

Examination of the Nottinghamshire Minerals Local Plan

Matter 3 – Minerals Provision Policies

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

Policy MP1: Aggregates Provision

1. The Inspector will be aware that it is current Government policy that minerals are essential to support sustainable economic growth and our quality of life. This will be even more relevant once the country comes out of the current national crisis with the inevitable drive towards economic recovery combined with a pent-up rebound.
2. It is noted that the Inspector has specifically asked questions 19 to 27 in relation to the broad issue of whether the plan policies have been positively prepared in terms of making adequate provision for minerals. The statement provided here reflects strategically on this issue that has rightly been raised by the Inspector as it is the CEMEX view that the plan will not make adequate provision.
3. As I have stated in my submission under Matter 2 it is noted within the supporting text to Policy SP1 at paragraphs 3.7 and 3.8 that officers recognise that:
 - Nottinghamshire is rich in minerals
 - That there needs to be a steady supply to meet future demand
 - That minerals can only be worked where they are found

CEMEX wholeheartedly concur with these sentiments however it is our case that the County Council is seriously under providing to meet the future needs of the local community through the provision set out in this proposed plan therefore exacerbating the squeeze on the economy inhibiting its ability to recover.

4. Policy MP1: Aggregates Provision assumes that the County Council will make provision for working of an estimated 32.3 million tonnes of sand and gravel over the plan period 2018 to 2036. This demand figure is not based on future demand within the economy for the plan period but is derived from an average of the previous 10 years (2007 to 2016) of production. The Plan also assumes a baseline of permitted reserves based on information that was provided by the industry in 2016 as part of the County's annual monitoring. For the purposes of the plan a baseline permitted figure of 17.5 million tonnes is estimated. Consequently, the County Council has estimated that all it needs to allocate for the plan period is 14.8 million tonnes that being the difference between the baseline and estimated demand for the whole plan period (i.e. 32.3mt – 17.5mt). The Inspector will note that this is set out in the supporting text paragraph 4.18 to Policy MP2: Sand and Gravel provision.
5. CEMEX has raised concerns with the way in which the previous 10 year average of aggregate production has been used to estimate future demand especially since this period included the severe recession of 2008 which has a distorting effect on the average. In the same way production for 2020 is likely to be seriously down as a direct consequence of the Covid 19 outbreak, with sites being forced to close.
6. These rare events do not reflect real demand and needs in the economy and should not be used to depress planned provision for the vital materials that are

needed to aid economic recovery. It is noted that production in the county immediately prior to the 2008 recession amounted to 2.97mt in 2007 and 2.37mt in 2008 but in 2009 production had fallen to 1.27mt.

7. Notwithstanding, the concerns raised on the methodology for Policy MP2 CEMEX has also made representations seeking to factually correct the reserve figures quoted within the policy in relation to its sites at Cromwell and East Leake resulting from new information that had become available in the interim period following the collection and use of data from 2016. Essentially this involved a reserves reassessment at Cromwell resulting in a reduction of 0.76mt from the landbank, and a geological investigation at East Leake carried out in the summer of 2018 which confirmed that a previously estimated potential reserve of 750,000 tonnes did not exist. The consequence of this is that the estimated demand for the plan period of 32.3mt is in fact short of some circa.1.5mt. This also highlights another concern raised by CEMEX in its plan representation in that it is considered that the County Council has not built in another flexibility into the plan to allow for the uncertainties of geological investigation or the mitigation consequences arising from the Environmental Impact Assessment and its impact on estimated reserves.
8. The CEMEX case therefore is that Policy MP1 will underprovide for demand in the economy. The identification of just one new site in the plan is woefully inadequate and assumes it and all the extensions will come forward and be subsequently permitted without taking into the vagaries of the environmental assessment and development control processes which as the Inspector will appreciate can seriously impact on the calculated level of provision. The inclusion of a generic need policy is welcome but does not provide businesses with enough certainty and

confidence to bring sites forward that have not been identified in the plan particularly given the significant costs in preparing submissions.

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