

**Oxfordshire Minerals and Waste Plan
Minerals and Waste Core Strategy**

Consultation Statement

May 2012

1. Introduction

- 1.1 This statement has been prepared in accordance with the Town & Country Planning (Local Planning) (England) Regulations 2012 (Regulations 17 & 19). It sets out how the County Council has involved and consulted the general and specific consultation bodies and the public in the preparation of the Minerals and Waste Core Strategy.
- 1.2 In accordance with Regulation 178 of the Town and Country Planning (Local Planning) (England) Regulations 2012 this consultation statement explains the process of involvement and consultation at each stage in the plan preparation process. It sets out in particular:
- the main stages of the plan preparation process when involvement and/or consultation was carried out;
 - which bodies and persons were invited to make representations under regulation 18;
 - how those bodies and persons were invited to make such representations;
 - a summary of the main issues raised by those representations; and
 - how those main issues have been addressed in the Minerals and Waste Core Strategy.

2. Statement of Community Involvement - 2006

- 2.1 The Oxfordshire Statement of Community involvement was adopted in November 2006 in accordance with section 23 of the Planning and Compulsory Purchase Act 2004. The statement set out the County Council's policy and standards it will seek to achieve to ensure meaningful and effective consultation and involvement of stakeholders in the preparation of Minerals and Waste Development Plan documents and the consideration of planning applications that are determined by the County Council.

3. Sustainability Appraisal Scoping Report – 2005, 2006, 2009

- 3.1 Sustainability Appraisal (SA) of development plan documents is mandatory under the Planning & Compulsory Purchase Act 2004. The SA incorporates the requirements of the Strategic Environmental Assessment Directive (EC/2001/42) for environmental assessment of plans. The SA scoping report sets the context and objectives for the plan, establishes the baseline environmental conditions and sets out the proposed sustainability assessment criteria which will be used to assess the plan. The SA Scoping Report was reviewed and updated in June 2006 following a consultation period in

September 2005. Amendments were also made in accordance with the publication of the final version of ODPM Guidance on Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents published in November 2005. A further review took place in 2009.

Who was consulted?

- 3.2 In accordance with Regulation 12(5) of the Environmental Assessment of Plans and Programmes Regulation 2004, the four statutory consultation bodies with environmental responsibilities were consulted: Environment Agency, Countryside Agency, English Heritage and English Nature.
- 3.3 Neighbouring and South East region mineral and waste planning authorities, district councils, the South East England Regional Assembly and the South East Economic Development Agency were also consulted.

How were they consulted?

- 3.4 The stakeholders identified above were sent a copy of each version of the scoping report and asked to respond within a 5 week consultation period.
- 3.5 The stakeholder SEA appraisal group (comprising representatives from the mineral industry, environmental groups and district and county council planning officers) met in September 2005 to discuss the SA objectives and again in September 2006. Consultees were notified of the consultation on the revision of the scoping report in 2009 and the report was uploaded onto the Council's website for them to view and download it.

How was the consultation followed up?

- 3.6 Consultation responses and publication of Government guidance were used to inform the revisions of the Scoping Report to ensure its compliance with the requirements of the SEA Directive.

Summary of the consultation

- 3.7 Consultation responses were received from statutory consultees, neighbouring authorities, district councils and environmental groups.

4 Requests for minerals and waste site nominations, 2005 and October 2008

- 4.1 In October 2010, the Council wrote to land owners, planning agents and minerals and waste operators, asking them to confirm the nominations they had made for sites for minerals and waste developments in 2005 and to give them the opportunity to make further nominations. The letter requested that all nominations should be received by the Council by 31 December 2008.

5. Core Strategy Issues and Options Consultation – June 2006

- 5.1 The County Council published a Minerals and Waste Core Strategy Issues and Options consultation paper in accordance with Regulation 25 of the Town and Country Planning (Local Development) (England) Regulations 2004 in June 2006. The consultation paper set out the Council's strategic aims and objectives for minerals and waste planning, the key issues to be addressed in preparing the Minerals and Waste Development Framework and possible options for addressing the options identified.
- 5.2 The consultation period lasted for a period of six weeks from June-August 2006.

Who was consulted?

- 5.3 The Council consulted the specific and general consultation bodies required by Regulation 25 which included the Coal Authority, the Environment Agency, Natural England, English Heritage, the Secretary of State for Transport, SEEDA and the Oxfordshire Primary Care Trust. Other interested parties such as industry, district councils, town and parish councils, environmental groups and neighbouring minerals and waste planning authorities were also consulted.
- 5.4 The council also consulted all contacts on the Oxfordshire minerals and waste database who had requested to be kept informed.

How were they consulted?

- 5.5 The consultation document was published on the Council's website and responses from the public could be submitted either by post or by email.
- 5.6 The Consultation Paper was sent to all the District, Parish and Town Councils in Oxfordshire, appropriate statutory bodies and relevant local and national interest groups. All of the individuals listed on our consultation data base also received a notification letter about the consultation and how to find out more information if desired.
- 5.7 A meeting of the Minerals and Waste Forum, a stakeholder group which represents a range of key interests such as operators, environmental groups, affected parishes was held during the consultation period. The facilitated meeting provided an opportunity for stakeholders to discuss some of the issues and options outlined in the consultation paper and to have these formally recorded and submitted in response to the consultation.

How was the consultation followed up?

- 5.8 The consultation identified a preference for identifying broad areas of search for where mineral working should take place, rather than just using a criteria-based policy to assess proposals for minerals development. The council agreed to take this approach forward.

- 5.9 The consultation identified a preference for working extensions to existing minerals sites rather than working new sites. The council agreed to carry out an assessment of existing sites to assess their potential for future working.
- 5.10 The Council will plan for a mixture of both site specific locations and broad areas for waste management facilities.

Summary of consultation

- 5.11 The Core Strategy Issues and Options consultation provided the first real opportunity for stakeholders to respond to the Council's proposals for minerals and waste development.
- 5.12 The information from the consultation was collated in a responses report which was published on the Council's website. The summary of responses report was discussed at the Members' Minerals and Waste Plan Working Group meeting in September and used to inform the preparation of the Core Strategy Preferred Options document.

6. Core Strategy Preferred Options – February 2007

- 6.1 The County Council published a Minerals and Waste Core Strategy Preferred Options consultation paper in accordance with Regulation 26 of the Town and Country Planning (Local Development) (England) Regulations 2004 in February 2007.
- 6.2 The consultation paper set out the Council's strategic aims and objectives for minerals and waste planning in Oxfordshire and the Council's preferred options for addressing the key issues identified in the earlier issues and options paper. The consultation period lasted for a period of xx weeks from February 2007-23 March 2007.

Who was consulted?

- 6.3 Regulation 26 required the Council to consult the 'DPD bodies'; ie the bodies the council was required to consult under regulation 25. All bodies and organisations identified in paragraph xx above were consulted.

How were they consulted?

- 6.4 As regulation 26 requires, the Council made copies of the proposals documents and a statement of the proposals matters available for inspection at Speedwell House, County Hall, at the District Council offices and in the county libraries.
- 6.5 The documents were published on the council's website and the consultation arrangements were advertised in the Oxford Times.

- 6.6 The Consultation Paper was sent to all the District, Parish and Town Councils in Oxfordshire, appropriate statutory bodies and relevant local and national interest groups. All of the individuals listed on the consultation data base also received a notification letter about the consultation and how to find out more information if desired.

How was the consultation followed up?

- 6.7 A summary of responses report was prepared and was placed on the council's website. A summary of the responses was reported to the Members' Minerals and Waste Plan Working Group in May 2007.

Summary of consultation

- 6.8 737 responses were received to the consultation. The greatest number of responses related to the identification and assessment of areas and sites for mineral working, the appropriate level of provision for mineral working, restoration of minerals sites and the location of waste management facilities. The Government Office for the South East raised a concern that the Core Strategy was not sufficiently spatial in its approach and that, unless significant changes were made, the document could be found unsound.

7. Waste sites proposals and policies: Issues and Options - February 2007

- 7.1 The Waste Sites Proposals and Policies Issues and Options consultation document was published in accordance with Regulation 25 of the Town and Country Planning (Development Plans) (England) Regulations in February 2007.
- 7.2 The consultation paper set out the key issues that need to be addressed in preparing the Waste Sites Document and possible options for addressing the options identified. The document also set out a long list of sites which may be considered for allocation in the Waste Sites Document.
- 7.3 The consultation period lasted from 16 February 2007 to 30 March 2007.

Who was consulted?

- 7.4 The Council consulted the specific and general consultation bodies required by Regulation 25 which included the Coal Authority, the Environment Agency, Natural England, English Heritage, the Secretary of State for Transport, SEEDA and the Oxfordshire Primary Care Trust. Other interested parties such as industry, district councils, town and parish councils, environmental groups and neighbouring minerals and waste planning authorities were also consulted.
- 7.5 The council also consulted all contacts on the Oxfordshire minerals and waste database who had requested to be kept informed.

How were they consulted?

- 7.6 The Council made copies of the consultation documents and a statement of the consultation matters available for inspection at Speedwell House, County Hall, at the District Council offices and in the county libraries.
- 7.7 The documents were published on the council's website and the consultation arrangements were advertised in the Oxford Times.
- 7.8 The Consultation Paper was sent to all the District, Parish and Town Councils in Oxfordshire, appropriate statutory bodies and relevant local and national interest groups. All of the individuals listed on the consultation data base also received a notification letter about the consultation and how to find out more information if desired.

How was the consultation followed up?

- 7.9 A summary report of the consultation responses was prepared. The summary of responses report was reported to the Members' Minerals and Waste Plan Working Group in May 2007 and was uploaded onto the Council's website.

Summary of consultation

- 7.10 Seventy five responses were received to the consultation. The greatest number of responses related to the proposal to group waste management facilities and to the proposed methodology for selecting and assessing waste sites and the criteria which would be used in this process. There was general support for grouping waste management facilities. Respondents suggested a wide range of criteria for use in the assessment process.

8. Minerals Sites Proposals and Policies: Issues and Options - April 2007

- 8.1 The Minerals Site Proposals and Policies Issues and Options consultation document was published in accordance with Regulation 25 of the Town and Country Planning (Development Plans) (England) Regulations in April 2007.
- 8.2 The consultation paper set out the key issues to be addressed in preparing the Minerals Site Proposals and Policies Preferred Option Document and possible options for addressing the options identified. The document also set out a long list of sites which may be considered for allocation in the Minerals Sites Document.
- 8.3 The consultation period lasted from April 2007 to June 2007.

Who was consulted?

- 8.4 The Council consulted the specific and general consultation bodies required by Regulation 25 which included the Coal Authority, the Environment Agency, Natural England, English Heritage, the Secretary of State for Transport, SEEDA and the Oxfordshire Primary Care Trust. Other interested parties such

as industry, district councils, town and parish councils, environmental groups and neighbouring minerals and waste planning authorities were also consulted.

- 8.5 The council also consulted all contacts on the Oxfordshire minerals and waste database who had requested to be kept informed.

How were they consulted?

- 8.6 The Council made copies of the consultation documents and a statement of the consultation matters available for inspection at Speedwell House, County Hall, at the District Council offices and in the county libraries.
- 8.7 The documents were published on the council's website and the consultation arrangements were advertised in the Oxford Times.
- 8.8 The Consultation Paper was sent to all the District, Parish and Town Councils in Oxfordshire, appropriate statutory bodies and relevant local and national interest groups. All of the individuals listed on the consultation data base also received a notification letter about the consultation and how to find out more information if desired.

How was the consultation followed up?

- 8.9 A summary of responses report was produced and was uploaded onto the County Council's website. Officers gave a verbal report of the consultation and summary of responses to the Members' Minerals and Waste Plan Working Group meeting in September 2007.

Summary of consultation

- 8.10 636 individuals, organisations and groups responded to the Consultation Document. Many respondents felt that there had already been extensive working of sand and gravel in West Oxfordshire with associated impact on local communities and that the road infrastructure was inadequate to cope with aggregates lorries. There was concern that the Sustainability Appraisal was not, as presented, compliant with the Strategic Environmental Assessment Directive. Responses included concern about the potential for sand and gravel extraction in the floodplain to exacerbate fluvial flooding, concern for protection of sites designated for their environmental or landscape importance, and the proximity of some proposed minerals sites to centres of population.

9. Deferral of plan preparation 2008-2009

- 9.1 In June 2008, the Government issued a revised Planning Policy Statement 12: Local Spatial Planning (PPS 12) which provided guidance on the preparation of Local Development Frameworks. In view of this, and of the Government Office for the South East's advice that the Core Strategy was not sufficiently spatial and was therefore not likely to be found sound, the Council decided to

defer work on the preparation of the Core Strategy, although technical work continued to support the evidence base. During this time, work on developing the spatial strategy for minerals extraction continued and a waste needs assessment was completed.

10. Minerals spatial strategy options - 2010

- 10.1 The council developed a minerals planning strategy which proposed broad locations for mineral extraction in Oxfordshire over the period to 2030. Stakeholders were consulted on the emerging strategy over a period of several months during 2010.

Who was consulted?

- 10.2 Key stakeholder groups were consulted; statutory consultees (Natural England, Environment Agency, English Heritage), District Councils, County Council members, mineral operators, environmental groups, parishes,

How were they consulted?

- 10.3 The Council held a series of workshops during 2010 to present and discuss the draft strategies for working sand and gravel, soft sand and crushed rock. Facilitated workshops were held separately for each group of stakeholders, to enable free and frank discussions to take place. The first series of workshops was held in January/February 2010, and revised options were presented at a second series of workshops for the same groups in July 2010.

How was the consultation followed up?

- 10.4 Reports from the workshops were compiled and published on the council's website and stakeholders were notified that the reports were available to view or download.

Summary of consultation

- 10.5 The extent of the areas identified was reduced through a further assessment of the realistically workable geological resource, using data from the BGS geological mapping of sand and gravel and Mineral Assessment Reports.
- 10.6 The phased approach for sand and gravel was changed to address the need for mineral working only during the plan period; and to focus more on moving to new areas of working than on continuation of working in existing areas (albeit this would still be likely to be needed in the short term).
- 10.7 Possible new areas of working were not included in the same option as concentration on existing working areas, to provide greater distinction between options. The option areas were redrawn to exclude national environmental designations such as Areas of Outstanding Natural Beauty.

11. Aggregates apportionment assessment report – February 2011

- 11.1 Consultants were commissioned by the Council to undertake a local assessment of aggregate supply requirements to inform the level of provision which should be made in the Core Strategy.

Who was consulted?

- 11.2 Mineral operators, the Minerals Products Association, neighbouring and SE mineral planning authorities and environmental groups were consulted.

How were they consulted?

- 11.3 Two meetings were held to discuss the proposed scope and methodology of the consultants' assessment, one with mineral operators and one with environmental groups. The consultant was present and gave a presentation at both meetings.
- 11.4 The Local Assessment of Aggregates Supply Requirement for Oxfordshire report was presented to and discussed at the Members' Minerals and Waste Plan Working Group meeting on 24 January 2011. The report was placed on the Council's website and mineral operators, the Mineral Products Association and environmental groups were invited to comment on the findings of the report.

How was the consultation followed up?

- 11.5 A summary report of the consultation responses was prepared. The consultants' report was reviewed in light of the responses received. Cabinet approved a figure for minerals provision based on the recommendations of the consultants' report.

Summary of consultation

- 11.6 Responses from the industry said that the figures proposed in the consultants' report were too low, whilst environmental groups said that they were too high. The Minerals Products Association recommended an alternative methodology. No changes were made to the level of provision adopted by Cabinet.

12. Habitats Regulations Screening Assessment - 2011

- 12.1 Officers prepared a Habitats Regulations Assessment screening report to identify whether there could be likely effects of mineral working or waste management facilities identified in the Core Strategy on the seven Special Areas of Conservation in Oxfordshire, which have statutory protection from the European Union's Habitats' Directive.

Who was consulted?

- 12.2 Regulation 102(2) of the Conservation of Habitats and Species Regulations 2010 requires the competent authority¹ to consult Natural England and to have due regard to any representations made. The County Council is the 'competent authority' preparing the Minerals and Waste Core Strategy and has consulted Natural England accordingly.

How were they consulted?

- 12.3 The Council has sought Natural England officers' informal guidance on the preparation of the screening report and in 2011, formally sought Natural England's approval of the report.

How was the consultation followed up?

- 12.4 Natural England requested that further work be carried out to assess the likely impact of proposed sand and gravel extraction on two special Areas of Conservation, Oxford Meadows and Cothill Fen. The Council commissioned a hydrogeological report which provided the information required by Natural England. The screening report and the hydrogeological report can be viewed or downloaded on the Council's website.

Summary of consultation

- 12.5 The hydrogeological report identified possible effects of mineral working in two areas on Oxford meadows and Cothill Fen respectively. The council proposed revised wording to the minerals strategy policy (Policy M3) to provide appropriate policy protection. This wording has been agreed by Natural England.

¹ As defined in Regulation 6(1) of the Habitats Regulations, which includes any Minister, Government Department, public or statutory undertaker, public body of any description or person holding a public office