

## **Environment and Sustainability Committee**

**Thursday, 22 September 2016 at 10:30**

**County Hall, County Hall, West Bridgford, Nottingham, NG2 7QP**

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### **AGENDA**

- |   |  |         |
|---|--|---------|
| 1 | Minutes of the last meeting held on 21 July 2016   | 3 - 6   |
| 2 | Apologies for Absence  |         |
| 3 | Declarations of Interests by Members and Officers:- (see note below)<br>(a) Disclosable Pecuniary Interests<br>(b) Private Interests (pecuniary and non-pecuniary) |         |
| 4 | Minerals Local Plan Representations to the Submission Draft Consultation Document and Proposed Modifications   | 7 - 34  |
| 5 | Government Consultation on the Shale Wealth Fund   | 35 - 62 |
| 6 | Work Programme   | 63 - 66 |

### **Notes**

- (1) Councillors are advised to contact their Research Officer for details of any Group Meetings which are planned for this meeting.
- (2) Members of the public wishing to inspect "Background Papers" referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:-

Customer Services Centre 0300 500 80 80

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

Councillors or Officers requiring clarification on whether to make a declaration of interest are invited to contact Martin Gately (Tel. 0115 977 2826) or a colleague in Democratic Services prior to the meeting.

- (4) Councillors are reminded that Committee and Sub-Committee papers, with the exception of those which contain Exempt or Confidential Information, may be recycled.
- (5) This agenda and its associated reports are available to view online via an online calendar - <http://www.nottinghamshire.gov.uk/dms/Meetings.aspx>

Meeting Environment and Sustainability Committee

Date Thursday 21 July 2016 (commencing at 2:00 pm)

**Membership**

Persons absent are marked with an 'A'

**COUNCILLORS**

Jim Creamer (Chairman)  
Pamela Skelding (Vice-Chairman)

Richard Butler  
Steve Calvert  
Stan Heptinstall MBE  
Roger Jackson

John Ogle  
Parry Tsimbirdis  
Kate Foale

**OFFICERS IN ATTENDANCE**

Tim Gregory	-	Place Department
Paul Morris	-	Place Department
Rachel Peck	-	Place Department
Martin Gately	-	Resources Department

**MINUTES OF THE LAST MEETING**

The minutes of the meeting held on 28 April 2016, having been circulated to all Members, were agreed to be a correct record and signed by the Chairman.

**APOLOGIES FOR ABSENCE**

None.

**CHANGES OF MEMBERSHIP**

Councillor Foale replaced Councillor Wilkinson for this meeting only. Councillor Ogle replaced Councillor Laughton, also for this meeting only.

**DECLARATIONS OF INTEREST**

None.

**RECYCLING CENTRE REGISTRATION SCHEME**

**RESOLVED 2016/018**

That:

- I.) It be noted that a Cross-Party Members Group met on 7<sup>th</sup> June 2016 to review the Recycling Centre Registration Scheme and to address the specific concerns set out in the County Council Motion of 12 May 2016.
- II.) It be noted that as recommended by the Cross-Party Group the Chairman of the Environment and Sustainability Committee has now written to all our neighbouring authorities to seek an equitable financial arrangement for the sharing of costs associated with cross border use of the Nottinghamshire Recycling Centres.
- III.) It be noted that the view of the Cross-Party Members Group was that in the absence of suitable cross border cost sharing arrangements being agreed that the scheme will continue as currently implemented, with appropriate random and targeted enforcement commencing in September 2016.
- IV.) The operation of the scheme be reviewed every 3 months.

## **WORK PROGRAMME**

Tim Gregory confirmed that the 22<sup>nd</sup> September meeting of Environment & Sustainability would be an all-day meeting due to the consideration of the Minerals Local Plan. The meeting will commence at 10:30 am.

## **RESOLVED 2016/019**

That the work programme be noted.

## **WASTE MANAGEMENT PFI CONTRACT**

## **RESOLVED 2016/020**

That:

- I) The Veolia Mansfield and Ashfield Proposal be accepted subject to the satisfactory conclusion of final negotiations and legal drafting in relation to the Veolia Mansfield and Ashfield Proposal the deed variation required to be entered by the parties to vary the existing PFI Contract to give effect to the Veolia Mansfield and Ashfield Proposal.
- II) The Corporate Director of Place or his nominee be authorised to conclude the detailed negotiations and drafting of the PFI Contract variations and any other necessary documentation in consultation with the Group Manager for Legal Services, the Monitoring Officer and Section 151 Officer or their authorised nominees/deputies.
- III) Officers be authorised to continue discussions with Defra with the intention of retaining additional PFI Credits allocated to the Outstanding Infrastructure.
- IV) Subject to the above, provided that the proposals remain within the budgetary envelope set out in the report and Appendix 1: Exempt Information, the Council be authorised to enter into the relevant deed of variation to the PFI Contract and to take all other steps and actions and to enter into any necessary documentation required to give effect to the Veolia Mansfield and Ashfield Proposal and to protect the Council's interests.

## **EXCLUSION OF THE PUBLIC**

### **RESOLVED 2016/021**

That the public be excluded for the remainder of the meeting on the grounds that the discussions are likely to involve disclosure of exempt information described in paragraph 3 of the Local Government (Access to Information) (Variation) Order 2006 and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

## **EXEMPT APPENDIX TO WASTE MANAGEMENT PFI CONTRACT – MANSFIELD AND ASHFIELD RESIDUAL WASTE TREATMENT SOLUTION**

### **RESOLVED 2016/022**

That the exempt appendix be noted.

The meeting concluded at 3:15 pm.

**Chairman**



22nd September 2016

Agenda Item: 4

## **REPORT OF THE CORPORATE DIRECTOR FOR PLACE**

### **MINERALS LOCAL PLAN – REPRESENTATIONS TO THE SUBMISSION DRAFT CONSULTATION DOCUMENT AND PROPOSED MODIFICATIONS.**

#### **Purpose of the Report**

1. To inform Committee of the progress on the Minerals Local Plan.
2. To note the representations received during the submission draft consultation stage and the proposed modifications.

#### **Information and Advice**

3. The Minerals Local Plan is a statutory document that all Minerals Planning Authorities must prepare. It identifies sites and sets out policies against which all minerals development proposals are assessed and determined by the County Council. The overall aim of the Plan is to ensure that sufficient minerals are provided to meet expected demand in the most sustainable way and to safeguard proven mineral resources from being unnecessarily sterilised by other development.
4. The current Plan was adopted in December 2005 and was prepared under previous Government legislation. This plan is now becoming out of date and the new plan will replace it. The new plan will look ahead to 2030.
5. As part of the evidence gathering process undertaken for the emerging Minerals Local Plan, a series of specific assessment documents were produced and this included a Sustainability Appraisal, a Strategic Transport Assessment and a Strategic Flood Risk Assessment.
6. The new Minerals Local Plan contains a vision and strategic objectives, strategic policies, site allocations and development management policies.
7. If the County Council does not have an up to date plan in place it could result in planning applications for minerals development being submitted and decided on an ad-hoc / 'first come first served' basis. This would result in a lack of certainty for local communities and the minerals industry as to where development could take place. A consequence of this could be that mineral extraction may be permitted at those sites that have greater impacts on the environment and local amenity.

## Background

8. Nottinghamshire is a major minerals producing area where a diverse range of minerals are extracted. The biggest extractive industries are sand and gravel and gypsum extraction but brick clay, limestone, building stone and oil are also extracted. In most cases permitted reserves are inadequate for the plan period and new resources in suitable locations are needed to ensure that the County continues to supply its share of national and local mineral needs.
9. New minerals could also be extracted in the future. These could include high grade industrial dolomite, coal bed methane and shale gas.
10. Large resources of coal bed methane and shale gas may also underlie significant parts of the County and new technologies are making their extraction economically viable. The Government requires all Minerals Planning Authorities to set out policies as to how applications for the exploration, appraisal and extraction of these hydrocarbons will be assessed.

## Public consultation and community involvement

11. To be adopted as planning policy, the new Minerals Local Plan has to go through various stages of public consultation and community involvement and culminating in an examination in public by an independent planning inspector.
12. The important public consultation stages have now been completed. These used the approaches set out in the Council's Statement of Community Involvement – the statutory document that sets out how the Council will consult and involve communities in its planning functions.
13. Public consultation began with a broad 'Issues and Options' consultation in 2012 which identified the key issues that would need to be considered.
14. The Preferred Approach consultation document published in October 2013 looked at the main options for each mineral and explained which options were preferred and which were not preferred and why. It showed how account was taken of the various consultation responses the County Council received on the Issues and Options consultation and also showed how the findings of the Sustainability Appraisal influenced the document. The document included draft planning policies as well as draft site specific allocations for all mineral types. It was made clear that it was a Preferred Approach document and Members had not yet made any decisions on which sites would be included in the final Local Plan.
15. Due to the comments received on this document, a further round of consultation on the sand and gravel provision section of the document was required. This was undertaken in May 2014. As part of this, the operator for a site at Shelford West that was previously considered undeliverable, submitted further information to show that the site could be delivered. It was then necessary to undertake a further round of consultation on this site in October 2014.
16. The formal stage of consultation on the submission draft document was undertaken in February 2016 and set out the final set of draft policies and site specific allocations. The



consultation considered the 'soundness' and legal compliance of the submission draft document. As part of the consultation, 937 representations from a total of 297 organisations or individuals were received. This included statutory bodies, local district and parish councils, members of the public, the minerals industry and interested groups. One petition was re-submitted.

17. The total comments received to the submission draft consultation can be split between the relevant sections of the plan as follows:

- Chapter 1: Introduction: 18;
- Chapter 2: Overview, Vision and Strategic Objectives: 90;
- Chapter 3: Strategic Policies: 154;
- Chapter 4: Minerals Provision Policies (including proposed site allocations): 389;
- Chapter 5: Development Management Policies: 194;
- Remainder of Plan: 91.

18. In total 7890 representations have been received to the consultation stages along with 16 petitions.

19. A small advisory Member/Officer Project Group was established to discuss progress on the process of developing the Minerals Local Plan. This has met at key stages to discuss the main issues as they have arisen and to provide a Member steer on process.

20. As a result of Full Council in January 2016 officers were asked to:

- Verify the legitimacy of the methodology used to determine the need and apportionment figures for sand and gravel in Nottinghamshire;
- Review the Strategic Transport Assessment using the most recent data;
- Prepare an information document on oil and gas development in Nottinghamshire.

21. The outcomes of this work are set out in the relevant summary below.

#### Summary of the main issues raised during the submission draft consultation stage

22. The following paragraphs summarise the main issues raised and how these have been addressed.

#### *Level of future provision*

23. Members of the public and local action groups made representations stating that expected demand for minerals over the plan period (particularly for sand and gravel) has been overstated due to the use of older sales data that does not reflect the current situation. The minerals industry however has made representations stating that additional reserves (above those already proposed for allocation) are needed to meet expected future growth.

24. The average sales data used to forecast future demand in the minerals plan covers the 10 year period 2002-2011. This was the most recent data available at the start of the plan's preparation and incorporates five years of high sales (pre-recession) and five years of very low sales (recession period). This is considered to provide a robust figure from which to forecast future demand as it provides sufficient flexibility to allow for growth in the future.

25. It is not considered appropriate to use the most recent 10 year average sales data (2005-2014) as it is heavily influenced by the recession. Identifying future demand based on these figures could run the risk of not providing a steady and adequate supply of minerals as required by national guidance, particularly if economic activity and growth increases during this period. This could result in a shortage of reserves, planning applications for unallocated sites being submitted and a need to review the plan early to identify additional reserves. Equally it is not considered appropriate to identify further reserves above that set out in the plan.
26. In order to verify the methodology used to determine the need and apportionment figures a legal view was sought. This concluded that the methodology used was reasonable and in principle robust.

#### *The availability of recycled aggregates*

27. Alongside representations regarding the overall future levels of provision, representations were made stating that data on the production of recycled aggregates had not been taken into account when forecasting future demand. Respondents argued that if this data was incorporated, the overall demand for primary aggregates would be significantly reduced.
28. Recycled aggregates provide a valuable source of material, minimising the need for primary aggregates. Nationally it is estimated that recycled aggregates contribute about 29% of total aggregate sales, three times higher than the European average. However it is acknowledged by both the British Geological Survey and the Minerals Products Association that significant future growth is limited due to the high levels already being recycled along with changing construction methods which are also likely to reduce the availability and quality of these materials in the future.
29. Local data for recycled aggregates is very limited and based on estimates derived from periodic national surveys. A large proportion of material is reused on site for engineering and landscaping purposes but the amounts used are not recorded.
30. The 10 year sales average for each of the aggregate minerals only takes account of sales of primary aggregates, however recycled aggregates are freely available on the open market and will already meet specific needs. Therefore estimates of future requirements set out in the LAA already take account of the proportion being met from alternative aggregates and represent the amount of additional primary aggregate needed.

#### *Transport issues*

31. Respondents raised concerns regarding the impacts of additional HGV traffic from the proposed quarries on the surrounding highway network in terms of congestion, road safety and vehicle emissions.
32. As part of the evidence base, a Strategic Transport Assessment has been undertaken to assess the wider impact of additional HGV traffic from the proposed quarries. This concluded that none of the proposed allocation sites would have an unacceptable highways impact.
33. An addendum to the original transport assessment was produced using the most recent data available and published during the consultation period, however the conclusions from the addendum remained unchanged. As part of any planning application a detailed site specific Transport Assessment would be required.

### *Flood risk*

34. Concerns were raised about the possibility of new sand and gravel sites increasing the risk of flooding where these are located in the floodplain. Detailed advice has been sought from the Environment Agency and a Strategic Flood Risk Assessment (SFRA) has been carried out to help inform the preparation of the plan. This considers the risk of flooding from all sources, now and in the future, taking account of climate change impacts and assesses the impact of proposed minerals development.
35. Sand and gravel extraction is defined within the national Planning Practice guidance as 'water compatible' and is therefore acceptable within the floodplain subject to certain prescribed safeguards which are reflected within the plan. Where necessary, the requirement to carry out a site-specific Flood Risk Assessment at the detailed planning application stage has been incorporated into the development brief for relevant sites.

### *Landscape, biodiversity and heritage issues*

36. Respondents raised concerns about potential landscape, biodiversity and heritage impacts at proposed sites. Advice has been sought from relevant statutory bodies and the Council's landscape, conservation and heritage teams at each stage of plan preparation. The policies and proposals within the plan are subject to a rigorous process of on-going sustainability appraisal which has helped to inform the process of site selection in order to minimise potential site-specific impacts and to identify appropriate mitigation measures where there are unavoidable impacts.

### *Site allocations*

37. As well as the main issues summarised above, a number of respondents felt that there was a lack of detailed information provided regarding the operation of the proposed quarries along with the potential impacts on the surrounding areas that could arise as a result.
38. The sites allocated in the plan are those that are in principle suitable for future mineral extraction and that will provide adequate reserves to meet the expected future demand. As part of the planning application process, detailed information regarding the operation of the quarry such as the extent of quarrying, site screening and the location of on-site machinery along with detailed assessment work would be undertaken by the applicant.
39. It is worth noting that no changes have been made to the list of site specific allocations contained in the plan.

### *Extraction of Shale Gas*

40. A number of respondents raised concerns about the future extraction of Shale Gas reserves, seeking either a moratorium on the development of Shale Gas, or the inclusion of a separate policy. The National Planning Policy Framework requires all Minerals Planning Authorities to identify and include policies for extraction of locally and nationally important minerals, including both conventional and unconventional hydrocarbons (e.g. Shale Gas and Coal Bed Methane). The emerging Minerals Local Plan contains a policy covering all types of hydrocarbon minerals including oil, gas, coal bed methane and shale gas. This is in line with

national guidance and identifies the key stages of development; Exploration, Appraisal, Extraction and Restoration. A separate policy for shale gas is not required as the planning process is the same for all types of hydrocarbons.

41. As a result of the recommendation at Full Council, an information paper on oil and gas developments in Nottinghamshire was produced and included on the County Council's website.

*The formal consultation process was too complicated and not user friendly*

42. Respondents raised concerns over the formal consultation process particularly regarding the complexity and availability of the standard consultation form and that hand written letters or emails were not being considered as part of the consultation.
43. The consultation form was produced in line with guidance published by the Planning Inspectorate and was available to download from the County Council website or in paper form on request. Representations could also be made using the County Council's online consultation system.
44. All of the representations received within the consultation period have been registered and will be sent to the planning inspector for consideration. As the consultation form/online system included important elements, including whether individuals wished to appear at the examination in public and the questions regarding soundness and legal compliance, any representations that were submitted not using these methods were returned with a copy of the form, inviting the respondent to complete all sections. This was to ensure that members of the public were given the opportunity to fully participate in the process and provide all of the information required by the Planning Inspectorate.
45. All of the representations received have been used to inform the preparation of the submission document, where appropriate. A schedule of proposed modifications is also included in appendix A. These modifications will be presented to the inspector alongside the minerals plan.

#### Proposed Modifications to the plan

46. As a result of the responses to the submission draft consultation, a schedule of proposed modifications has been drawn up. This sets out the modifications that are being proposed to the submission draft document and will be submitted to the Secretary of State as part of the Minerals Local Plan submission. The modifications will be considered by the inspector as part of the examination in public and additional modifications may also be added as a result of the examination. The proposed modifications will then be subject to consultation once the examination in public has been completed. A full version of the proposed modifications can be found in appendix A. A summary of the key proposed modifications are set out below.

#### *Biodiversity led restoration*

47. The justification text to Strategic Policy 3 (page 33) has been amended to make reference to flood plain reconnection to highlight opportunities as part of quarry restoration. This has also been included in site specific development briefs to ensure consistency.

### *Historic environment*

- 48. Bullet point 3 (Page 39) of SP6: 'The Built, Historic and Natural Environment' has been amended to reflect the need to consider the setting of heritage assets.
- 49. Bullet point 1a (page 97) of DM6 'Historic Environment' has been amended to clarify the position regarding designated and non-designated heritage assets to make the policy consistent with national policy.
- 50. Additional text has been inserted after paragraph 5.70 (page 97) of policy DM6: Historic Environment to clarify the position regarding designated and non-designated heritage assets – as set out in bullet point 1a.

### *Water resources and flood risk*

- 51. Bullet point 2 (page 84) of DM2: 'Water resources and flood risk' has been amended to ensure there are no unacceptable risks of polluting ground or surface waters.
- 52. Bullet point 5 (page 84) of DM2: 'Water resources and flood risk' has been amended to ensure consistency with national guidance.

### *Landscape character*

- 53. Bullet point 2 (page 95) of policy DM5: 'Landscape character' has been amended to ensure that the criterion should cover more than restoration, and include landscaping and planting schemes.

### *Minerals infrastructure safeguarding*

- 54. Amendment to the title of DM13: 'Minerals safeguarding and consultation areas' to reflect the inclusion of important minerals infrastructure. (page 116)
- 55. Insertion of additional text after para 5.142 (page 118) of policy DM13: 'Minerals safeguarding and consultation areas' to clarify the level of information required to demonstrate why prior extraction is not appropriate.
- 56. Amendment to Plan 6 'minerals safeguarding and consultation areas' (page 119), Appendix 4 'policies map' (page 180) and 'subject area plan d' (page 187) to identify the Cowlick Wharf safeguarding area.
- 57. The creation of a new inset map in appendix 4 to identify the Cowlick Wharf safeguarding area.

### Next Steps

- 58. Approval of documents forming part of the Development Plan is the responsibility of Full Council. A report will be submitted to Full Council in November 2016 seeking approval to submit the Minerals Local Plan along with the proposed modifications to the Planning inspectorate.

59. The plan and all the representations received will be subject to an independent examination by a Planning Inspector appointed by the Secretary of State for Communities and Local Government. The inspector's role is to consider the 'soundness' of the whole plan.

### **Other Options Considered**

60. Preparation of the Minerals Local Plan is a statutory requirement.

### **Reason/s for Recommendation/s**

61. To progress the process by which the Minerals Local Plan will be adopted as required by law.

### **Duty to cooperate**

62. The County Council has sought to engage with other public and statutory bodies on strategic cross boundary issues as part of the local plan preparation process to meet the duty to cooperate requirement. A background paper setting out the work that has been undertaken is being produced and will be submitted as part of the Minerals Local Plan submission.

### **Statutory and Policy Implications**

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

### **Equalities Implications**

64. An Equalities Impact Assessment has been carried out and the report concludes that there are no adverse impacts.

### **Financial Implications**

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

### **Implications for Sustainability and the Environment**

66. The production of Minerals Local Plans and associated documents is a statutory requirement.

## **RECOMMENDATION/S**

It is recommended that:

- a) Committee notes the progress on the Minerals Local Plan

- b) Committee notes the representations received during the submission draft consultation stage and the proposed modifications.

**Tim Gregory**  
**Corporate Director, Place**

**For any enquiries about this report please contact: Steven Osborne-James, Planning Policy officer, ext 72109**

#### **Constitutional Comments (SLB 13/09/2016)**

67. This report is for noting only.

#### **Financial Comments (SES 19/08/16)**

68. The financial implications are set out in the report.

#### **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.

Nottinghamshire Minerals Local Plan Submission Draft document

Summary of Representations Received and Council's Response

Equalities Impact Assessment

#### **Electoral Division(s) and Member(s) Affected**

All



## Appendix 1 - Nottinghamshire Minerals Local Plan Proposed Modifications

To be read alongside the Minerals Local Plan Submission Draft document

Key to Proposed Modifications  
~~Text to be removed~~  
**Text to be added**

Modification No.	Plan Section (page no.)	Para No./ Policy	Proposed modification	Reason
1	Chapter 2: Overview of the Plan area (p16)	2.16	Much of Nottinghamshire is underlain by important groundwater resources used for industry, agriculture and drinking water. The River Trent and Idle also provide important surface water resources. Whilst water quality is good overall, there are problems with the level of nitrates <b>and phosphates</b> 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	In response to representation (s) received an amendment to the text has been made to recognise the role of phosphates in affecting water quality
2	Chapter 2: Nottinghamshire's mineral resource and industry (p19)	2.21	Amend section title: Nottinghamshire's <b>natural</b> mineral resource and industry	In response to representation (s) received, an amendment to the text has been made to provide clarification about the subject of this section
3	Chapter 2: Nottinghamshire's mineral resource and industry (p19)	2.27	Insert additional paragraph after paragraph 2.27: <b>Recycled and secondary aggregates contribute to the supply of aggregates nationwide. In Nottinghamshire the main sources of these materials include construction and demolition waste, power station ash, road planings and rail ballast. In the past colliery spoil and river dredging were also used.</b>	In response to representation (s) received, additional text has been inserted to provide clarification that the Plan has considered the role of secondary and recycled aggregates.
4	Chapter 2: Strategic Objectives (p22)	2.30 SO2	SO2: Providing an adequate supply of minerals Assist in creating a prosperous, environmentally sustainable and economically vibrant County through <b>providing</b> 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. <del>Assist in creating a sustainable and economically vibrant County through providing an adequate supply of all minerals to assist in economic growth both locally and nationally.</del>	In response to representation (s) received, a typographical error has been corrected and repetition within the objective removed.
5	Chapter 3: SP3 – Biodiversity-Led Restoration (p32)	3.27	Move entire paragraph 3.27 (as below) to below paragraph 3.13 (as part of Introduction text)  It is recognised that in some cases, 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.	The County Council has incorporated the paragraph into the introductory text to Policy SP3 to aid in clarifying the purpose and meaning of the policy
6	Chapter 3: SP3 – Biodiversity-Led Restoration (p33)	3.34	Minerals development can contribute towards meeting Water Framework Directive objectives, including by facilitating improvements to water quality, riverine habitats, <b>floodplain reconnection</b> and improving the status of fish populations, and restoration schemes will be expected to contribute towards these objectives, where appropriate.	In response to a representation made by the Nottinghamshire Wildlife Trust, an amendment has been made to recognise that mineral extraction can provide an opportunity to reconnect rivers to their floodplains.



<b>Modification No.</b>	<b>Plan Section (page no.)</b>	<b>Para No./ Policy</b>	<b>Proposed modification</b>	<b>Reason</b>
7	Chapter 3: SP6 – The Built, Historic and Natural Environment (p39)	SP6 – The Built, Historic and Natural Environment	Amend Policy SP6, bullet point 3: Heritage <b>assets</b> (designated and non-designated) <b>and their setting</b> , and other cultural assets	In response to a representation made by the National Trust objection, an amendment to Policy SP6 has been made to take account of the setting of heritage assets
8	Chapter 3: SP6 – The Built, Historic and Natural Environment (p40)	3.60	<p>Insert after first sentence of paragraph 3.60:  <b><i>There are currently over 18,000 archaeological sites and historic features in Nottinghamshire registered on the Historic Environment Record, including:</i></b></p> <p><b><i>National designations:</i></b></p> <ul style="list-style-type: none"> <li>- <b><i>3,700 listed buildings</i></b></li> <li>- <b><i>Over 150 scheduled monuments</i></b></li> <li>- <b><i>19 Registered Parks and Gardens</i></b></li> <li>- <b><i>1 Battlefield</i></b></li> </ul> <p><b><i>Local designations:</i></b></p> <ul style="list-style-type: none"> <li>- <b><i>174 Conservation Areas</i></b></li> <li>- <b><i>Creswell Crags (which straddles the boundary between Nottinghamshire and Derbyshire) is also recognised for its international importance as this is currently on the UNESCO tentative list for Inscription as a World Heritage Site</i></b></li> </ul> <p>And create new paragraph starting at existing text 'Mineral extraction by its very nature...'</p>	In response to a representation (s) made, a description of heritage assets has been inserted which is consistent with the description of conservation designations.
9	Chapter 4: MP1 Minerals Provision (p48)	4.10	<p>Insert additional paragraph after paragraph 4.10:  <b><i>The average sales data used to forecast future demand in the minerals plan covers the 10 year period 2002-2011. This was the most recent data available at the start of the plan preparation and incorporates five years of high sales (pre-recession) and five years of very low sales (recession period). This is considered to provide a robust figure from which to forecast future demand as it provides sufficient flexibility to allow for growth in the future.</i></b></p>	The County Council has inserted an additional paragraph to provide further clarification

<b>Modification No.</b>	<b>Plan Section (page no.)</b>	<b>Para No./ Policy</b>	<b>Proposed modification</b>	<b>Reason</b>
10	Chapter 4: MP2 Sand and gravel provision (p54)	4.27	The existing permitted area is located to the east of Sturton le Steeple village, approximately 9km south of Gainsborough. The quarry was granted planning permission in 2008 but extraction has yet to commence. Planning permission is due to expire in 2017 but it is likely that the operator will seek a further extension of time. The planned output for the site is 500,000 tonnes per annum and has an expected life of 20 years. <del>The quarry will be restored to agriculture and nature conservation.</del> <b>The quarry will be restored to a combination of nature conservation including wetland, agriculture and forestry.</b> (See appendix 4 – inset 6).	In response to a representation (s) received, a factual amendment has been made.
11	Chapter 4: MP2 Sand and gravel provision (p54)	4.32 – 4.33	4.32 The <del>Northern</del> <b>Southern</b> extension (MP2ed) is expected to start in 2018 once the permitted site has been worked out. The allocation covers <del>12ha</del> <b>8.7ha</b> and is expected to last 8 years until 2026. Output is planned at 80,000 tonnes per annum.  4.33 The <del>Southern</del> <b>Northern</b> extension (MP2d c) will replace Scrooby <del>north</del> <b>South</b> in 2026. The allocation covers <del>8.7ha</del> <b>12ha</b> and is expected to last 8 years. Output is planned at 80,000 tonnes per annum. (See appendix 4 – inset 3)	In response to changes in operational practicalities at the site, a factual update has been made.
12	Chapter 4: MP2 Sand and gravel provision (p55)	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 2017. Output at the quarry is 300,000 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 it is uncertain if this will continue in the future. The site is <b>predominantly</b> being restored to <del>agriculture and wetland area</del> <b>wetland habitats</b> and <del>will be</del> <b>is being</b> managed by Nottinghamshire Wildlife Trust.	In response to a representation (s) received, a factual amendment has been made.
13	Chapter 4: MP2 Sand and gravel provision (p57)	4.49	This is an allocation for a new greenfield site located to the north east of Coddington, 6km east of Newark. The allocation covers 126ha and has an estimated life of 20 years with an output of 500,000 tonnes per annum. The quarry is expected to serve the South Yorkshire and Nottinghamshire markets. No specific strategic highways issues have been identified in the Transport Assessment for the Coddington site either on its own or <del>an</del> <b>in</b> combination with other sites within the vicinity, however it is acknowledged that congestion on the local road network can be influenced by traffic levels or accidents on the A1, particularly around the A1/A46/A17 junctions. <del>Highways England have stated that a major highways improvement scheme for the area could begin between 2020 and 2025, although an exact start date and predicted build time has yet to be confirmed. The minerals operator has stated that the estimated start date for the Coddington proposal is likely to be during this time.</del> <b>A major highways improvement scheme for the area, the A46 Newark Northern Bypass, is included in the government's Road Investment Strategy to be commenced in the period 2020-2025. The minerals operator has stated that the estimated start date for the Coddington proposal is likely to be during this time. Highways England is also seeking to deliver shorter term measures to address safety issues on the A46 and A1 at Newark.</b>	In response to a representation from Highways England, a factual update has been made.
14	Chapter 4: MP2 Sand and gravel provision (p57)	4.52	This is an allocation for a new green field site that is located approximately 9km east north east of Nottingham. It is bounded by the River Trent to the north and west, the village of Shelford to the east and agricultural land rising up to an escarpment to the south. Output from the site would be 500,000 tonnes per annum, with 180,000 tonnes of that going by barge along the River Trent to a <del>processing plant</del> <b>wharf</b> at Colwick industrial estate. <b>It is expected this will supply concrete batching plants in the area.</b> The site is expected to be operational in 2016 and would be worked over a period of 14 years (see appendix 4 – inset 21).	In response to a representation (s) received, a factual amendment has been made.

<b>Modification No.</b>	<b>Plan Section (page no.)</b>	<b>Para No./ Policy</b>	<b>Proposed modification</b>	<b>Reason</b>
15	Chapter 4: MP3 Sherwood Sandstone provision (p61)	4.61	This existing quarry is located 2 miles to the north east of Worksop. The quarry has sufficient permitted reserves until the end of 2016 at is planned output of 30,000 tonnes per annum. The quarry will be restored to <del>agriculture</del> <b>woodland and acid grassland</b> .	In response to a representation (s) received, a factual amendment has been made.
16	Chapter 4: MP10 Building stone provision (p71)	4.97	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 <b>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.</b> . This will ensure any proposed developments will need to demonstrate both a need for the mineral and that, in line with Strategic and Development Management Policies, no unacceptable impacts will arise from the development. Particular provision has been put in place to ensure that this specialised material is not used for aggregate purposes in line with national requirements to make the best use of limited resources to secure long-term conservation.	In response to a representation (s) received, the justification text has been amended to ensure it is in line with previous changes to the policy.
17	Chapter 4: MP12 Hydrocarbon minerals (p76)	MP12 Hydrocarbon minerals	Remove point 4 of Policy MP12 and renumber point 5 <del>4. Where proposals for hydrocarbons development coincide with areas containing other underground mineral resources, evidence must be provided to demonstrate that their potential for future exploitation will not be unreasonably affected</del>	In response to a representation (s) the policy has been amended to make the policy consistent with national policy.
18	Chapter 4: MP12 Hydrocarbon minerals (p76)	4.116	Petroleum Exploration and Development Licences <b>Licences</b> (PEDL) are issued by <del>the Department for Energy and Climate Change (DECC)</del> <b>The Oil and Gas Authority</b> under powers granted by the Petroleum Act 1998. The current licensed areas are shown on the policies map <del>and were issued during a licensing round in 2015.</del>	The County Council has made a factual update and amended typographical errors.
19	Chapter 4: MP12 Hydrocarbon minerals (p76)	4.117	<del>PEDL licenses allow the holder to explore for and develop unconventional gas; to “search for, bore and get hydrocarbons” subject to access rights.</del> <b>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.</b>	In response to a representation (s) received, an amendment has been made to correctly define PEDLs.
20	Chapter 4: MP12 Hydrocarbon minerals (p77)	4.118	Amend first bullet point of paragraph 4.118: - <del>Department for Energy and Climate Change</del> <b>The Oil and Gas Authority</b> – Issues <del>Petroleum</del> <b>PEDL</b> Licences, 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 <del>to</del> <b>for</b> flaring or venting;	The County Council has made a factual update and amended a typographical error.

<b>Modification No.</b>	<b>Plan Section (page no.)</b>	<b>Para No./ Policy</b>	<b>Proposed modification</b>	<b>Reason</b>
21	Chapter 5: DM2 – Water Resources and Flood Risk (p84)	DM2 – Water Resources and Flood Risk	Amend bullet point 2 of Policy DM2: There are no <b>unacceptable</b> risks of polluting ground or surface waters	In response to a representation (s) received an amendment has been made to ensure the policy is deliverable and achievable; it would not be possible to demonstrate that there would be no risk.
22	Chapter 5: DM2 – Water Resources and Flood Risk (p84)	DM2 – Water Resources and Flood Risk	Amend bullet point 5 of Policy DM2: Minerals development should include Sustainable Drainage Systems (SuDS) to manage surface water drainage unless it can be demonstrated that alternative measures are acceptable <b>shown that it is impracticable to do so.</b>	In response to a representation (s) received an amendment has been made to ensure consistency with Planning Practice Guidance.
23	Chapter 5: DM2 – Water Resources and Flood Risk (p85)	5.26	Applicants must also consider potential flood risk issues at the outset of any scheme. National guidance states that inappropriate development in areas of high 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 Zone 1, Flood Zone 2 and Flood Zones <b>1, 2 and 3a. Sand and gravel quarries are also appropriate in Flood Zone 3b subject to meeting additional criteria.</b> subject to satisfying what is known as the Sequential Test. The purpose of this is to steer development towards those areas with the least probability of flooding. <b>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.</b>	In response to a representation (s) received amendments have been made to correctly reference the suitability of minerals development in different Flood Zones and to clarify that the Sequential Test has been completed as part of the site allocation process.

<b>Modification No.</b>	<b>Plan Section (page no.)</b>	<b>Para No./ Policy</b>	<b>Proposed modification</b>	<b>Reason</b>
24	Chapter 5: DM2 – Water Resources and Flood Risk (p86)	5.28	<p>The national Planning Practice Guidance provides a checklist of relevant information to be included in a <b>details as to the content of</b> Sites Specific Flood Risk Assessments. As a minimum assessments should take account of :</p> <ul style="list-style-type: none"> <li>- The areas liable to flooding</li> <li>- The probability of flooding occurring, both during operation and after</li> <li>- The extent and standard of existing flood defences and their effectiveness over time</li> <li>- The likely depth of flooding</li> <li>- The rates of flow likely to be involved</li> <li>- The likelihood of impacts to other areas, properties and habitats</li> <li>- The potential effects of climate change</li> <li>- <del>Identify o</del> Opportunities to reduce overall flood risk</li> <li>- <b>Application of the sequential test at a site level</b></li> </ul>	The County Council has made an amendment to address a recommendation of the Strategic Flood Risk Assessment, as set out in PPG
25	Chapter 5: DM2 – Water Resources and Flood Risk (p86)	5.30	Careful site design at the planning application stage will be required to address potential flood issues <b>and emergency planning</b> , including locating any stockpiles, storage mounds, fixed plant or buildings in the least vulnerable parts of the site <b>and, if it is 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.</b> Where appropriate, Sustainable Drainage Systems (SuDS) that are capable of storing and controlling the discharge of water should be incorporated into the design of the proposals.	The County Council has made an amendment to address a recommendation of the Strategic Flood Risk Assessment, as required by PPG
26	Chapter 5: DM4 – Protection and enhancement of biodiversity and geodiversity	5.57	<del>The BOM and AMES studies have been carried out for parts of Nottinghamshire along the River Trent</del> <b>and Biodiversity Opportunity Mapping has been substantially completed for approximately two-thirds of Nottinghamshire, including the Trent Valley. Complementary work on Areas of Multiple Environment Sensitivity has also been completed for the Trent Valley. Both studies should be used to</b> help to inform proposals for mineral workings and restoration.	In response to a representation (s) received, a factual update has been made.
27	Chapter 5: DM5 – Landscape Character (p95)	DM5 – Landscape Character	Amend bullet point 2 of Policy DM5: <b>Landscaping, planting and</b> Restoration proposals should take account of the relevant landscape character policy area as set out in the Landscape Character Assessments covering Nottinghamshire and, where appropriate, the output of the Biodiversity Opportunity Mapping study and the Areas of Multiple Environmental Sensitivity Study.	In response to a representation from the National Trust, an amendment has been made to include landscaping and planting schemes

Modification No.	Plan Section (page no.)	Para No./ Policy	Proposed modification	Reason
28	Chapter 5: DM6 – Historic Environment (p97)	DM6 – Historic Environment	<p>Amend bullet point 1 a) of Policy DM6: There will not be an adverse impact on any designated <b>heritage asset</b>, or <b>a non-designated heritage assets of archaeological interest that is demonstrably of equivalent significance to a scheduled monument</b>, and/or their settings; <b>or</b></p> <p>Amend bullet point 1 b) of policy DM6: Public benefits related to the development outweigh the harm to, or loss of, any designated <b>heritage asset or non-designated heritage asset of archaeological interest that is demonstrably of equivalent significance to a scheduled monument</b> or non-designated heritage assets and/or their settings. Where this is the case, the harm or loss should be mitigated as far as possible.</p> <p>Insert an additional point above existing point 2: <b>Proposals directly or indirectly affecting non-designated heritage assets, except those assets listed in point 1, will be supported where it can be demonstrated that the scale of any harm or loss balanced with the significance of the heritage asset affected is outweighed by the public benefits of the development.</b></p>	In response to a representation (s) received, amendments have been made to clarify the position regarding designated and non-designated heritage assets to make the policy consistent with national policy.
29	Chapter 5: DM6 – Historic Environment (p97)	5.70	<p>Insert additional paragraphs after paragraph 5.70: <b>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 to 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.</b></p> <p><b>The NPPF also requires Local Planning Authorities to take account of the effect that a planning application would have on the significance of a non-designated heritage asset when determining the application. When considering non-designated heritage assets, a balanced judgement will be required.</b></p>	In response to a representation (s) received, an amendment has been made to reflect the change to Policy DM6 (Proposed Modification 28) in terms of clarifying the position regarding designated and non-designated heritage assets.

Modification No.	Plan Section (page no.)	Para No./ Policy	Proposed modification	Reason
30	Chapter 5: DM6 – Historic Environment (p98)	5.72	<p><del>There are over 18,000 archaeological sites and historic features in Nottinghamshire currently registered on the Historic Environment Record, including:</del></p> <ul style="list-style-type: none"> <li><del>— 3,700 listed buildings</del></li> <li><del>— Over 150 scheduled monuments</del></li> <li><del>— 174 Conservation Areas</del></li> <li><del>— 19 Registered Parks and Gardens</del></li> <li><del>— 1 Battlefield</del></li> </ul> <p><del>- Creswell Crags (which straddles the boundary between Nottinghamshire and Derbyshire) is also recognised for its international importance as this is currently on the UNESCO tentative list for Inscription as a World Heritage Site</del></p> <p><b>Nottinghamshire contains thousands of archaeological sites and historic features including national designations (including Listed Buildings, Scheduled Monument, Registered Historic Parks and Gardens and Battlefields), local designations (including Conservations Areas and locally listed buildings and parks) and un-designated assets such as known or unknown buried archaeology. One site, Creswell Crags, is currently on the UNESCO tentative list for Inscription as a World Heritage Site.</b></p>	In response to a representation (s) received an amendment has been made to reflect change made to SP6 Justification Text (Proposed Modification 8)
31	Chapter 5: DM10 – Airfield Safeguarding (p107)	DM10 – Airfield Safeguarding	Remove bullet point c) from Policy DM10: <del>c) Hucknall Aerodrome</del>	In response to a representation (s) received, a factual update has been made to reflect the closure of the aerodrome.
32	Chapter 5: DM10 – Airfield Safeguarding (p107)	5.108	<p><del>There are nine</del> <b>eight licenced</b> safeguarded airfield areas affecting Nottinghamshire and these are identified on Plan 5. <b>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 Government's 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</b></p>	<p>In response to a representation (s) received, a factual change to the number of airfields has been made.</p> <p>An additional change has also been made to acknowledge that other local airfields exist and that Policy DM10 also applies to such airfields.</p>
33	Chapter 5: DM10 – Airfield Safeguarding (p108)	Plan 5	Remove Hucknall Aerodrome and its safeguarding area from Plan 5 (see new Plan at end of table)	In response to a representation (s) received, a factual update has been made to reflect the closure of the aerodrome.



<b>Modification No.</b>	<b>Plan Section (page no.)</b>	<b>Para No./ Policy</b>	<b>Proposed modification</b>	<b>Reason</b>
34	Chapter 5: DM12 – Restoration, After-Use and Aftercare (p113)	5.125	Insert additional paragraph after paragraph 5.123: <b><i>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 site restoration in this area.</i></b>	In response to a representation from Natural England, additional text has been included to reference the document in the plan.
35	Chapter 5: DM13 – Minerals Safeguarding and Consultation Areas (p116)	Section Title	Amend section title: DM13: Minerals Safeguarding and Consultation Area <b><i>and Important Mineral Infrastructure</i></b>	In response to a representation (s) received, an amendment has been made to reflect changes to the section as it now includes discussion of mineral infrastructure (Proposed Modification 39)
36	Chapter 5: DM13 – Minerals Safeguarding and Consultation Areas (p116)	DM13: Minerals Safeguarding and Consultation Areas	<p>DM13: Minerals Safeguarding and Consultation Areas</p> <p>Safeguarding Areas</p> <ol style="list-style-type: none"> <li>1. Economically important mineral resources will be safeguarded from needless sterilisation by non-mineral development through the designation of minerals safeguarding areas as identified on the Policies Map.</li> <li>2. 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 and that the development would not pose a serious hindrance to future extraction in the vicinity.</li> <li>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.</li> </ol> <p>Consultation Areas</p> <ol style="list-style-type: none"> <li>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 Minerals Consultation Area, as shown on the Policies Map.</li> <li>5. The Minerals Planning Authority will resist inappropriate development within the Minerals Consultation Areas.</li> </ol>	The County Council has made an amendment to correct a typographical error and for consistency when referring to Minerals Safeguarding Areas.



<b>Modification No.</b>	<b>Plan Section (page no.)</b>	<b>Para No./ Policy</b>	<b>Proposed modification</b>	<b>Reason</b>
37	Chapter 5: DM13 – Minerals Safeguarding and Consultation Areas (p116)	5.136	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 Minerals 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 ( <b>with the exception of Colwick wharf</b> ) and as such one map has been produced and is included on the Minerals Policies Map.	The County Council has made an amendment to correct a typographical error and to provide additional clarification  Additional text has also been included to reflect Proposed Modification 39 concerning the safeguarding of Colwick Wharf.
38	Chapter 5: DM13 – Minerals Safeguarding and Consultation Areas (p118)	5.142	Insert additional paragraphs after paragraph 5.142: <b><i>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:</i></b> <ul style="list-style-type: none"> <li>- <b><i>The mineral concerned is no longer of any value or potential value; or</i></b></li> <li>- <b><i>There is an overriding need for the non-mineral development which outweighs the need for the mineral; or</i></b></li> <li>- <b><i>The proposed non-minerals development site is located on the urban fringe and mineral extraction would be inappropriate in this location; or</i></b></li> <li>- <b><i>The non-mineral development is of a minor nature as defined by the exemption criteria in paragraph 5.140 above</i></b></li> </ul> <b><i>Where prior extraction can be undertaken, an assessment should be undertaken to include an explanation of how this will be carried out as part of the overall development scheme.</i></b>	In response to a representation (s) received, additional text has been inserted to clarify the level of information required to demonstrate why prior extraction is not appropriate and also to provide exemptions.
39	Chapter 5: DM13 – Minerals Safeguarding and Consultation Areas (p118)	5.145	<del>National policy also refers to the importance of safeguarding minerals infrastructure such as wharves and railheads; however, Nottinghamshire does not currently have any such strategic facilities although this will be kept under review.</del> <b><i>The NPPF states that Mineral Planning Authorities, when preparing their plans should include policies to safeguard:</i></b> <ul style="list-style-type: none"> <li>- <b><i>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</i></b></li> <li>- <b><i>Existing, panning and potential sites for concrete batching, the manufacture of coated materials and other concrete products, and other concrete products, and the handling, processing and distribution of recycled and secondary aggregate mineral.</i></b></li> </ul> <b><i>Wharfs</i></b> <b><i>Nottinghamshire does not contain any rail heads and rail links to quarries, however, two wharfs are located within the County:</i></b>	In response to a representation (s) received, an amendment has been made to clarify the County Council's approach to the safeguarding of mineral infrastructure.

Modification No.	Plan Section (page no.)	Para No./ Policy	Proposed modification	Reason
			<ul style="list-style-type: none"> <li>- <b>Besthorpe</b> – this wharf is directly linked to Besthorpe quarry and is used to transfer sand and gravel by barge to South Yorkshire.</li> <li>- <b>Colwick</b> – this is a general –purpose wharf that has previously been used as a river dredging transfer facility. It has also been identified as a location to land and distribute a proportion of the sand and gravel output from the proposed Shelford quarry allocation.</li> </ul> <p><i>It is not considered appropriate to safeguard the Besthorpe wharf as it is located in a remote greenfield location and is poorly connected to the road network should sand and gravel cease to be worked in this area in the future.</i></p> <p><i>However as Colwick wharf has been identified for use as part of the Shelford quarry proposal, is located close to the built up area and is on an existing industrial estate it is considered necessary to identify it as part of the consultation areas.</i></p> <p><b>Secondary Processing Facilities</b>  Concrete batching plants, coated road stone and other minerals infrastructure provide materials to maintain both existing infrastructure and new developments. In Nottinghamshire these facilities are associated with concrete, mortar and asphalt plants which utilise sources of aggregates to make ‘value added’ products. The facilities are relatively small in nature and whilst some are located on existing mineral workings, other are stand-alone facilities on industrial estates in urban areas.</p> <p><i>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.</i></p>	
40	Chapter 5: DM13 – Minerals Safeguarding and Consultation Areas (p119)	Plan 6	Add Colwick Wharf to Plan and Key	The County Council has made an amendment to reflect Proposed Modification 39 concerning the safeguarding of Colwick Wharf
41	Glossary (p132)	-	Minerals Consultation Area (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 area as the Minerals Safeguarding Area <b>(with the exception of Colwick Wharf)</b> .	The County Council has made an amendment to correct a typographical error and for consistency when referring to Minerals Safeguarding Areas.

Modification No.	Plan Section (page no.)	Para No./ Policy	Proposed modification	Reason
				Additional text has also been included to reflect Proposed Modification 39 concerning the safeguarding of Colwick Wharf
42	Appendix 2: Delivery Schedules (p138)	Sand and Gravel Delivery Schedule	Amend sand and gravel delivery schedule to bring MP2d to be worked prior to MP2c.	In response to representation (s) received, a factual update has been made to reflect operational practicalities at the site.
43	Appendix 3: Site Allocation Development Briefs (p149)	MP2f Besthorpe South	<p>Amend last paragraph of Quarry Restoration section:  Given the proximity of the site to the River Trent, <del>the potential for flood plain reconnection should also be considered as part of the restoration scheme.</del> <b>an additional consideration is the opportunity for floodplain reconnection in this area, which would bring ecological and sustainable flood management benefits, potentially through realignment of the floodbank, and which could include river braiding. Dialogue should be begun with the Environment agency at an early stage to explore these ideas.</b></p> <p>Amend bullet point under Water and Flooding section:</p> <ul style="list-style-type: none"> <li>- No excavation within 45m of the two of any flood defence or the River Trent itself, <b>except where part of an agreed restoration plan to reconnect the floodplain to the river.</b></li> </ul>	In response to representation (s) received, an amendment has been made to clarify the potential of the site in relation to floodplain reconnection.
44	Appendix 3: Site Allocation Development Briefs (p153)	MP2h Langford West	<p>Amend second to last paragraph of Quarry Restoration section:  Restoration should avoid habitat packing, where small areas of lots of habitats are packing into the site. <del>Where possible opportunities to naturalise the channel and reconnect the river with its natural floodplain should be considered.</del> <b>Given the proximity of the site to the River Trent, an additional consideration is the opportunity for floodplain reconnection in this area, which would bring ecological and sustainable flood management benefits, potentially through realignment of the floodbank, and which could include river braiding. Dialogue should be begun with the Environment agency at an early stage to explore these ideas.</b></p> <p>Amend bullet point under Water and Flooding section:</p> <ul style="list-style-type: none"> <li>- No excavation within 45m of the two of any flood defence or the River Trent itself, <b>except where part of an agreed restoration plan to reconnect the floodplain to the river.</b></li> </ul>	In response to representation (s) received, an amendment has been made to clarify the potential of the site in relation to floodplain reconnection
45	Appendix 3: Site Allocation Development Briefs (p162)	MP2m Barnby Moor	<p>Additional bullet point under Water and Flooding section:</p> <ul style="list-style-type: none"> <li>- <b>Consideration of impact on fishing lakes to north of the site</b></li> </ul>	In response to representation (s) received, an amendment has been made to ensure this potential impact is considered as part of any subsequent planning application

<b>Modification No.</b>	<b>Plan Section (page no.)</b>	<b>Para No./ Policy</b>	<b>Proposed modification</b>	<b>Reason</b>
46	Appendix 3: Site Allocation Development Briefs (p165)	MP2o Coddington	Additional bullet point under Environmental and cultural designations section: - <b>Potential impact on Langford Moor LWS</b>	In response to representation (s) received, an amendment has been made to ensure this potential impact is considered as part of any subsequent planning application
47	Appendix 3: Site Allocation Development Briefs (p167)	MP2p Flash Farm	Amend second paragraph of Quarry restoration section: Restoration should be biodiversity-led, and precise details will be dependent upon landform, hydrology and substrate characteristics. However, <del>restoration should target the creation of</del> <b>priority habitats could include:</b>	The County Council has made an amendment to provide consistency with other Site Allocation Development Briefs
48	Appendix 3: Site Allocation Development Briefs (p170)	MP2r Shelford	Amend Access and transport section: - 180,000 tonnes per annum transported from the site by barge along the River Trent to Colwick industrial estate <del>for processing</del>  - 320,000 tonnes per annum moved by conveyor from the extraction site to the processing plant before being taken by road along the A6097  <del>— Machinery required on the extraction site to be brought in by river</del>  - No HGV access to the site from Shelford Hill or Main Road	In response to a representation (s) received, a factual update has been made to reflect changes in intended operational practices at the site
49	Appendix 3: Site Allocation Development Briefs (p170)	MP2r Shelford	Amend second to last paragraph of Quarry Restoration section: Restoration of this site has the potential to provide significant new areas of wetland habitat 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. 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, <del>and priority should be given to wetland habitats.</del> <b>Restoration will have to balance these considerations against the need to avoid increasing the potential for bird strike (particularly in relation to East Midlands Airport).</b>	In response to a previous comment from East Midlands Airport, an amendment has been made to avoid any increase in potential bird strike risk.
50	Appendix 3: Site Allocation Development Briefs (p175)	MP3c Scrooby Top North	Amend second paragraph of Quarry Restoration section: Restoration should <b>be biodiversity-led and may include habitat creation and</b> agricultural and biodiversity-led elements.	In response to a representation (s) received an amendment has been made to ensure consistency and to accurately reflect the biodiversity-led restoration approach.
51	Appendix 4: Policies Map (p180)	Policies Map	Add Colwick Wharf	The County Council has made an amendment to reflect Proposed Modification 39 concerning the safeguarding of Colwick Wharf

<b>Modification No.</b>	<b>Plan Section (page no.)</b>	<b>Para No./ Policy</b>	<b>Proposed modification</b>	<b>Reason</b>
52	Appendix 4: Policies Map (p187)	Subject Area Plan D	Add Colwick Wharf	The County Council has made an amendment to reflect Proposed Modification 39 concerning the safeguarding of Colwick Wharf
53	Appendix 4: Policies Map (p191)	Inset 3	Amend boundary of SGf – Scrooby to reflect its full extent (bring it directly adjacent to allocation MP2c Scrooby North) (see new Inset 3 at end of table)	In response to a representation (s) received, a factual correction has been made.
54	Appendix 4: Policies Map (p211)	Insets	Insert new Inset 24 to illustrate Colwick Wharf	The County Council has made an amendment to reflect Proposed Modification 39 concerning the safeguarding of Colwick Wharf

## Typographical/Drafting Errors

Modification No.	Plan Section (page no.)	Para No./ Policy	Proposed modification	Reason
55	Contents (p10)	-	DM13: Minerals Safeguarding and Consultation Areas	The County Council has made an amendment to correct a typographical error and for consistency when referring to Minerals Safeguarding Areas
56	Chapter 1: What is the Minerals Local Plan? (p12)	1.3	Amend paragraph title: Replacing our existing <del>waste</del> <b>minerals</b> policies	In response to representation (s) received, an amendment to correct a typographical error has been made.
57	Chapter 2: Vision (p21)	Vision	Amend sixth paragraph (insertion of comma): 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 County Council has made an amendment to correct a typographical error.
58	Chapter 2: Key Diagram (p24)	Plan 3: Key Diagram	Remove 'no window' text on Plan 3 (see new Plan at end of table)	The County Council has made an amendment to correct a typographical error.
59	Chapter 4: MP12 Hydrocarbon minerals (p78)	Plan 4: Coal and Hydrocarbons	Add PEDL 255 to Plan 4 (see new Plan at end of table)	The County Council has made an amendment to correct a drafting error
60	Chapter 3: SP6 – The Built, Historic and Natural Environment (p40)	3.58	Amend paragraph 3.58 as follows: 'It is therefore important to ensure that new minerals development is correctly managed and that no adverse impacts occur at designated sites, or priority habitats and species, as far as possible. Policy SP3 promotes a biodiversity-led restoration approach which seeks to maximise <b>the biodiversity gains resulting from the restoration of mineral sites.</b> '	In response to a representation received, an amendment has been made to correct a typographical error
61	Chapter 5: DM12 – Restoration, After-Use and Aftercare (p113)	5.124	Most mineral workings are on <del>with</del> 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 agricultural after-use be maintained through appropriate landform and soil [profiles].	The County Council has made an amendment to correct a typographical error.

<b>Modification No.</b>	<b>Plan Section (page no.)</b>	<b>Para No./ Policy</b>	<b>Proposed modification</b>	<b>Reason</b>
62	Chapter 5: DM13 – Minerals Safeguarding and Consultation Areas (p117)	5.137	The minerals 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 6 below.	The County Council has made an amendment to correct a typographical error and for consistency when referring to Minerals Safeguarding Areas.
63	Chapter 5: DM13 – Minerals Safeguarding and Consultation Areas (p117)	5.139-5.140	<p>5.139 Not every non-mineral development proposal within or close to a Mineral Safeguarding and Consultation Area 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:</p> <p><del>5.140</del></p> <ul style="list-style-type: none"> <li>- Development which is in accordance with adopted District/Borough Local Plan allocations which took account of mineral sterilisation and where prior extraction is not feasible or appropriate;</li> <li>- Temporary development;</li> <li>- Householder planning applications (except for new dwellings);</li> <li>- All applications for advertisements;</li> <li>- Infill development;</li> <li>- Reserved matters; and</li> <li>- Prior notifications (telecoms, forestry, agriculture, demolition).</li> </ul>	The County Council has made an amendment to correct a typographical error.
64	Chapter 5: DM13 – Minerals Safeguarding and Consultation Areas (p118)	5.143	Identification of <del>m</del> Minerals <del>s</del> Safeguarding <del>a</del> 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.	The County Council has made an amendment to correct a typographical error and for consistency when referring to Minerals Safeguarding Areas.
65	Chapter 5: DM13 – Minerals Safeguarding and Consultation Areas (p118)	5.144	More details on safeguarding can be found in the Nottinghamshire Minerals Safeguarding Background Paper	The County Council has made an amendment to correct a typographical error and for consistency when referring to Minerals Safeguarding Areas.

<b>Modification No.</b>	<b>Plan Section (page no.)</b>	<b>Para No./ Policy</b>	<b>Proposed modification</b>	<b>Reason</b>
66	Chapter 5: DM13 – Minerals Safeguarding and Consultation Areas (p119)	Plan 6	Amend title to read: Plan 6: Minerals Safeguarding and Consultation Areas	The County Council has made an amendment to correct a typographical error and for consistency when referring to Minerals Safeguarding Areas.
67	Glossary (p132)	-	Minerals Safeguarding Area (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 Area covers the same areas as the Minerals Consultation Area.	The County Council has made an amendment to correct a typographical error and for consistency when referring to Minerals Safeguarding Areas.
68	Appendix 3: Site Allocation Development Briefs (p169)	MP2r Shelford	Amend last paragraph of Quarry restoration section: Given the proximity <b>of</b> the site to the River Trent, an additional consideration is the opportunity for floodplain reconnection in this area, which would bring ecological and sustainable flood management benefits, potentially through realignment of the floodbank, and which could include river re-braiding. Dialogue should be begun with the Environment Agency at an early stage to explore these ideas.	The County Council has made an amendment to correct a typographical error.
69	Appendix 5: Monitoring and Implementation Table (p224)	DM13: Minerals Safeguarding and Consultation Areas	Title: Policy DM13: Minerals Safeguarding and Consultation Areas Target: No applications for non-minerals development granted where minerals safeguarding objection raised Trigger: Permission for non-minerals development granted where objection raised on minerals safeguarding grounds	The County Council has made an amendment to correct a typographical error and for consistency when referring to Minerals Safeguarding Areas.



## **Amended Plans**

See tables for details of changes made

**Plan 3: Key Diagram**

**Plan 4: Coal and Hydrocarbons**

**Plan 5: Existing Airfield Safeguarding Areas**

**Plan 6: Minerals Safeguarding and Consultation Areas**

**Policies Map**

**Policies Map: Subject Area Plan D**

**Policies Map: Inset 3**

**Policies Map: New Inset 24**



**22nd September 2016****Agenda Item: 5****REPORT OF THE CORPORATE DIRECTOR FOR PLACE****GOVERNMENT CONSULTATION ON THE SHALE WEALTH FUND****Purpose of the Report**

1. To inform Members of a Government consultation on the Shale Wealth Fund and to invite comments to form part of the County Council's response to the Government Treasury.

**Information and Advice**

2. On the 8<sup>th</sup> August 2016 the Government launched a consultation seeking views on the delivery method and priorities of the Shale Wealth Fund. This includes the potential option for payments to be made directly to households affected by shale gas developments. The Government are keen to receive comments from individuals, and from organisations such as charities, businesses as well as local authorities and community groups. A copy of the consultation document forms Appendix 1 to this report.
3. The Shale Wealth Fund could deliver up to £1 billion of funding, a proportion of which could be paid to each community over 25 years. The fund would come from tax revenues arising from shale gas production. The proposal aims to put in place a framework for households, communities and regions that host shale gas development to benefit directly. The Shale Wealth Fund would be new funding and would be additional to the existing Industry community benefits scheme which industry partners have committed to providing. This comprises operators providing £100,000 at each well site where hydraulic fracturing takes place during the exploratory phase and if the site progresses into commercial production the operator will make 1% of total revenue available to provide benefits to the community.
4. Although the existence of the Shale Wealth Fund could be considered to be a planning consideration and may influence people's views, and therefore response, to a proposal for shale gas development, it does not replace the planning system as the objective process by which the planning merits of a proposal are assessed. Planning conditions and planning obligations will continue to be the means by which undesirable impacts of a development are controlled and mitigated.

**Consultations on the Shale Wealth Fund document**

5. A copy of the Shale Wealth Fund consultation has been sent to all County Council Members inviting comments to be sent to the Development Management Team ([development.management@nottscc.gov.uk](mailto:development.management@nottscc.gov.uk)) to coordinate a County Council response to the Treasury. The consultation period on the document ends on 25<sup>th</sup> October which is before the next Environment and Sustainability Committee and it is therefore proposed that the County Council's formal response relating to the technical questions will be agreed by the Chair of this Committee. The individual responses received from County Council Members will be forwarded to the Treasury along with the formal response. As this proposal has wider implications for the Council, other than just planning, such as economic and political, the views of other departments have been sought including the economic development team and the community and voluntary sector team. Relevant comments will be incorporated into the Council's response as appropriate. Comments need to be submitted to the Group Manager Planning by Thursday 6<sup>th</sup> October to allow for adequate time to compile the County Council's response.
6. The consultation document makes reference to welcoming the views of individuals and community groups etc. However, the Treasury has confirmed that they have not undertaken any targeted consultations with communities and are keen for the County Council to do this on their behalf. To this end, the following has been undertaken by officers:
- A copy of the consultation document has been placed on the County Council's website;
  - The Planning Group has forwarded a copy of the consultation document to all Parish Councils within Nottinghamshire;
  - The Economic Development Team has circulated the consultation document via the Nottinghamshire Business Engagement Group and to those managing the EU LEADER Programmes (initiatives to support rural development projects) in the north and south of the county;
  - The Community and Voluntary Sector Team has sent the consultation document to 99 different voluntary organisations presently grant aided across the county.
7. All those contacted have been requested to respond directly to the Treasury as it is not considered appropriate for the Council to collate or analyse their responses.

### **Summary of the key issues in the consultation document**

8. The consultation seeks to explore the following key issues:
- What the Government's priorities should be for the Shale Wealth Fund;
  - The allocation of funding from the Shale Wealth Fund to different stakeholder groups;
  - The extent to which the industry community benefits scheme and the Shale Wealth Fund should be aligned;
  - Potential delivery models for the Shale Wealth Fund – to ensure that households and communities benefit; and to
  - Decide how funds are spent, and how any process should be administered.

### **Other Options Considered**

9. No other options were considered.

### **Reason for Recommendation**

10. To give Members the opportunity to respond to the Government's proposals for the Shale Wealth Fund should they wish to do so.

### **Statutory and Policy Implications**

11. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below.

## **RECOMMENDATIONS**

It is recommended that:

- a) Members note the contents of this report, including the Government's consultation document on the Shale Wealth Fund as set out in Appendix 1, and send comments on the document to [development.management@nottsc.gov.uk](mailto:development.management@nottsc.gov.uk) by 6<sup>th</sup> October 2016.
- b) The Chair of Committee will approve the Council's formal response relating to technical questions and that individual Councillor views will be provided to the Treasury with the response.

**Tim Gregory**  
**Corporate Director, Place**

**For any enquiries about this report please contact: Jane Marsden-Dale, Senior Planning Officer.**

### **Constitutional Comments (SLB 12/07/2016)**

Environment and Sustainability Committee is the appropriate body to consider the content of this report.

### **Financial Comments (SES 13/09/16)**

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

### **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.

**Electoral Division(s) and Member(s) Affected**

All



HM Treasury

# Shale Wealth Fund:

## consultation

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HM Treasury

# Shale Wealth Fund: consultation

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# 1 Introduction

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**1.1** Exploring and developing the UK's shale gas resources could bring substantial benefits and the government's view is that there is a national need to develop these resources in a safe, sustainable and timely way. The Shale Wealth Fund, which could deliver up to £1 billion of funding, a proportion of which could be paid out to each community over 25 years, will ensure that the benefits of shale developments are shared by communities and regions in which the resource is developed.

**1.2** The government is clear that local people should have greater control and say in decisions that affect them. More than this though, we are committed to delivering an economy that works for all, through ensuring the benefits of economic growth and investment are spread as widely as possible. That is why we are setting out our proposals for the Shale Wealth Fund. These proposals make clear that the benefits of shale will go to local people first, and individuals and communities who host developments will be directly involved in the decision making about how the tax revenues from shale are spent.

## **The national need to explore the UK's shale gas resources**

**1.3** Having access to clean, safe and secure supplies of natural gas for years to come is a key requirement if the UK is to successfully transition to a low carbon economy. The government remains fully committed to the development and deployment of low carbon technologies for heat and electricity generation and to driving up energy efficiency, but we need gas – the cleanest of all fossil fuels – to support our climate change targets by providing flexibility whilst we do that and help us to reduce the use of high carbon coal.

**1.4** Gas provides around one third of our energy supply. It is used domestically, to cook and heat homes, as a fuel for electricity generation, and as a feed-stock by industry for the manufacture of many common products. Developing the UK shale industry could provide the UK with greater energy security by reducing our reliance on gas imports, as well as resulting in growth, jobs, particularly in the north of England, and tax revenues. A study by consultants EY<sup>1</sup> has estimated a potential cumulative investment of £33 billion and the creation of up to 64,500 jobs as a result of a thriving shale industry. There are many significant opportunities for UK businesses identified in the same study. For example, a projected need for more than £2 billion worth of steel, a need for around 50 drilling rigs and for over £2 billion worth of sand.

**1.5** A British Geological Survey (BGS) study of shale gas across the north of England estimated a total shale gas resource of 1,300 trillion cubic feet.<sup>2</sup> This can be compared to the current UK annual gas consumption of around 2.5 trillion cubic feet.<sup>3</sup> The industry will need to test how much of this gas can be extracted technically and economically. There is a clear possibility of a significant domestic contribution to meeting the UK's future demand for gas.

**1.6** We already have world class regulation in place to ensure this happens safely. During the last parliament we also put the right fiscal framework in place to make sure that the right incentives are in place for investment. The government is committed to ensuring that local communities are fully involved in planning decisions that affect them: any shale applications – whether decided by councils or government – will continue to require a full consultation with

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<sup>1</sup> EY, *Getting Ready for UK Shale Gas*, April 2014

<sup>2</sup> BGS/DECC, *Bowland Shale Gas Study*, June 2013

<sup>3</sup> Based on DECC, *Digest of UK Energy Statistics*, July 2015. To note – this was the most up to date reference at the time of going to print.

local people. The steps we are taking will make the planning system faster and fairer for all those affected by new development.

**1.7** We are now setting out to ensure that the right framework is in place for households, communities and regions that host shale gas to benefit directly from a share of the revenues and tax that come from shale production. The industry has committed to deliver benefits to communities, and, as set out in the manifesto, it is also right that the government ensures that there is a legacy in those areas where shale is developed, including in the Northern Powerhouse where we expect to see the greatest development, though the framework will apply to all areas where there is shale development.

## **What is shale gas and how is it extracted?**

**1.8** Recovering shale gas employs the technique of creating fractures in the rock by hydraulic fracturing (or 'fracking') the shale rock formations, enabling gas to flow. The UK has a strong regulatory regime for exploratory activity, ensuring that it will be undertaken safely, respecting local communities and safeguarding the environment.

**1.9** The Oil & Gas Authority will not grant a well consent (required by an onshore licence for England or Wales) unless it prohibits associated hydraulic fracturing from taking place in land at a depth of less than 1000 metres. Any hydraulic fracturing would typically occur at far greater depths of 1.5 kilometres or more.

**1.10** Reports by the Royal Society and Royal Academy of Engineering, Public Health England and others have considered a wide range of evidence on hydraulic fracturing in the UK context, and concluded that risks can be managed effectively if the industry follows best practice, enforced through regulation<sup>4</sup>. The government is confident that the right protections are in place to explore shale safely.

**1.11** Respondents can find further background information on the government's "Guidance on fracking" webpage, including information on the production process, safety and the environment, regulation and license areas.<sup>5</sup>

## **Ensuring that local communities share the benefits of development**

**1.12** The government is also clear that those communities who host shale activity should directly benefit, beyond the expected boost to the local economy. We are also clear that households in those communities should gain directly from the benefits of shale development. There are a number of options for this, from being able to shape and influence how the fund is delivered and what it is spent on, to direct financial benefits delivered directly to households eligible.

**1.13** It is common for those living in communities which host energy and infrastructure developments to share in the benefits created. There are a variety of mechanisms through which these can be delivered, and each industry has its own approach which may reflect the difference in nature of the developments. For instance, a number of renewable energy developments have made a voluntary commitment to community benefit provisions of £5,000 per MW of installed capacity.<sup>6</sup> A statutory example of community benefits provision is the Landfill Communities Fund.<sup>7</sup> The government's Coastal Communities Fund is another example of

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<sup>4</sup> The Royal Society and The Royal Academy of Engineers, *Shale gas extraction in the UK: a review of hydraulic fracturing*, 2012 | Public Health England, *Review of the Potential Public Health Impacts of Exposures to Chemical and Radioactive Pollutants as a Result of the Shale Gas Extraction Process*

<sup>5</sup> <https://www.gov.uk/government/publications/about-shale-gas-and-hydraulic-fracturing-fracking/developing-shale-oil-and-gas-in-the-uk>

<sup>6</sup> <http://www.renewableuk.com/en/renewable-energy/communities-and-energy/community-benefits-protocol/index.cfm>

<sup>7</sup> <http://www.entrust.org.uk/landfill-community-fund>

a community benefit programme, though it is not explicitly linked to developments in the same way.<sup>8</sup>

**1.14** Each of these examples have different funding priorities and delivery methods. We aim to reflect on these in this consultation. We are inviting views on whether similar approaches would be appropriate for the Shale Wealth Fund or whether community members and other stakeholders have other suggestions.

**1.15** The Shale Wealth Fund delivers on the government's manifesto commitment of ensuring that local communities share in the proceeds of shale developments, and that proceeds from shale are invested for the future of those areas in which it is developed, including in the north of England where the most significant volume of shale gas is located. Exploratory activity is still at an early stage in the UK, and the government remains committed to the safe development of the shale industry.

**1.16** Additionally, the government believes in empowering local people, and wants to see communities and individuals have greater control of the decisions, assets, and services which affect them. It is in this context that this consultation regarding the Shale Wealth Fund is launched, seeking views from across the country about how government can ensure that the communities and regions who host shale activity will experience significant, tangible and lasting benefits.

## The industry's community benefits offer

**1.17** Independently, the shale industry has committed to make payments to communities which host shale gas developments. The current community benefits offer is set out below.

### Industry community benefits scheme

The shale industry body UK Onshore Oil and Gas (UKOOG)<sup>9</sup> has published a community engagement charter which also sets out the obligations of industry partners to provide community benefits.<sup>10</sup> The current charter sets out the following commitments:

- Exploration Phase: Operators will provide £100,000 at each well site where hydraulic fracturing takes place
- Production Phase: If a site progresses into commercial production, the operator will make 1% of total revenues available to provide benefits for the local community

**1.18** It is important that these different benefits form a coherent package for communities. Respondents are encouraged to consider the interaction with the industry's community benefits scheme when responding to this consultation.

## The shale industry's contribution to regional development

**1.19** The government's plan is to rebalance growth across the regions in the UK. This includes developing the northern powerhouse to drive productivity and growth in the North, through investing in science and technology, transport, culture and tourism across the region.

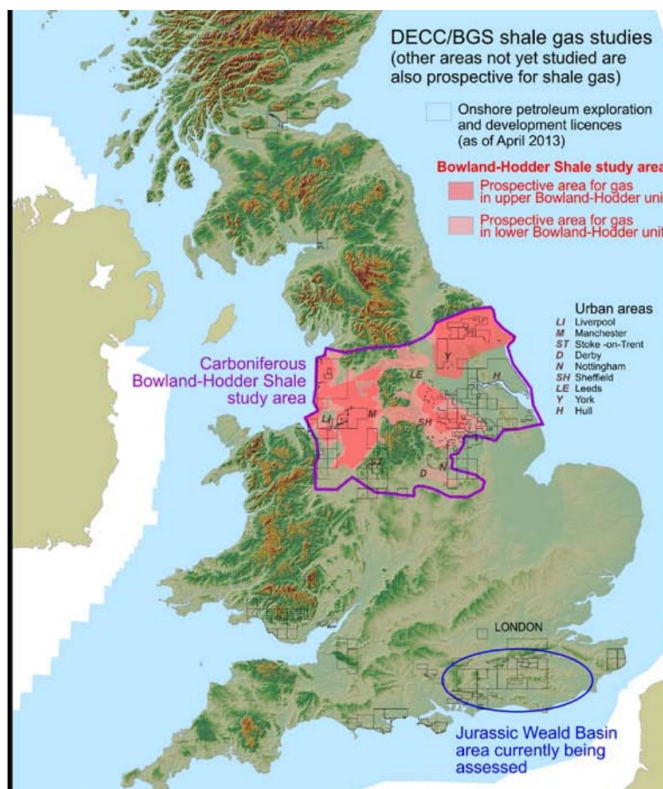
<sup>8</sup> <https://www.biglotteryfund.org.uk/ccf>

<sup>9</sup> United Kingdom Onshore Oil and Gas (UKOOG) is the representative body for the onshore oil and gas industry.

<sup>10</sup> <http://www.ukoog.org.uk/images/ukoog/pdfs/communityengagementcharterversion6.pdf>

**1.20** A significant proportion of the UK's shale gas resources are in the North, in the Bowland-Hodder shales. It is clear that a thriving shale industry could play an important role in the regions in which it is developed, i.e. most likely in the midlands and the Northern Powerhouse, driving local growth and investment and creating new jobs.

**1.21** This consultation also explores how the Shale Wealth Fund could directly contribute to regional development by providing for additional investments on a regional basis. For example, the Shale Wealth Fund could contribute to projects which boost skills and growth, or to infrastructure projects, which are delivered by regional or national actors (e.g. local authorities, businesses or other organisations). This idea is explored in Section 4 of this consultation.



**Figure 1: DECC / BGS shale gas studies**

[Source: Bowland Shale Gas Study - Main Report

<https://www.gov.uk/government/publications/bowland-shale-gas-study>]

## The scope of this consultation

**1.22** The government is consulting in order to seek views on the delivery method and priorities of the Shale Wealth Fund. Responses are welcomed from individuals or from organisations, such as charities, businesses, local authorities and community groups.

**1.23** The consultation seeks to explore the following key issues:

- what the government's priorities should be for the Shale Wealth Fund
- the allocation of funding from the Shale Wealth Fund to different stakeholder groups
- the extent to which the industry community benefits scheme and the Shale Wealth Fund should be aligned
- potential delivery models for the Shale Wealth Fund – to ensure that households and communities benefit, and to decide how funds are spent, and how any process should be administered

**1.24** These points are addressed through Sections 2 to 4. Section 5 sets out how consultation responses can be provided. Consultation responses must be received by 25 October.



## 2 Shale Wealth Fund

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### The objectives of the Shale Wealth Fund

**2.1** The government has announced that it will create the Shale Wealth Fund. This fund will initially consist of up to 10% of tax revenues arising from shale gas production to be used for the benefit of communities which host shale sites. It will ensure that the development of the shale industry leaves a positive legacy in the local communities and regions where it is based and that residents can share the benefits of shale development and get a say on how the money is spent. The Shale Wealth Fund could provide up to £1 billion of funding in total, a proportion of which could be paid out to each community over 25 years.

**2.2** The Shale Wealth Fund will be new funding. It will not be used to replace existing government funding and it will be additional to any benefits provided by the shale industry through its community benefits package. Investment made from the Shale Wealth Fund will be transparent and open to the scrutiny of local stakeholders.

**2.3** The profiles of funding for the industry community benefits and the Shale Wealth Fund will be different: the Shale Wealth Fund will be funded from tax revenues from sites developed for gas production and so it is likely to come later than the first community benefits funding provided by the industry, which will begin when the first exploration wells are drilled to test the flow of gas.

**2.4** The contribution to the Shale Wealth Fund from specific sites will vary. Tax revenues are driven by profitability; the profitability of any site is dependent on fuel prices, operator costs and site-specific geology. It is anticipated that each profitable well will make a significant contribution to the Shale Wealth Fund. The government is proposing a contribution of 10% of all shale gas tax revenues collected to be distributed under the Shale Wealth Fund, which could result in £1 billion of funding over the Fund's lifetime. The Fund will pay out to communities and regions associated with each site. We propose to initially set the maximum pay-out at £10 million to each community or region associated with an individual shale site over the lifetime of the site, which is likely to be around 25 years. This may be revisited in future.

**2.5** Given the geography of UK shale formations, it is expected that certain regions will see more shale industry development than others. The same regions that host shale developments will be those in which the benefits of the Shale Wealth Fund will be delivered. During this consultation, the government is particularly interested in the views of individuals and organisations from those areas in which shale is likely to be developed<sup>1</sup>, in particular across the north of England where, given the location of reserves, we are most likely to see the shale industry develop.

**2.6** Through this consultation we are seeking views on the priorities for the Shale Wealth Fund. This will help us decide where to focus the resources available and whether the Fund should be subdivided into different streams. We propose that these priorities should be:

- **Priority 1: Locally focused benefits.** The government is clear that the communities which are local to shale developments should benefit. These local communities should be the first to benefit from the Shale Wealth Fund, and they should get to decide how a proportion of the funding is used.

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<sup>1</sup> Information on areas currently licensed for oil and gas exploration, and areas which may be licensed in the future, can be found at the Oil & Gas Authority's interactive map. No shale projects can be developed within license areas without further permissions, including planning permission. <https://decc-edu.maps.arcgis.com/apps/webappviewer/index.html?id=29c31fa4b00248418e545d222e57ddaa>

- **Priority 2: Enhancing the regional economy.** The government is keen to explore how the Shale Wealth Fund could contribute to a significant legacy to areas hosting shale developments. A thriving shale industry represents a real opportunity to enhance specific regional economies; a wider regional aspect to the Shale Wealth Fund could represent additional investment, boosting the local and regional economy further, and leaving a legacy from shale development.

**Consultation Question 1: Do you think that providing opportunities for both local and regional investments are the right priorities for the Shale Wealth Fund?**

**2.7** If the Shale Wealth Fund is delivering benefits at more than one level, ranging from investments in the local community to the wider region, then there is clearly a decision to be made over the balance between local and regional investment. The government's view is that local people should benefit first from the Shale Wealth Fund. This means that, as tax revenues arise from a shale site, it is the local level which would be the first to receive any funds, for example up to a defined limit, thus establishing a 'trickle up' principle from a community to a regional level of the Shale Wealth Fund.

**Consultation Question 2: Do you agree that a more local level should receive revenues before a more regional level (establishing the 'trickle up' principle)?**

**Consultation Question 3: Over the lifetime of the Shale Wealth Fund, what do you think the proportion of funding allocated between these two priorities should be?**

**2.8** We are particularly interested to hear views on this trickle up principle in the context of the alignment with the shale industry community benefits scheme. For example, once we have more evidence on how that scheme works in practice, and clarity on the relative sizes of the industry scheme and the Shale Wealth Fund, we may find that the Shale Wealth Fund is better placed to deliver benefits at a wider regional level. It may therefore be prudent to retain flexibility to adjust the priorities once we have greater clarity on these matters.

**Consultation Question 4: Should the government retain flexibility regarding the proportion of funding between delivering benefits at local and regional levels, to enable learning from the industry pilot schemes and once the magnitude of shale revenues becomes clearer?**

# The Shale Wealth Fund at

## 3 a local level

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**3.1** This section of the consultation explores how to deliver benefits to local communities hosting shale. This includes how local communities should be defined, how the Shale Wealth Fund should be governed, and what it should be spent on at this level. Section 4 explores how the Shale Wealth Fund could be used best to deliver investment to benefit the wider region.

### Delivering the Shale Wealth Fund at a local level

**3.2** The shale industry is about to enter the exploration stage. At this stage we expect a small number of wells to be drilled and tested, at which stage the early exploration stage benefits of £100,000 per well site will be made available to the local community. The shale wealth fund will start delivering benefits later, after full production commences and operators start paying tax revenues. As these production sites have not yet been developed, we do not yet have a full picture of precisely which areas will host shale developments, and how the communities associated with a particular development should be defined.

**3.3** There are geographic, social and economic factors which may need to be taken into account in ensuring that the Shale Wealth Fund is appropriately applied to the benefit of local communities. It is likely that there will be a variety of different communities hosting shale, and the footprint of a shale site is likely to have different characteristics when compared to other kinds of energy developments:

- shale sites themselves are small, with a lesser visual impact than many other forms of development
- the location of the sites and the size of the population within a certain proximity of the site can vary significantly. For instance, sites could be located close to towns or villages, or in areas where they are close to very few properties at all, such as in some rural areas
- the boundaries of a community hosting shale development may not be best determined by proximity to the site. For example, other than the well site itself there may be other activity associated with a site which is dependent on access routes or the local geology

### Defining the “local community”

**3.4** The above issues indicate that defining the local community who will benefit from the Shale Wealth Fund should be done either on case-by-case basis or by a general set of principles as opposed to defining specific criteria in advance of having experience of operational sites. Examples of principles to follow could be to ensure that communities are fully consulted in drawing up the catchment area of a development.

**3.5** In order to gain insights into how to deliver benefits to local communities around shale sites, the industry is running a pilot scheme for the initial “exploration stage” of £100,000 per site<sup>1</sup>.

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<sup>1</sup> See ‘Industry community benefits scheme’, p.5

For this pilot scheme, it is working with UK Community Foundations as the delivery partner. UK Community Foundations is a network of local community foundations which span the country.<sup>2</sup>

**3.6** Through this pilot, UK Community Foundations will seek to define the local community on a case-by-case basis, within a generic framework to ensure consistency of approach across different shale developments. The local community foundation will be responsible for forming a panel of members of the local community. The panel would be recruited from a broad cross-section of the community, with an open application and recruitment process. This panel would be responsible for making decisions on how funding is spent, with the support of guidance and professional oversight provided by the community foundation. The recruitment of and decisions taken by the panel will be independent of the industry partner, who would only provide the funding.

**3.7** The pilot scheme will provide valuable experience of how the challenges of defining the local community to a shale development can be overcome, and how fair and effective use of funding at different developments can be ensured. The government will seek to learn from the outcomes of this pilot scheme in relation to the design of the Shale Wealth Fund.

**3.8** Once the pilot scheme has ended, the industry will have to come to a decision on how it will deliver its ongoing exploration and production phase benefits packages. The government is keen to ensure that the different benefits available to communities form a coherent package. For instance, it is possible that the “local community” elements of the Shale Wealth Fund and the industry benefits scheme could be consolidated into a single fund, providing clarity for the community over what they are entitled to, and how the Fund is managed. It would also have the additional benefit of avoiding duplication and enabling more cost-effective scheme delivery. Such an approach would necessarily require that the government’s objectives and desired outcomes for the Shale Wealth Fund were sufficiently aligned with those of the industry and its benefits scheme.

**Consultation Question 5: Do you have views on how the “local community” to a shale site should be defined for the purposes of the Shale Wealth Fund?**

**Consultation Question 6: Do you agree that the “local community” should be defined on a case-by-case basis?**

**Consultation Question 7: Do you think a set of principles should be developed to ensure consistency of approach for different shale developments?**

**Consultation Question 8: If possible, should the government seek to align any “local community” element of the Shale Wealth Fund with the industry’s community benefits scheme?**

## **Spending the Shale Wealth Fund at a local level**

**3.9** It will be necessary to construct a framework within which funding can be delivered. Clearly, there is a broad range of governance options and different constraints which could be imposed. For instance, supposing that the panel recruitment approach of the industry pilot is adopted, then it would be possible to allow this group from the local community to have full control over how funds are spent, which could include direct payment to be made to those who are in the defined local community, or for their spending decisions to be subject to certain guidelines or constraints. The key questions are how decisions over funding are made and who makes those decisions.

**3.10** By way of example, it could be required that money spent from the Shale Wealth Fund at a local level achieved one or more of the following goals:

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<sup>2</sup> <http://ukcommunityfoundations.org/>

- improve access to public services where there is a specific local need
- make a contribution to the local economy by providing training, enhancing skills or improving infrastructure
- investment in the local natural environment for the benefit of local people and the local economy<sup>3</sup>
- make a contribution to the local community, by providing funding for community groups and the development of community assets, such as libraries, or sports facilities

**3.11** There are useful examples of how community investments can be ring-fenced for certain purposes already in existence. In the case of the Landfill Communities Fund, projects must meet one of the “objects” of the scheme, as set out in law, such as provision of or improvements to public amenities, the prevention of pollution or the conservation of the natural world, among others.<sup>4</sup>

#### **Objects of the Landfill Communities Fund**

- Object A: The reclamation, remediation or restoration of land which cannot currently be used
- Object B: The prevention of potential for pollution or the remediation of the effects of pollution
- Object D: The provision, maintenance or improvement of a public park or another public amenity
- Object DA: The conservation of a natural habitat or of a species in its natural habitat
- Object E: The restoration of a place of religious worship or of historic or architectural interest

**3.12** On the other hand, in the case of benefits related to renewable energy developments, the constraints on expenditure are often decided by the local community themselves, at the outset of the benefits programme. Examples of these guidelines are projects which promote community spirit and cohesion, improve access to public services and develop community assets, among others.<sup>5</sup>

<sup>3</sup> This approach would follow a recommendation in the Natural Capital Committee’s recent report: “[that] a proportion of the revenues from the extraction of oil and shale gas could be set aside to invest in renewable natural capital.” Such investment could serve the local community by improving air quality and providing flood protection and carbon storage, as well as enjoyment and opportunities for recreation.

<sup>4</sup> <http://www.entrust.org.uk/projects>

<sup>5</sup> Further examples of project eligibility in the onshore wind context can be found on SSE’s local community funds portal: <http://sse.com/beingresponsible/responsiblecommunitymember/localcommunityfunds/>

### Example of community fund priorities for a renewable energy development

Existing community benefit funds arising from renewable energy developments can have some of the following priorities:

- **Strengthen** and diversify the local economy through support for social enterprises, especially those that explore, test and develop activity that sensitively exploits the area's tourist potential or niche business areas;
- **Stimulate** new ideas and innovative approaches to generate growth and development and new employment;
- **Support** the acquisition, development and use of new community assets and maintain and enhance existing ones;
- **Ensure** adequate provision and/or services are available for the community that improve their life chances and/or quality of life;
- **Support** efforts that co-ordinate community activity and optimise local resources and assets;
- **Respond** to unforeseen circumstances or opportunities that are in keeping with the broad Fund aims identified above.

**3.13** We are also keen to ensure that local residents in areas where shale development takes place get a direct say in how the shale wealth fund is delivered, and what it is spent on so that residents in those communities can benefit as directly as possible. Ensuring that each household is consulted directly would be the clearest way to achieve this, though it could imply greater administrative cost.

**3.14** We are also interested to hear whether an appropriate use of the Shale Wealth Fund would be to allow residents of communities to benefit by directly allocating funding to households. There will clearly be a trade-off for communities in either choosing to benefit from SWF funds directly, which may result in a relatively small per-household payment, depending on the revenues and the size of a particular community, or in investing in an asset which benefits the community at large. We are interested to hear directly from those in communities where shale is likely to take place on how to ensure that we set up the scheme governance to help communities to make the right decisions for them.

**Consultation Question 9: Do you agree that at a local level, it should be for local people to determine how the Shale Wealth Fund is spent?**

**Consultation Question 10: How could the government ensure that all local residents benefit as directly as possible from the Shale Wealth Fund?**

**Consultation Question 11: At the local level, should expenditure from the Shale Wealth Fund be subject to any ring-fences for a specific purpose? If so, should these be locally or centrally determined, and do you have views on what they should be?**

**Consultation Question 12: At the local level, would an appropriate use of the Shale Wealth Fund be to make direct payments to households?**

## Managing the Shale Wealth Fund at a local level

**3.15** This section explores the decision-making process and administration for the Shale Wealth Fund at a local level. There are a number of different options for who makes decisions regarding the local element of the Shale Wealth Fund.

**3.16** One option would be to have an existing body which is active in the local community, such as a Parish Council or District council, administer funds. However, it is possible that a single Parish or District Council may not be representative of the community which hosts the shale development, if, for example, the council covers a large area, or the development lies near council boundaries. The council or councils could receive the funds in order for them to spend on specific objectives (as explored in paragraphs 3.9-3.12), or they could administer grants to projects which bid for funding.

**3.17** Another option would be to use the body which would be present and already administering an industry community benefits scheme, which may look like the panel created during the industry pilot scheme, as outlined in paragraph 3.5-3.6. Finally, we could establish a new or independent decision-making body to administer the local level of the Shale Wealth Fund.

**3.18** Unless the funds are to be spent for a specific purpose (such as local public service provision), it could be appropriate to use an open approach under which local individuals or organisations could bid for funding for a variety of projects, with decisions made according to a transparent framework.

**3.19** In any case, the decision makers should be as representative of the local community as possible. Other considerations for the government to take into account are deliverability, and value for money. For example, it may be that a new bespoke body incurs greater costs than using an existing one, which could reduce the possible positive impacts of the Shale Wealth Fund.

**3.20** As set out above we are also keen for residents in communities to be as directly involved in decision making as possible, and are keen to hear how we may best achieve this.

**Consultation Question 13:** Do you have views on who should make decisions on Shale Wealth Fund allocation at a local level? Do you have a preference between an existing body (such as a parish or district council), using the same community led panel as the industry scheme, or creating a new body?

**Consultation Question 14:** How can the government ensure that decisions are as directly influenced by local residents as possible?





# The Shale Wealth Fund at

## 4 a regional level

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**4.1** This section explores the concept of an element of the Shale Wealth Fund being used to deliver additional regional investment, including in the north of England and the midlands, where the most significant volume of shale gas is located.

**4.2** The Shale Wealth Fund could contribute to a significant legacy for areas hosting shale developments. While a thriving shale industry represents a real opportunity to enhance specific regional economies, a wider regional aspect to the Shale Wealth Fund could represent additional investment, boosting the local and regional economy further. To deliver the Shale Wealth Fund on a regional basis requires consideration of a similar set of issues as at a local level.

### Defining the region that could benefit from the Shale Wealth Fund

**4.3** As for a local level for the Fund, there are different options for how the boundaries of a regional element of the Shale Wealth Fund could be defined. For example, a regional element of the Shale Wealth Fund could be required to deliver investment within existing boundaries, such as:

- county boundaries<sup>1</sup>
- combined authority boundaries, where they exist<sup>2</sup>
- the areas defined by Local Enterprise Partnerships (LEPs)<sup>3</sup>

**4.4** Alternatively, the “shale region” could be defined by reflecting upon the geographical distribution of shale sites, as the industry develops, which may require a different, new approach to the ones outlined above.

**4.5** The objectives that a regional level of Shale Wealth Fund funding is meant to achieve will also influence the areas in which it is spent. For example, to contribute to regional economies, the Fund may be best spent on infrastructure projects, or it could be best spent on skills, such as apprenticeships or education opportunities. At the regional level, the types of investments made would likely dictate their location.

**Consultation Question 15: Do you have a view on how the boundaries should be defined for a regional strand of the Shale Wealth Fund?**

### Spending the Shale Wealth Fund at a regional level

**4.6** At a regional level, there may be a broader range of investments which could be feasibly made from the Shale Wealth Fund. Since a regional level to the Fund would be aggregating funds from more than one shale site, this would allow for investments that are larger in size than at the local level. For example, the Shale Wealth Fund could contribute to projects which boost skills and job opportunities in the local area, or to infrastructure projects such as transport improvements.

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<sup>1</sup><https://www.ordnancesurvey.co.uk/election-maps/gb/>

<sup>2</sup><http://www.local.gov.uk/devolution/combined-authorities>

<sup>3</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/252793/bis-11-768-local-enterprise-partnerships-boundary-map-august-2013.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/252793/bis-11-768-local-enterprise-partnerships-boundary-map-august-2013.pdf)

**4.7** Specific examples of the types of investment that could be delivered by a regional element of the Shale Wealth Fund are those which are similar to investments already being delivered as part of the Northern Powerhouse. These include:

- significant investments in road and rail infrastructure, for example the £1 billion investment in rail projects for the north such as the Northern Hub and Transpennine Upgrade
- £150 million invested in northern flood defence schemes in Leeds, Cumbria, Calder Valley and York
- development of business enterprise zones across the north, attracting over 6,700 jobs
- investments to support the North's vibrant culture and creative offering, such as backing Hull's City of Culture with £13 million

**Consultation Question 16: What kind of investments do you think should be made from a regional level of the Shale Wealth Fund?**

## **Managing the Shale Wealth Fund at a regional level**

**4.8** A regional element of the Shale Wealth Fund could be delivered in one of two ways. One mechanism could be by making direct grants to regional actors. Examples of such regional actors could be local authorities or LEPs. LEPs are local business led partnerships between local authorities and businesses which determine local economic priorities and undertake activities to drive local economic growth. Each LEP maintains a Strategic Economic Plan which is agreed with central government.

**4.9** An alternative mechanism is to maintain a fund to which any organisation could make project bids. This could include businesses, charities and community groups in the region, as well as local authorities and LEPs.

**Consultation Question 17: Do you think a regional level of the Shale Wealth Fund should be administered by direct grants to specific organisations, or through an open bidding process? How can the views of residents across the regions be best taken into account?**

**4.10** A bidding process would require a decision maker. This could be an existing aspect of regional or national governance. For instance, funding bids could be considered by the county council, by the LEP board, or by national government. Using an existing body to make these decisions could be expedient, practical and more cost-effective, particularly where the body has objectives which are related to regional development.

**4.11** Alternatively, a regional level of the Shale Wealth Fund could be governed by a regional board, who are recruited or elected out of the defined region to act as trustees and are independent of existing political or business structures, and of industry. This group could, for example, be a subset of the decision makers at local level funds within the region. Alternatively, it could be a group of individuals who are recruited with specific expertise in mind, such as demonstrable expertise in finance, business, the local area, and so on.

**Consultation Question 18: Do you have views on how a regional level of the Shale Wealth Fund should be governed? Are there existing regional organisations, or local or national governance structures that would be particularly suited to oversight of such a fund?**

## 5 Consultation Responses

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5.1 All interested parties are invited to respond to the questions set out in this consultation.

5.2 The full list of questions asked in this consultation are as follows:

Consultation Question 1: Do you think that providing opportunities for both local and regional investments are the right priorities for the Shale Wealth Fund?

Consultation Question 2: Do you agree that a more local level should receive revenues before a more regional level (establishing the 'trickle-up' principle)?

Consultation Question 3: Over the lifetime of the Shale Wealth Fund, what do you think the proportion of funding allocated between these two priorities should be?

Consultation Question 4: Should the government retain flexibility regarding the proportion of funding between delivering benefits at local and regional levels, to enable learning from the industry pilot schemes and once the magnitude of shale revenues becomes clearer?

Consultation Question 5: Do you have views on how the "local community" to a shale site should be defined for the purposes of the Shale Wealth Fund?

Consultation Question 6: Do you agree that the "local community" should be defined on a case-by-case basis?

Consultation Question 7: Do you think a set of principles should be developed to ensure consistency of approach for different shale developments?

Consultation Question 8: If possible, should the government seek to align any "local community" element of the Shale Wealth Fund with the industry's community benefits scheme?

Consultation Question 9: Do you agree that at a local level, it should be for local people to determine how the Shale Wealth Fund is spent?

Consultation Question 10: How could the government ensure that all local residents benefit as directly as possible from the Shale Wealth Fund?

Consultation Question 11: At the local level, should expenditure from the Shale Wealth Fund be subject to any ring-fences for a specific purpose? If so, should these be locally or centrally determined, and do you have views on what they should be?

Consultation Question 12: At the local level, would an appropriate use of the Shale Wealth Fund be to make direct payments to households?

Consultation Question 13: Do you have views on who should make decisions on Shale Wealth Fund allocation at a local level? Do you have a preference between an existing body (such as a parish or district council), using the same community led panel as the industry scheme, or creating a new body?

Consultation Question 14: How can the government ensure that decisions are as directly influenced by local residents as possible?

Consultation Question 15: Do you have a view on how the boundaries should be defined for a regional level of the Shale Wealth Fund?

Consultation Question 16: What kind of investments do you think should be made from a regional level of the Shale Wealth Fund?

Consultation Question 17: Do you think a regional level of the Shale Wealth Fund should be administered by direct grants to specific organisations, or through an open bidding process?

Consultation Question 18: Do you have views on how a regional level of the Shale Wealth Fund should be governed? Are there existing regional organisations or local or national governance structures that would be particularly suited to oversight of such a fund?

5.3 Responses are invited by 25 October when this consultation will close. Responses are welcomed online, by post, or by email.

5.4 Online responses can be submitted through <https://www.surveymonkey.co.uk/r/D5ZQQKB>.

5.5 Written responses should be sent to:

Energy Branch  
Energy, Environment and Agriculture Team  
HM Treasury  
1 Horse Guards Road  
London  
SW1A 2HQ

5.6 Email responses can be sent to [shalewealthfund@hmtreasury.gsi.gov.uk](mailto:shalewealthfund@hmtreasury.gsi.gov.uk).

5.7 Responses may be made public unless confidentiality is specifically requested.

5.8 The government plans to publish its response to this consultation later this year.



### **HM Treasury contacts**

This document can be downloaded from  
[www.gov.uk](http://www.gov.uk)

If you require this information in an alternative  
format or have general enquiries about  
HM Treasury and its work, contact:

Correspondence Team  
HM Treasury  
1 Horse Guards Road  
London  
SW1A 2HQ

Tel: 020 7270 5000

Email: [public.enquiries@hmtreasury.gsi.gov.uk](mailto:public.enquiries@hmtreasury.gsi.gov.uk)

**22 September 2016****Agenda Item: 6****REPORT OF CORPORATE DIRECTOR, RESOURCES****WORK PROGRAMME****Purpose of the Report**

1. To consider the Committee's work programme for 2016-17

**Information and Advice**

2. The County Council requires each committee to maintain a work programme. The work programme will assist the management of the committee's agenda, the scheduling of the committee's business and forward planning. The work programme will be updated and reviewed at each pre-agenda meeting and committee meeting. Any member of the committee is able to suggest items for possible inclusion.
3. The attached work programme has been drafted in consultation with the Chairman and Vice-Chairman, and includes items which can be anticipated at the present time. Other items will be added to the programme as they are identified.
4. As part of the transparency introduced by the new committee arrangements, each committee is expected to review day to day operational decisions made by officers using their delegated powers. The Committee may wish to commission periodic reports on such decisions where relevant.

**Other Options Considered**

5. None.

**Reason/s for Recommendation/s**

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

**Statutory and Policy Implications**

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

## **RECOMMENDATION/S**

- 1) That the Committee's work programme be noted, and consideration be given to any changes which the Committee wishes to make.

**Jayne Francis-Ward**  
**Corporate Director, Resources**

**For any enquiries about this report please contact: Martin Gately, Democratic Services Officer on 0115 977 2826**

### **Constitutional Comments (HD)**

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

### **Financial Comments (PS)**

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

### **Background Papers**

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

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

### **Electoral Division(s) and Member(s) Affected**

All



## **ENVIRONMENT & SUSTAINABILITY COMMITTEE - WORK PROGRAMME**

<b><u>Report Title</u></b>	<b><u>Brief summary of agenda item</u></b>	<b><u>For Decision or Information ?</u></b>	<b><u>Lead Officer</u></b>	<b><u>Report Author</u></b>
<b>3 November 2016</b>				
<b>Waste Local Plan Part 2: Preferred Approach Consultation</b>	To approve the document for a six week period of informal consultation	Decision	Sally Gill	Lisa Bell
<b>Responses on Planning Consultations and Strategic Planning Observations</b>	To provide a summary of the current status of planning consultations received and being dealt with by the County Council.	Information		
			Sally Gill	Lisa Bell
			Lisa Bell	Nina Wilson

### **Further Meetings**

8 December 2016 at 10:30 am, 26 January 2017 at 10:30 am, 9 March 2017 at 10:30 am, 20 April 2017 at 2:00 pm, 8 June 2017 at 10:30 am and 6 July 2017 at 10:30 am

### **To be Scheduled**

Contamination of green waste

