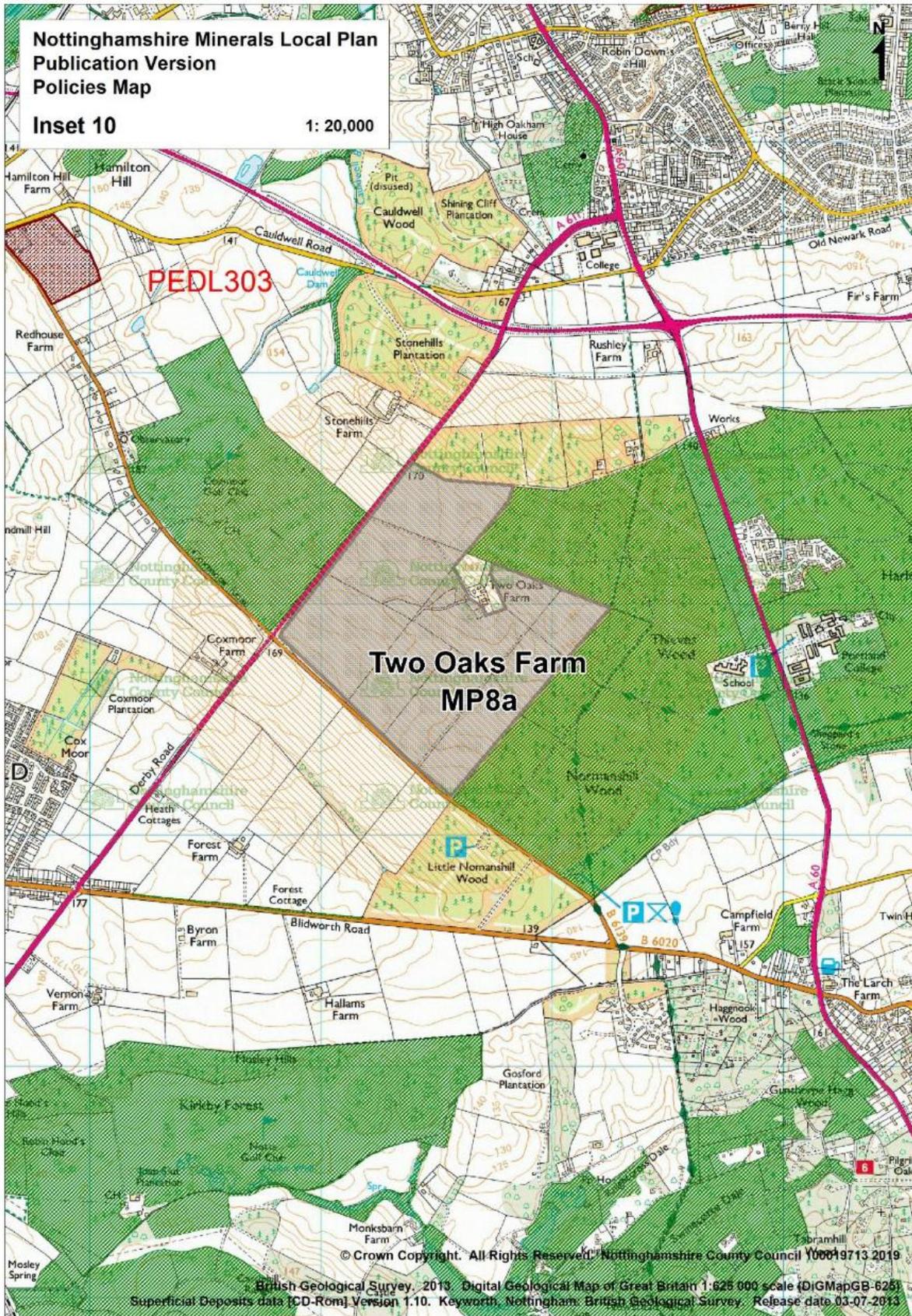
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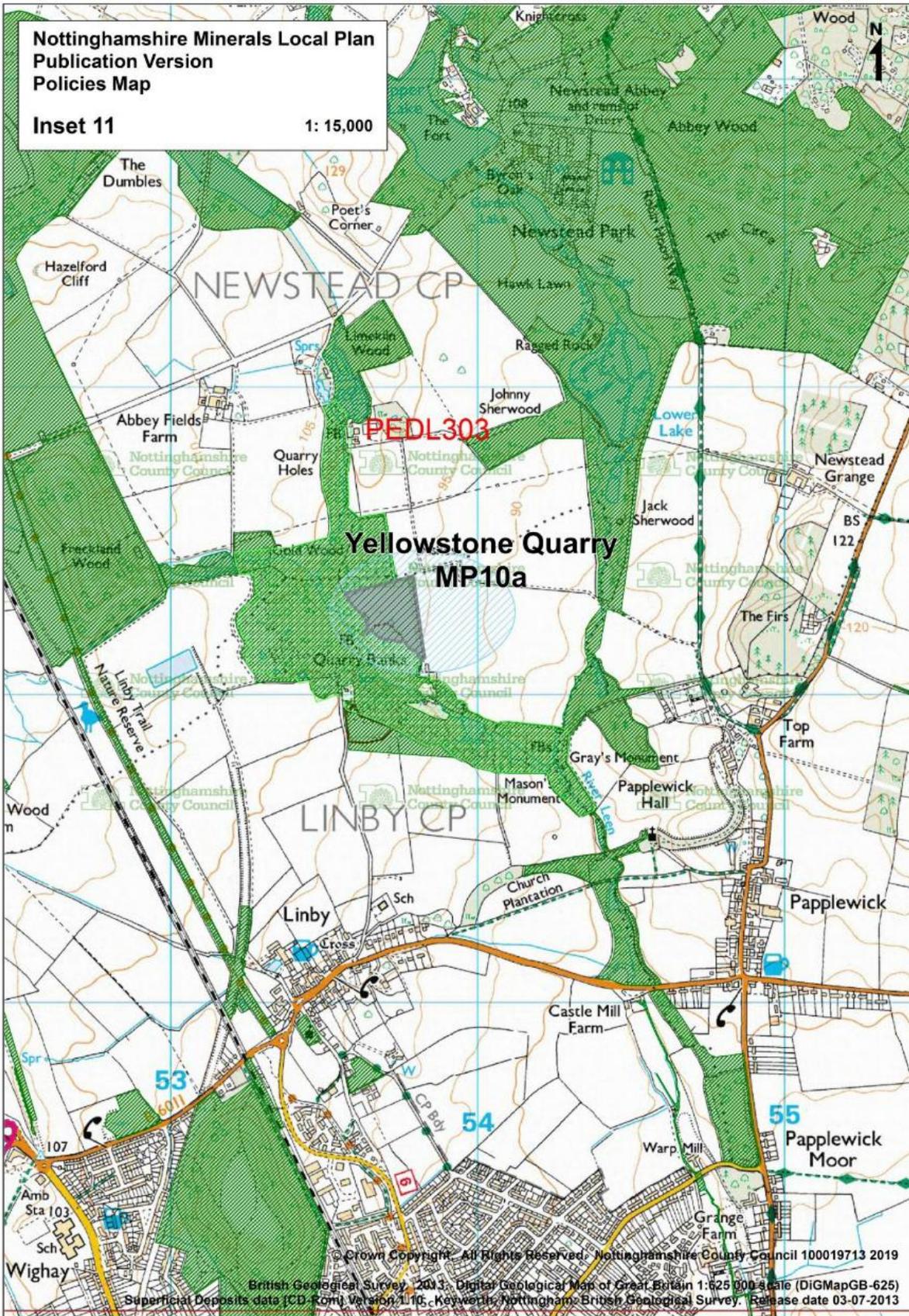
British Geological Survey, 2013. Digital Geological Map of Great Britain 1:625 000 scale (DIGMapGB-625)
Superficial Deposits data [CD-Rom] Version 1.10. Keyworth, Nottingham: British Geological Survey. Release date 03-07-2013

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Publication Version
Policies Map**

Inset 10

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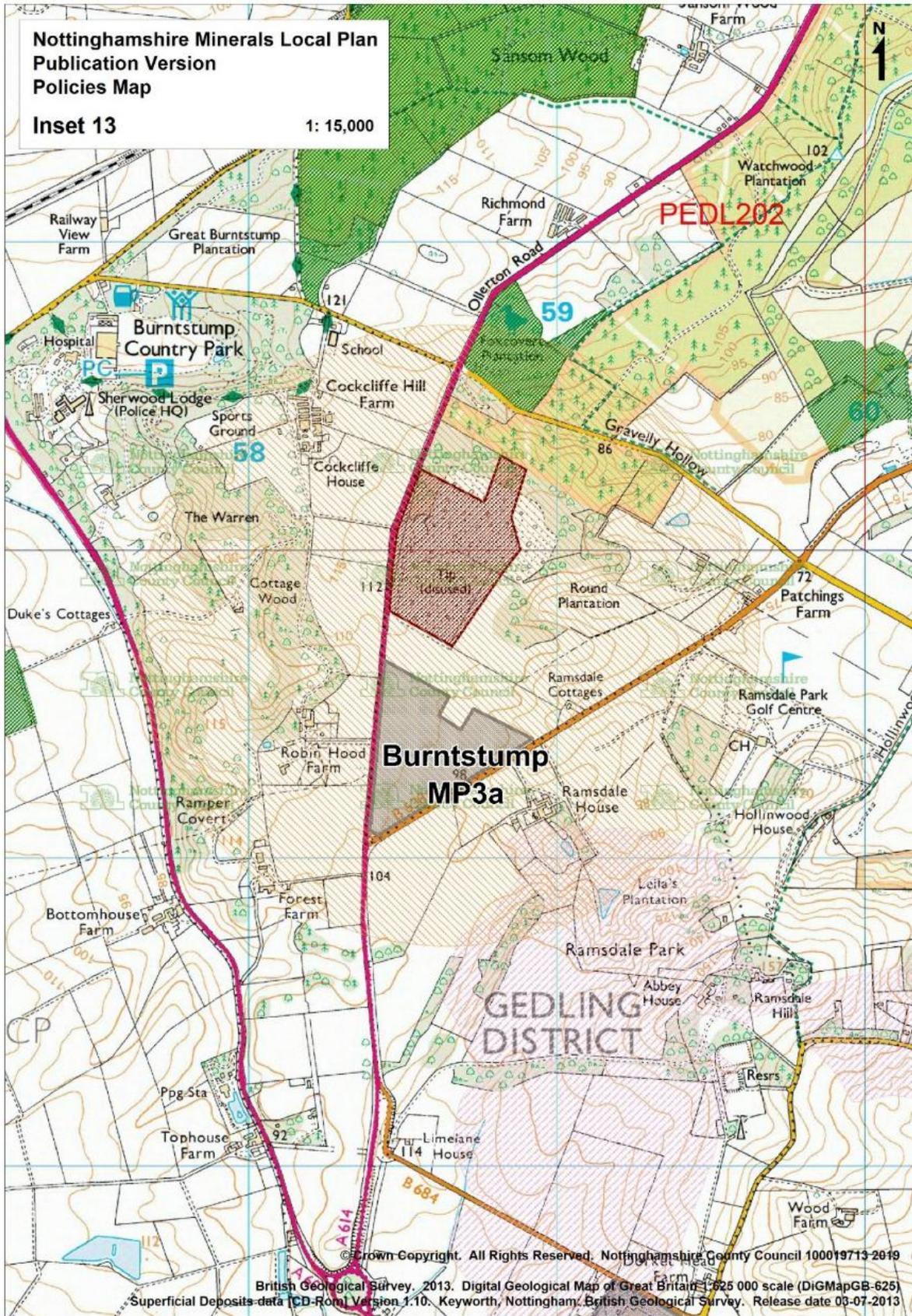




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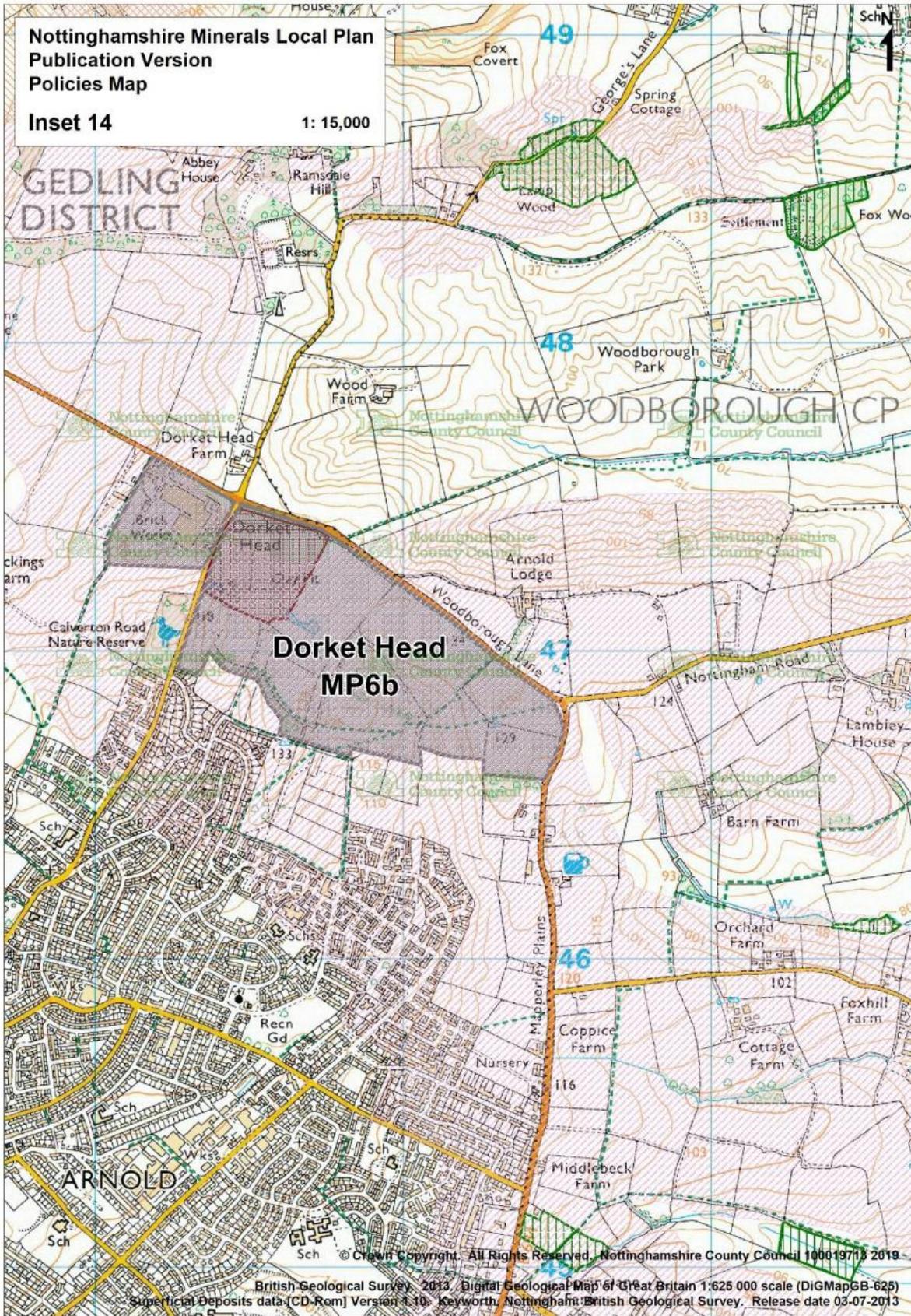
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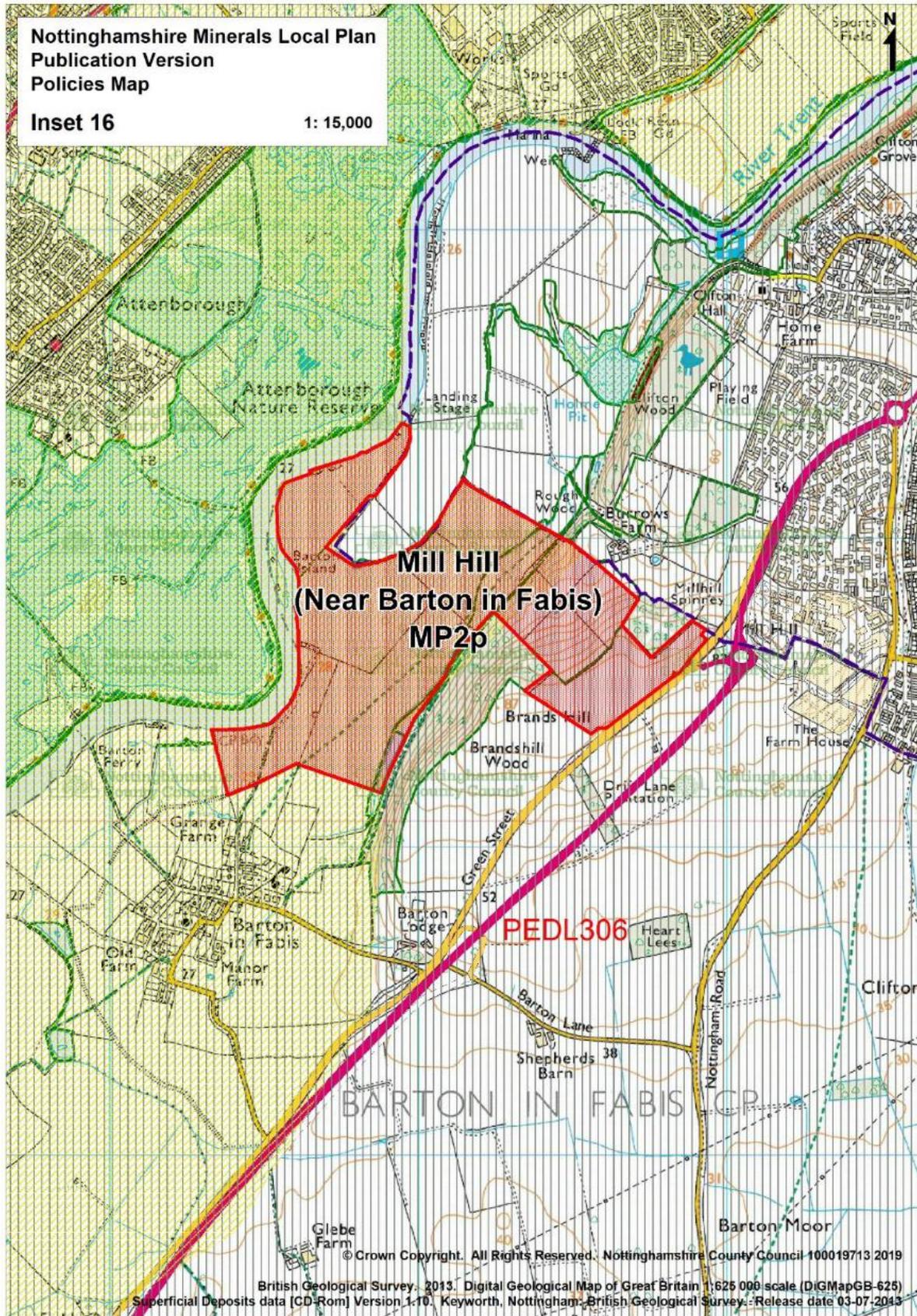
British Geological Survey, 2013. Digital Geological Map of Great Britain 1:625 000 scale (DIGMapGB-625).
Superficial Deposits data (CD-Rom) Version 1.10. Keyworth, Nottingham. British Geological Survey. Release date 03-07-2013



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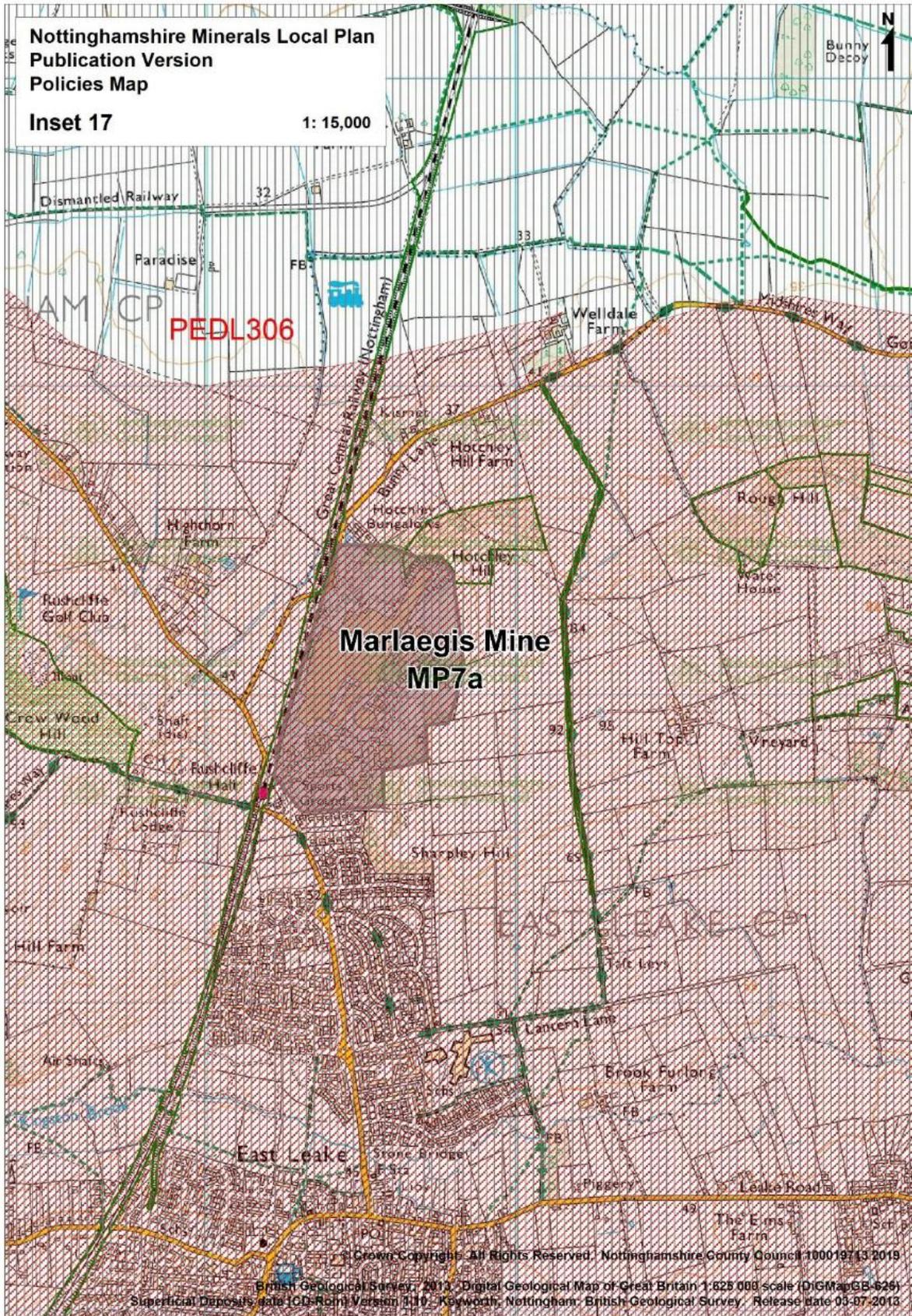
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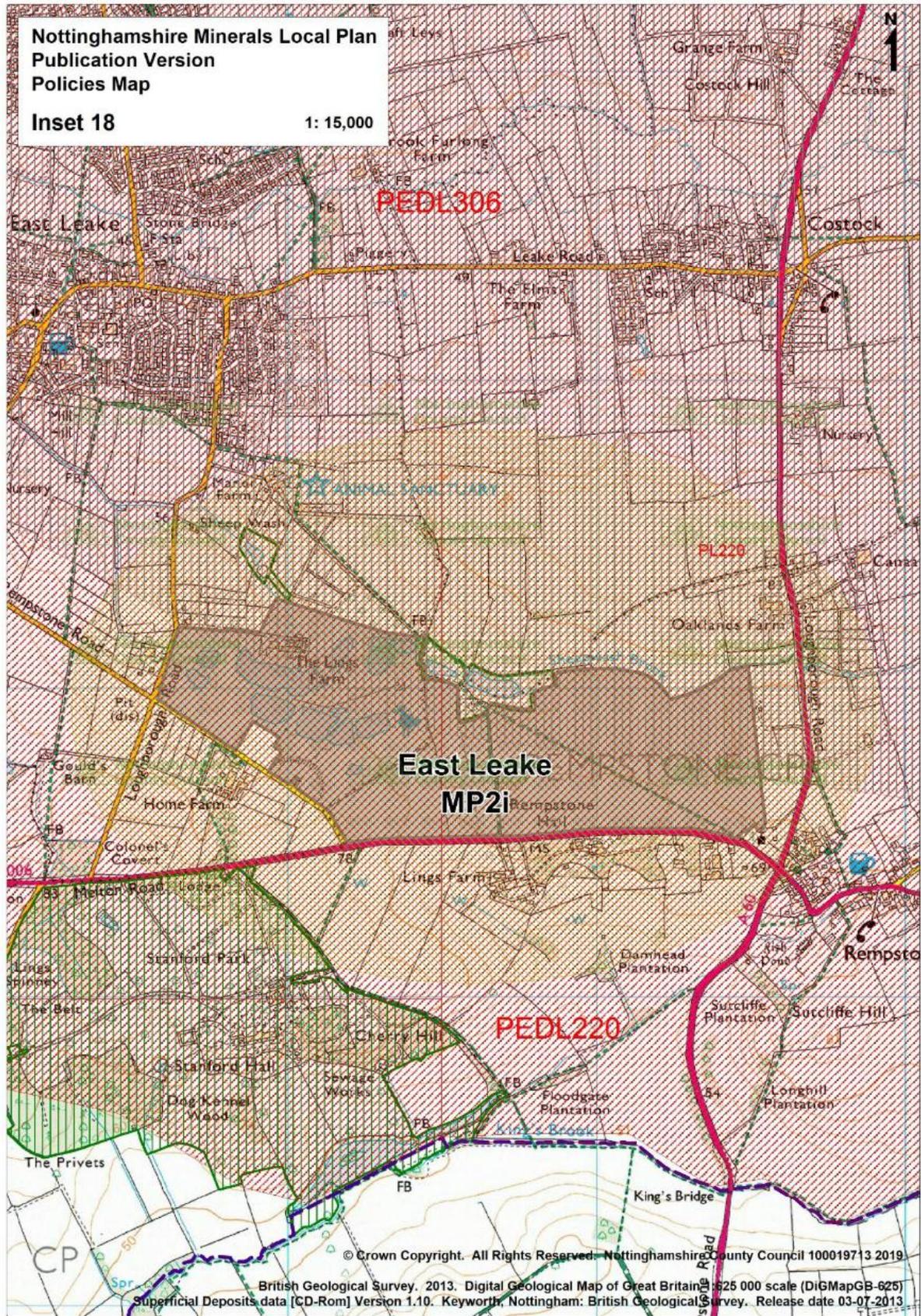
British Geological Survey. 2013. Digital Geological Map of Great Britain 1:625 000 scale (DIGMapGB-625)
Superficial Deposits data [CD-Rom] Version 1.10, Keyworth, Nottingham. British Geological Survey. Release date 03-07-2013



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Inset 18

1: 15,000



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British Geological Survey, 2013. Digital Geological Map of Great Britain at 1:25 000 scale (DIGMapGB-625)
Superficial Deposits data [CD-Rom] Version 1.10. Keyworth, Nottingham: British Geological Survey. Release date 03-07-2013

Appendix 4: Monitoring and Implementation Table

Key outcomes (Strategic Objectives)	Performance indicator	Monitoring method / source	Constraints/ risks	Target	Trigger	Further considerations/ mitigation measures
POLICY SP1 – MINERALS PROVISION						
Maintaining an adequate supply of mineral (SO2)	<p>Number of planning permissions: - Allocated or not - Extension or new site</p> <p>10-year and 3-year average for aggregate minerals</p> <p>Number of jobs created by minerals development</p> <p>All proposals accord with amenity and environmental protection policies</p>	<p>Planning application documents</p> <p>Planning permissions delegated or committee reports</p> <p>Local Aggregate Assessment</p>	Lack of data/ monitoring method on economic trends relating to non-aggregate minerals	<p>All applications granted satisfy the strategy for supply</p> <p>All applications granted meet all amenity and environmental protection policy targets</p>	<p>Significant number of applications approved which do not satisfy strategy for supply (more than 10%)</p> <p>Any amenity and environmental protection policy triggers met</p>	<p>Review of applications to identify why granted contrary to strategy for supply</p> <p>Review policy to ensure supply of mineral is maintained</p>

Key outcomes (Strategic Objectives)	Performance indicator	Monitoring method / source	Constraints/ risks	Target	Trigger	Further considerations/ mitigation measures
POLICY SP2 – BIODIVERSITY LED RESTORATION						
Inter connectivity between existing habitats and restoration schemes will be achieved and the biodiversity of the County will be improved (SO6)	<p>Number of planning permissions with biodiversity-led restoration schemes</p> <p>Number of planning permissions granted contrary to advice from:</p> <ul style="list-style-type: none"> - Natural England - Environment Agency <p>Area of habitat loss, gain and net-gain/loss (including Habitats of Principal Importance, LBAP habitats and designated sites)</p>	Planning permissions decision notices and delegated or committee reports	<p>Lack of detail in restoration schemes to identify if biodiversity-led</p> <p>Lack of data available on biodiversity and Water Framework Directive targets</p>	<p>All applications granted have biodiversity-led restoration scheme</p> <p>Increase in habitat creation/ improvement in local biodiversity and Water Framework Directive targets</p>	<p>Significant number of applications approved which do not have a biodiversity-led restoration scheme (more than 10%)</p> <p>Significant decrease in biodiversity /Water Framework Directive targets being met</p>	<p>Review application to identify reasons for non-biodiversity-led restoration.</p> <p>Review policy and site development briefs to ensure the biodiversity-led strategy is given greater priority (where appropriate)</p>

Key outcomes (Strategic Objectives)	Performance indicator	Monitoring method / source	Constraints/ risks	Target	Trigger	Further considerations/ mitigation measures
POLICY SP3 – CLIMATE CHANGE						
New proposals will be resilient to the impacts of climate change (SO3)	<p>Number of planning permissions judged to have an unacceptable impact on climate change</p> <p>Number of planning permission including climate change minimisation and or mitigation measures</p>	<p>Planning application documents</p> <p>Planning permissions delegated or committee reports</p>	Local climate change impacts are difficult to measure	<p>No applications granted that identify:</p> <ul style="list-style-type: none"> - unacceptable climate change impacts - do not include climate change adaptation measures where applicable 	<p>Significant number of applications approved which identify unacceptable climate change impacts (more than 10%)</p> <p>Significant number of applications approved which do not include climate change adaptation measures where applicable (more than 10%)</p>	<p>Review of application to identify circumstances of decision</p> <p>Review policy to ensure impacts on climate change are considered in more depth</p>
POLICY SP4 – SUSTAINABLE TRANSPORT						
Non-road transport for new/extended mineral sites (SO1, SO3, SO5)	<p>Number of planning permissions using alternatives to road transport</p> <p>Number of planning permission granted contrary to advice from:</p> <ul style="list-style-type: none"> - Highways England - Highways Authority 	Planning permissions decision notices and delegated or committee reports	Lack of data in notices/ reports on sustainable transport	<p>All applications granted include an element of non-road transport.</p> <p>Road transport distances/ use is minimised</p> <p>All applications granted fully mitigate any transport impacts</p>	<p>Significant number of applications granted contrary to advice from those set out in performance indicator (more than 10%)</p>	<p>Review applications to identify why sustainable transport methods were not utilised/ maximised</p> <p>Review policy to ensure sustainable transport is given greater priority in decision making</p>

Key outcomes (Strategic Objectives)	Performance indicator	Monitoring method / source	Constraints/ risks	Target	Trigger	Further considerations/ mitigation measures
POLICY SP5 – THE BUILT, HISTORIC AND NATURAL ENVIRONMENT						
To protect and enhance the built and natural environment from adverse developmental impacts (SO6, SO7)	Number of planning applications granted contrary advice from: - Natural England - Historic England - Environment Agency - Environmental Health Officer Changes in environmental/ amenity indicators (including all criteria in policy) for the County	Planning permissions delegated or committee reports	Lack of contextual data and on links between available data on County environment context and minerals development	All applications granted protect and enhance environmental/ amenity quality.	Significant number of applications approved contrary to advice from those set out in performance indicator (more than 10%)	Review policy to ensure that environmental/ amenity protection and enhancement is strengthened
POLICY SP6 – THE NOTTINGHAMSHIRE GREEN BELT						
To ensure new minerals development does not compromise the openness and purpose of land within the Green Belt (SO6)	Number of planning applications granted within the Green Belt where restoration does not maintain the openness and purpose of the Green Belt	Planning permissions delegated or committee reports	Restoration schemes may be subject to variation prior to implementation	All applications granted in Green Belt include restoration that maintains the openness and purpose of the Green Belt	Any planning permissions granted in the Green Belt with restoration schemes which do not maintain the openness and purpose of the Green Belt	Review policy to ensure greater priority given to maintenance of openness and purpose of Green Belt in restoration schemes

Key outcomes (Strategic Objectives)	Performance indicator	Monitoring method / source	Constraints/ risks	Target	Trigger	Further considerations/ mitigation measures
POLICY SP7 – MINERALS SAFEGUARDING, CONSULTATION AREAS AND ASSOCIATED MINERALS INFRASTRUCTURE						
To prevent mineral sterilisation and preserve the mineral for future use (SO1, SO2, SO3, SO4)	Number of planning permissions for non-mineral development granted by the Local Planning Authority contrary to the Minerals Planning Authority's advice.	Mineral Planning Authority observations on non-minerals development. Local Planning Authority records	Only applications where Minerals Planning Authority has been consulted will be recorded	No applications for non-minerals development granted where mineral safeguarding objection raised	Permission for non-minerals development granted where objection raised on mineral safeguarding grounds	Review reasons for approval Review policy if necessary given reasons found above
POLICY MP1: AGGREGATE PROVISION						
Maintaining an adequate supply of mineral (SO2)	Planning permissions consistent with MP2, MP3 and MP4	As per MP2, MP3 and MP4	As per MP2, MP3 and MP4	Achievement of MP2, MP3 and MP4 targets	Any of MP2, MP3 or MP4 triggers met	Review MP2, MP3 or MP4 as appropriate Review of MP1 if necessary
POLICY MP2: SAND AND GRAVEL PROVISION						
To maintain an adequate supply of sand and gravel to meet the 7-year landbank requirement (SO2)	Number of planning applications granted on non-allocated sites Size of landbank and production figure	Planning permissions decision notices and delegated or committee reports Local Aggregates Assessment	-	Maintenance of landbank and annual production consistent with apportionment Planning permissions consistent with allocations	Landbank more than 10% below requirement Permission granted on non-allocated land	Review Local Aggregate Assessment for possible explanation Review of allocations
POLICY MP3: SHERWOOD SANDSTONE PROVISION						
To maintain an adequate supply of Sherwood sandstone to meet the 7-year landbank requirement (SO2)	Number of planning applications granted on non-allocated sites Size of landbank and production figure	Planning permissions decision notices and delegated or committee reports Local Aggregates Assessment	-	Maintenance of landbank and annual production consistent with apportionment Planning permissions consistent with allocations	Landbank more than 10% below requirement Permission granted on non-allocated land	Review Local Aggregate Assessment for possible explanation Review of allocations

Key outcomes (Strategic Objectives)	Performance indicator	Monitoring method / source	Constraints/ risks	Target	Trigger	Further considerations/ mitigation measures
POLICY MP4: LIMESTONE PROVISION						
To maintain an adequate supply of limestone to meet the 10-year landbank Requirement (SO2)	Number of planning applications granted on non-allocated sites Size of landbank and production figure	Planning permissions decision notices and delegated or committee reports Local Aggregates Assessment	-	Maintenance of landbank and annual production consistent with apportionment Planning permissions consistent with allocations	Landbank more than 10% below requirement Permission granted on non-allocated land	Review Local Aggregate Assessment for possible explanation Review of allocations
POLICY MP5: SECONDARY AND RECYCLED AGGREGATES						
Maintaining an adequate supply of mineral and encourage the use of secondary and recycled minerals (SO1, SO2)	Annual production of recycled and secondary aggregates and percentage this represents of overall aggregate production Number of planning applications granted for aggregate or other mineral recycling plants	Minerals Product Association Sustainability Report Waste Planning Authority planning applications records	Lack of local data	Increase production/ consumption of recycled and secondary aggregates	Decrease in production/ consumption of recycled and secondary aggregates	Review policy to give greater priority to increasing production/ consumption of recycled and secondary aggregates
POLICY MP6: BRICK CLAY PROVISION						
To maintain an adequate supply of brickclay to meet the 25-year landbank requirement (SO2)	Number of planning applications granted on non-allocated sites Size of landbank per site	Planning permissions decision notices and delegated or committee reports Minerals Local Plan (for baseline)	Landbank figure will be an estimate	Maintenance of landbank per site All planning permissions consistent with allocations or policy criteria	Landbank more than 10% below requirement Permission granted on non-allocated land where policy criteria not met	Review policy and allocations
POLICY MP7: GYPSUM PROVISION						
Maintaining an adequate supply of mineral (SO2)	Number of planning permissions consistent with allocations or policy criteria	Planning permissions decision notices and delegated or committee reports	-	All planning permissions consistent with allocations or policy criteria	Permission granted on non-allocated land where policy criteria not met	Review policy and allocations

Key outcomes (Strategic Objectives)	Performance indicator	Monitoring method / source	Constraints/ risks	Target	Trigger	Further considerations/ mitigation measures
POLICY MP8: SILICA SAND PROVISION						
To maintain an adequate supply of silica sand to meet the 10-year landbank requirement (SO2)	Number of planning permissions consistent with allocations or policy criteria Size of landbank	Planning permissions decision notices and delegated or committee reports Minerals Local Plan (for baseline)	Landbank figure will be an estimate	Maintenance of landbank Planning permissions consistent with policy criteria	Permission granted on non-allocated land where policy criteria not met	Review policy and allocations
POLICY MP9: INDUSTRIAL DOLOMITE PROVISION						
Maintaining an adequate supply of mineral for the international market (SO2)	Number of planning permissions consistent with allocations or policy criteria	Planning permissions decision notices and delegated or committee reports	-	All planning permissions consistent with allocations or policy criteria	Permission granted on non-allocated land where policy criteria not met	Review policy and allocations
POLICY MP10: BUILDING STONE PROVISION						
Maintaining an adequate supply of mineral and preserve and enhance local historic distinctiveness (SO2, SO7)	Number of planning permissions consistent with allocations or policy criteria	Planning permissions decision notices and delegated or committee reports	-	All planning permissions consistent with allocations or policy criteria	Permission granted on non-allocated land where policy criteria not met	Review policy and allocations
POLICY MP11: COAL						
Maintaining an adequate supply of mineral (SO2)	Number of planning permissions consistent with policy criteria Number of planning applications granted contrary to advice from: - Natural England - Historic England - Environment Agency - Environmental Health Officer	Planning permissions decision notices and delegated or committee reports	-	All planning permissions consistent with policy criteria	Permission granted where policy criteria not met Significant number of applications approved contrary to advice from those set out in performance indicator (more than 10%)	Review policy to address criteria that were not met in permissions

Key outcomes (Strategic Objectives)	Performance indicator	Monitoring method / source	Constraints/ risks	Target	Trigger	Further considerations/ mitigation measures
POLICY MP12: HYDROCARBON MINERALS						
Maintaining an adequate supply of mineral (SO2)	<p>Number of planning permissions consistent with policy criteria</p> <p>Number of planning applications granted contrary advice from:</p> <ul style="list-style-type: none"> - Natural England - Historic England - Environment Agency - Environmental Health Officer - Health and Safety Executive 	<p>Planning permissions decision notices and delegated or committee reports</p>	-	All planning permissions consistent with policy criteria	<p>Permission granted where policy criteria not met</p> <p>Significant number of applications approved contrary to advice from those set out in performance indicator (more than 10%)</p>	Review policy to address criteria that were not met in permissions
DM1: PROTECTING LOCAL AMENITY						
Providing a good standard of amenity and protecting from adverse developmental impacts (SO5)	<p>Number of planning applications granted contrary to advice from:</p> <ul style="list-style-type: none"> - Environment Agency - Environmental Health Officer - Public Health England - Highways Authority <p>Number of substantiated complaints received regarding minerals developments</p>	<p>Planning permissions decision notices and delegated or committee reports</p> <p>Minerals Planning Authority Monitoring and Enforcement Team complaints records</p>	Reliant on professional opinions/ assessments of impacts and discussion of these in reports/notices	All planning permissions have no adverse impact on the elements set out in the policy	Number of planning permission granted which identify unacceptable impacts on local amenity (measured through grants contrary to advice from those set out in performance indicator) (>0)	Review policy to address criteria that were not met in permissions

Key outcomes (Strategic Objectives)	Performance indicator	Monitoring method / source	Constraints/ risks	Target	Trigger	Further considerations/ mitigation measures
POLICY DM2: WATER RESOURCES AND FLOOD RISK						
To protect water resources and protect from flooding (SO3, SO6)	<p>Number of planning applications granted contrary to Environment Agency advice on flooding and water quality/provision grounds</p> <p>Number of planning applications granted which include flood alleviation benefits</p> <p>Number of planning applications granted which include SuDS</p>	<p>Planning application documents</p> <p>Planning permissions decision notices and delegated or committee reports</p>	Reliant on discussion of these elements in reports/ notices	No planning permissions have detrimental impact on water resources and unacceptable impact on flooding	Number of planning permissions granted contrary to Environment Agency advice (>0)	<p>Review reasons for granting permission contrary to advice</p> <p>Review policy</p>
POLICY DM3: AGRICULTURAL LAND AND SOIL QUALITY						
To provide for the conservation of the best and most versatile agricultural land and to provide for the conservation of soil resources (SO8)	<p>Area of best and most versatile agricultural land lost</p> <p>Number of planning applications granted contrary to advice from: - Natural England advice on best and most versatile agricultural land</p>	<p>Natural England</p> <p>Planning permissions decision notices and delegated or committee reports</p>	Limited to infrequent national level data, which will reflect land lost to all development, not just minerals	<p>All minerals development directed to the lowest grade of agricultural land possible</p> <p>No planning permissions have detrimental impact on soil quality</p>	Significant number of applications approved contrary to advice from those set out in performance indicator (more than 10%)	<p>Review reason for approval</p> <p>Review policy</p>

Key outcomes (Strategic Objectives)	Performance indicator	Monitoring method / source	Constraints/ risks	Target	Trigger	Further considerations/ mitigation measures
POLICY DM4: PROTECTION AND ENHANCEMENT OF BIODIVERSITY AND GEODIVERSITY						
To protect and enhance the biodiversity and geodiversity of Nottinghamshire from adverse developmental impacts (SO3, SO6)	<p>Significant adverse change in biodiversity and geodiversity assets in the County</p> <p>Number of planning applications granted contrary to Natural England advice</p> <p>Area of habitat loss, gain and net-gain/loss (including Habitats of Principal Importance, LBAP habitats and designated sites)</p>	<p>Natural England, Local Biodiversity Action Plans</p> <p>Planning permissions decision notices and delegated or committee reports</p>	No data on direct links between mineral workings and changes in habitat/ biodiversity	<p>No planning permissions result in adverse impact on biodiversity/ geodiversity</p> <p>All planning permissions bring about enhancements to biodiversity/ geodiversity</p>	<p>Significant number of applications approved contrary to advice from Natural England (more than 10%)</p> <p>Decrease in biodiversity targets being met</p>	Review policy to give greater priority to protection and enhancement to biodiversity/ geodiversity
POLICY DM5: LANDSCAPE CHARACTER						
To maintain, protect and enhance the character and distinctiveness of the landscape (SO6, SO8)	<p>Number of planning applications granted contrary to advice from:</p> <p>- Natural England</p>	<p>Planning permissions decision notices and delegated or committee reports and decision notices</p>	Reliant on professional opinions/ assessments of impacts and discussion of these in reports/notices	All planning permissions have no adverse impact as set out in the policy	<p>Significant number of applications approved contrary to advice from those set out in performance indicator (more than 10%)</p>	<p>Review reasons for granting permission contrary to advice</p> <p>Review policy</p>

Key outcomes (Strategic Objectives)	Performance indicator	Monitoring method / source	Constraints/ risks	Target	Trigger	Further considerations/ mitigation measures
POLICY DM6: HISTORIC ENVIRONMENT						
To conserve important heritage assets (SO7)	Number of planning applications granted contrary to advice from: - Historic England Number of planning applications granted subject to a watching brief for archaeology	Planning permissions decision notices and delegated or committee reports	Reliant on professional opinions/ assessments of impacts and discussion of these in reports/notices	All planning permissions have no adverse impact as set out in the policy	Significant number of applications approved contrary to advice from those set out in performance indicator (more than 10%)	Review reasons for granting permission contrary to advice Review policy
POLICY DM7: PUBLIC ACCESS						
To prevent negative impacts on existing public access routes and improve and enhance the Rights of Way network where possible (SO5, SO6)	Number of planning permissions involving the permanent loss of a Right of Way Number of planning permissions securing additional Rights of Way through restoration	Planning permissions decision notices and delegated or committee reports	-	All planning permissions have no adverse impact on Rights of Way and increase public access through restoration (where appropriate)	Significant number of applications approved contrary to advice Countryside Access Team (more than 10%) Planning permission granted resulting in permanent loss of Right of Way	Review reasons for loss of Right of Way Review policy
POLICY DM8: CUMULATIVE IMPACT						
Prevention of negative cumulative impacts (SO1, SO3, SO5, SO6, SO7, SO8)	Number of planning applications granted despite unacceptable cumulative impacts	Planning permissions decision notices and delegated or committee reports	Reliant on discussion of cumulative impact in reports/notices	No unacceptable cumulative impacts arise from minerals development	Planning permissions granted that give rise to unacceptable cumulative impact	Review policy to strengthen cumulative impact assessment

Key outcomes (Strategic Objectives)	Performance indicator	Monitoring method / source	Constraints/ risks	Target	Trigger	Further considerations/ mitigation measures
POLICY DM9: HIGHWAYS SAFETY AND VEHICLE MOVEMENTS/ ROUTEING						
Improved highway safety and appropriate routeing schemes (SO1, SO3, SO5, SO6, SO7)	Planning applications granted contrary to advice from: - Highways England - Highways Authority	Planning permissions decision notices and delegated or committee reports	-	All planning permissions consistent with policy criteria	Significant number of applications approved contrary to advice from those set out in performance indicator (more than 10%)	Review policy to address criteria that were not met in permissions
POLICY DM10: AIRPORT SAFEGUARDING						
Risk to air safety is minimised (SO1, SO5)	Number of planning applications granted contrary to advice from airfields	Planning permissions decision notices and delegated or committee reports	No overseeing body, therefore advice will be on an air-field basis and could be inconsistent	No applications permitted against airfield advice	Permission granted contrary to airfield advice	Review reasons for approval against advice Review policy in light of above
POLICY DM11: PLANNING OBLIGATIONS						
Requirements from development will be met (SO1, SO5)	Number of planning permissions with signed S106 agreements	Planning permissions decision notices and delegated or committee reports Minerals Planning Authority legal records	Delay between permission and signing of S106 may delay monitoring	All permissions granted with S106 where needed	Significant number of planning applications without S106 (more than 10%)	Review reason for lack of S106 If no justification, review policy

Key outcomes (Strategic Objectives)	Performance indicator	Monitoring method / source	Constraints/ risks	Target	Trigger	Further considerations/ mitigation measures
POLICY DM12: RESTORATION, AFTER-USE AND AFTERCARE						
Land will be reclaimed at the earliest opportunity and high-quality restoration and after care will be achieved (SO1, SO3, SO5, SO6, SO7, SO8)	<p>Number of planning applications granted contrary to advice on restoration from:</p> <ul style="list-style-type: none"> - Natural England - Environment Agency <p>Number of planning permissions involving importation of waste meeting criteria in policy</p>	Planning permissions decision notices and delegated or committee reports	-	All applications granted subject to restoration scheme that satisfies all policy criteria	<p>Significant number of applications approved contrary to advice from those set out in performance indicator (more than 10%)</p> <p>Significant number of applications involving importation of waste approved contrary to policy criteria (more than 10%)</p>	<p>Review reasons for approval against advice</p> <p>Review of policy to address weak areas identified</p>
POLICY DM13: INCIDENTAL MINERAL EXTRACTION						
Promotion of sustainable development and conservation of mineral resources (SO1, SO2)	Number of planning permissions assessed against this policy that are not granted permission on its grounds	Planning permissions decision notices and delegated or committee reports	-	All applications seeking mineral extraction as part of wider development are granted, subject to criteria in policy being met	Significant number of proposals being refused on grounds of this policy	<p>Review reasons for refusals</p> <p>Review policy if necessary to address refusal grounds (if appropriate)</p>
POLICY DM14: IRRIGATION LAGOONS						
To provide benefits to agricultural productivity (SO1, SO2)	Number of planning permissions for irrigation lagoons granted contrary to the criteria in the policy	Planning permissions decision notices and delegated or committee reports	-	All planning permissions consistent with policy criteria	Permission granted where policy criteria not met	<p>Review reasons for not meeting policy criteria</p> <p>Review policy</p>
POLICY DM15: BORROW PITS						

Key outcomes (Strategic Objectives)	Performance indicator	Monitoring method / source	Constraints/ risks	Target	Trigger	Further considerations/ mitigation measures
To allow for the sustainable use of minerals close to specific projects (SO1, SO2)	Number of planning permissions for borrow pits granted contrary to the criteria in the policy	Planning permissions decision notices and delegated or committee reports	-	All planning permissions consistent with policy criteria	Permission granted where policy criteria not met	Review policy
POLICY DM16: ASSOCIATED INDUSTRIAL DEVELOPMENT						
Ensuring associated development is not permitted unless linked to minerals development (SO1)	Number of planning permissions for associated industrial development that are not related/linked to life of the site	Planning permissions decision notices and delegated or committee reports	-	All planning permissions consistent with policy criteria	Permission granted where policy criteria not met	Review policy
POLICY DM18: MINERAL EXPLORATION						
To allow for exploration to determine the presence of minerals (SO1, SO2)	Number of planning applications assessed against this policy granted contrary to criteria in the policy	Planning permissions decision notices and delegated or committee reports	-	All planning permissions consistent with policy criteria	Permission granted where policy criteria not met	Review policy

