

John Howell OBE MP



HOUSE OF COMMONS

LONDON SW1A 0AA

Cllr Ian Hudspeth
Oxfordshire County Council
Oxford

29 September 2015

Dear Ian
**OXFORDSHIRE MINERALS AND WASTE LOCAL PLAN
PART 1 – CORE STRATEGY
Representation**

I am writing in connection with the above Local Plan and to make representations on the Core Strategy. I do so in support of the points made by PAGE and to reiterate that I do not consider that the Core Strategy is legally compliant or sound. In particular, I do not consider that the Core Strategy is consistent with national policy.

The Local Aggregates Assessment (LAA) 2014 is key to the preparation of the Core Strategy. OCC's Statement of Community Involvement (SCI) says that:

'4.2 The production of local development documents will involve the following stages:

A. Evidence Gathering – to form the evidence base for the plan – this could include assessment of need for minerals; ...

4.3 We will consult communities on the development of plan documents at the earliest possible stage to allow meaningful engagement in the process. If difficulties and conflicts are addressed at an early stage, both time and money can be saved in the final stages of plan production.

4.6 Where appropriate we will go beyond the requirements of the Regulations. We will seek to involve all individuals, groups, organisations and bodies that we think have an interest in the minerals and waste development documents being prepared or who have expressed an interest in being involved or consulted.'

National regulations require that:



'a local planning authority must notify the relevant bodies or persons of the subject of a local plan which the local planning authority propose to prepare, and invite each of them to make representations about what the local plan ought to contain; the persons or bodies to include such of the general consultation bodies as the local planning authority consider appropriate and residents'.

OCC failed to meet the requirements of both the national regulations and its own SCI when it did not consult community or other local interested parties about the LAA 2014. Set in context, OCC did consult local groups when preparing the LAA 2013 (so it clearly regarded the LAA as a key document and local groups as parties who should be consulted in 2013) and did consult minerals producers, other Mineral Planning Authorities about LAA 2014. It chose not, however, to consult local groups in 2014. At a meeting of the County Council in March 2014 the Council was told that time did not permit the local groups to be consulted. No explanation was offered as to why there was time to consult those with an interest in the highest possible assessment of minerals need, but not those who might wish to reduce targets.

In failing to comply with both national regulations and its own adopted SCI, OCC has failed to produce a plan which is legally compliant.

The failure to consult meant that OCC did not take account of (or chose to ignore) information which would have been presented by consultees and which, if taken properly into account, would have resulted in a much lower requirement for mineral requirement. For example:

- It did not have regard to information compiled by the British Marine Aggregate Producers Association which demonstrates that as GDP has risen since 1980 and construction output has risen too – not to the same degree, but risen none the less – sand and gravel production nationally has fallen. This invalidates the assertion in the LAA that if there is to be economic growth locally, there must be an increased requirement for sand and gravel.
- It did choose to propose a shift in the balance of minerals production from West Oxfordshire to South Oxfordshire without any supporting evidence and, because of the failure to consult, without challenge. Paragraph 4.28 says that:

'Although there are extensive remaining sand and gravel resources in West Oxfordshire, including within the current working areas of the Lower Windrush Valley and around Cassington, there are concerns about the rate and intensity of mineral working in the area and the consequent cumulative



impact on local communities, generation of traffic, including on the A40, and impacts on local rivers and groundwater flows.

Paragraph 4.29 says:

'There is a broadly equal split in existing and forecast levels of economic growth and development between the northern and southern parts of the county (taking Oxford as a mid-point), and consequently it is expected that there will be a similar broadly equal split in the demand for aggregate within the county'

No evidence is provided for either of these assertions. A plan based on unsupported assertions cannot be sound and is not justified.

If the '10 year average' method were adopted then there would already be a small surplus of reserves and no need for any new sites. Even on the high figure of 1.015 mtpa, with reserves of at least 12.904 mt, there is an adequate landbank until 2025. But if the Plan made provision for 5.37 of extra ss&g this would encourage planning applications for extraction before then. The overprovision means that there is little incentive for producers to seek out other more sustainable means of aggregate provision (recycled or marine dredged material, crushed rock).

There is a lack of any apparent evidential basis for the mapped 'strategic resource areas' except for the short and rather vague paragraph 4.24 in the Plan, which is wholly unsatisfactory. Figure 9 'Minerals Key Diagram', which reduces Oxfordshire to a sheet of A4, shows vaguely delineated but extensive areas of potential working.

If the Core Strategy is to be legally compliant and sound, all parts of it must be based on clear evidence and must be subject to proper consultation. It would, therefore, be necessary to carry out a new, unbiased Local Aggregates Assessment based on all available evidence and to consult widely on that in accordance with the SCI. Once a sound and compliant LAA has been produced, a sound and compliant Core Strategy can be developed based on that LAA.

Yours sincerely,

JOHN HOWELL OBE MP
Member of Parliament for Henley

From: HOWELL, John [<mailto:john.howell.mp@parliament.uk>]

Sent: 29 September 2015 13:20

To: Cllr Ian Hudspeth

Subject: Minerals Consultation

Dear Ian

I enclose my representation on the Minerals and Waste Core Strategy.

Thanks

John

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