

# **SEERAWP** South East England Regional Aggregates Working Party

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## **Minutes of Meeting of SEERAWP held on 6 November 2007 at DCLG Offices, Eland House, Bressenden Place, London**

### **Present:**

John Kilford	Chairman	Nigel Jackson	QPA
David Nkrumah-Boateng	SEERA	Bob Smith	QPA
Anthea Hoey	Berkshire Unitaries	Lillian Harrison	QPA
Richard Matthews	Bucks CC	Graham Singleton	QPA BMAPA
Tony Cook	E Sussex CC	Ken Hobden	QPA
Richard Read	Hants CC	Mike Lowe	BAA
Dick Feasey	Kent CC	Peter Bide	CLG
Peter Day	Oxfordshire CC	Bill Mackenzie	CLG
David Lamb	Surrey CC	Andrew Lipinski	CLG
Bryan Geake	Medway	John Cheston	GOSE
Mike Elkington	W Sussex CC	Roy Leavitt	EoERAWP
Chris Waite	Secretary	Jon Grantham	LUC for item 3.

### **1 Welcome & Apologies**

1.1 The Chairman welcomed Jon Grantham, Roy Leavitt and Graham Singleton to the meeting. Apologies had been received from Steve Lamb (QPA), Mark Russell (BMAPA) and James Trimmer (PLA).

### **2 Minutes and Matters Arising from 25 September 2007 meeting**

2.1 The minutes were agreed.

2.2 The following were dealt with under matters arising:-

para 2.2 The contact names for wharves and depots had been supplied to MDS

para 2.2 QPA had held two meetings with English Heritage to elaborate on its critical response to the EH paper on Mineral Extraction and the Historic Environment. No response had been made, but a policy paper is expected to be issued by EH.

para 4.1 SEERAWP 07/07 is on the web

para 5.5 The SEERAWP response to the Marine Bill was circulated, together with the response by BMAPA, and copies of responses from a number of MPAs.

para 5.7 It was not known whether BMAPA address list had been updated.

para 6.4 No MPAs had supplied data on road planings to the Secretary. It was agreed that this was data on which SEERAWP should be advised, and MPAs would now investigate and send data to the Secretary.

para 7.2 Nigel Jackson said that some QPA members were more ready to revert to the earlier system for responding to AM surveys than others. He would raise again at the next Minerals Planning Committee, but he thought it was too early for there to be a change in QPA stance.

para 8.3 A note of the workshop can be accessed on MineralsUK.com

para 8.4 The earlier survey data on applications had been sent to Capita Symonds.

para 8.6 In response to a query by Richard Read, Peter Bide said that he would provide a note for the Secretary on the current situation regarding performance agreements, and would also advise when a decision had been made.

para 10.1 There would be no OMG meeting following SEERAWP due to lack of business.

### **3 Review of Sub Regional Primary Aggregate Apportionment**

- 3.1 The Secretary spoke to the report SEERAWP 07/12 which outlined the reasons for an early review of the sub regional primary aggregates apportionment, and summarised the substantial methodology report prepared by Land Use Consultants (LUC) on behalf of the Regional Assembly. The review stemmed from the RPG9 amendments EIP Panel report. The Assembly had consulted widely on a Project Plan in late 2006 early 2007, and passed the responses to LUC when appointed in March 2007. A Steering Group had then been formed to assist and advise LUC, comprising representatives of SEERAWP and also a representative from Natural England, English Heritage and the Environment Agency.

#### Criteria

- 3.2 An initial set of proposed criteria were developed in three categories representing Demand, Supply and Environmental Constraints. This was revised to four criteria:

Construction demand: including existing population distribution and housing provision in the draft SE Plan. A ratio of 9:1 for existing: future construction demand was applied to reflect the relative potential scale of construction, but Jon Grantham advised that it has since been recognised that this ratio might be amended closer to 50:50. However, even if it was changed, it would make a relatively small impact to the apportionment outcome.

Past sales: based on average sales over 5 of the last 7 years using the same methodology as in the current apportionment.

Un-sterilised resource unconstrained by international designations: defined as the area outside built up areas and international designations (Natura 2000 sites), plus a 250 metre buffer, and identified by each MPA area separately for sharp sand and gravel, soft sand, and crushed rock. The split between sharp sand and gravel and soft sand would be based on average sales over 5 of the last 7 years. Defining resources beneath or close to Natura 2000 sites in this way means that all options provide strong protection to them.

Un-sterilised resource as above plus national designations: area of resource outside national landscape, nature conservation and heritage designations, in addition to above.

## Options

3.3 The Steering Group then considered which options should be considered for appraisal, applying different weightings to the criterion. Six options A to F were developed:

- Option A: a ‘past sales’ option – weighted 70% on sales and 10% for each other criteria
- Option B: a ‘resource’ option – weighted 70% on un-sterilised resources outside international designations and 10% on each other criteria.
- Option C: the ‘demand’ option - weighted 70% on the construction demand criterion and 10% on each other criteria
- Option D: the ‘environmental’ option – weighted 70% on un-sterilised resources outside international and national designations and 10% on each other criteria
- Option E: evenly weighted 50%:50% between demand and resources, but with more emphasis on construction demand than past sales, and more emphasis on international than national designations.
- Option F: evenly weighted 50%:50% between demand and resources, and evenly weighted between all four criteria

A 70% weighting was deliberately adopted in options A-D in order to prepare options with distinctive outputs. The methodology allows for a range of other weightings to be applied.

## Sustainability Appraisal and Habitat Regulations Assessment

3.4 An SA/HRA had been undertaken by LUC on the 6 options in consultation with Natural England, the Environment Agency and English Heritage in separate meetings, reporting back to the Steering Group. The assessment of sustainability effects was considered against 13 of the Regional Assembly’s Integrated Regional Framework objectives on proximity and transport, flooding, health and air quality, biodiversity and air quality, landscape/heritage, water quality and resources, employment and tourism. GIS data was used to prepare maps comparing the extent of the un-sterilised and unconstrained resource within each MPA against relevant data sets for each of these sustainability headings. The performance of the 6 options was then assessed (sand and gravel and rock separately) by comparing the amount of primary aggregate apportioned to an MPA under each option against the amount each MPA needs to provide under the current apportionment.

3.5 It had initially been the intention to issue the SA and HRA reports with the SEERAWP papers, but these are very substantial documents, and had not yet been signed off by the three statutory agencies. SEERAWP members are welcome to ask for a copy if they so wish (and of course they will be available in the next consultation round). The findings show that all options could potentially lead to both significant and minor positive and negative impacts. No option stands out as materially better or worse than another.

3.6 Moreover, it is important to emphasise that the SA/HRA can only refer to ‘potential’ for impacts because at this regional scale no site specific proposals are identified. In addition the SA/HRA has not been able to address fully local and regional conservation and heritage designations. The Steering Group agreed that such designations could not be consistently applied across the region due to data limitations and interpretation. MPAs will need to appraise the opportunities of delivering the necessary sites to meet their apportionment through lower tier SAs of Minerals Development Frameworks.

### Steering Group Recommendations

- 3.7 At its last meeting in September the Steering Group considered the draft findings of the SA/HRA, and which of the six options to recommend to SEERAWP. Two of the Options were not recommended:

Option A which is heavily weighted to existing sales - a criticism of the current apportionment; and

Option B which is similarly resource weighted to, but better expressed in, Option D which includes national designations.

The Steering Group considered that SEERAWP should be presented with the other four Options C, D, E and F, and be invited to recommend, if possible, a preferred option to the Regional Assembly.

### Next Steps

- 3.8 The Regional Assembly is holding a workshop on aggregates for its Regional Planning Committee (RPC) on 28 November. The LUC methodology report and SA/HRA reports will be presented at this meeting, together with SEERAWP recommendations on options. The public consultation to be undertaken by the Regional Assembly will follow RPC in January at which meeting the Assembly will decide on the options on which to consult, and whether to identify a preferred option.

### Discussion

- 3.9 Dick Feasey said that he was disappointed that more local constraints had not been included, and he was concerned that a percentage of the identified resource in the options, including in Kent, would not be economic to work. The use of the geological memoirs would enable such areas to be identified and deleted. JG said that the memoirs were at different dates. He was aware that some counties, such as Surrey, had more recent reliable data, but again there was no consistent region wide data, and industry advised that what was not economically viable 10 years ago may become economic to work in the future. These aspects need to be tested at the MDF level. If an MPA could show that too much reliance had been placed on resources uneconomic to work then it would not be possible to take forward the assigned apportionment.
- 3.10 Some MPAs said that experience showed that once set, apportionments were treated as 'tablets of stone' at an EIP hearing. This partly reflected the knowledge that if a reduction in an apportionment was accepted in one MPA, it had implications for being made up elsewhere in the region. It was extremely difficult to challenge a sub regional apportionment as there had to be good evidence, requiring a high level of investment.
- 3.11 Tony Cook reminded SEERAWP that in the last round of deciding on apportionments, more than one MPA made out a special case on the grounds that its particular circumstances that were not fully recognised in the methodology, and adjustments were made. He expected the same situation to arise this time, and his authority had such a case to make.
- 3.12 QPA representatives queried why the Steering Group recommended not going forward with options A and B, and were referred to the reasons set out in the report. Industry said that they needed more time to consider the implications arising from the six options, but considered that none of them were far removed from the present allocation. At this stage they saw no reason to exclude any option.

- 3.13 In addition industry wished to give further thought to possible unforeseen consequences of any of the options, and any ramifications for other regions. Bill MacKenzie agreed that the methodology could reflect on other regions. It was agreed that the Secretary would submit a report to the National Co-ordinating Group on 27 November, based on SEERAWP 07/12.
- 3.14 The Chairman asked David Nkrumah-Boateng to outline the next steps by the Assembly following a recommendation from SEERAWP. DNB said that a workshop is to be held for the Regional Planning Committee members on the sub regional apportionment on 28 November. A decision on the (at least 3) options for public consultation would be taken at the January 2008 RPC meeting. The consultation period would be likely to be May-July 2008, at which time MPAs would be invited to assist with local consultation.
- 3.15 The Chairman asked SEERAWP to decide on its recommendation to the Assembly. It was clear that the meeting would not be able to recommend a preferred option. Would it reflect the Steering Group recommendation and refer options C, D, E and F to the Assembly? Industry reserved its position, but other members agreed that option F as well as options A and B should not be recommended as option F avoided making any positive weighting between the four criteria.
- 3.16 The meeting concluded:
- a) industry reserved its position on all 6 options A to F as it needed more time to consider the options and their potential consequences
  - b) the Regional Assembly be advised to take options C, D and E forward for public consultation; industry would provide its views to the Assembly following an internal meeting on 28 November (copy to the Secretary to circulate)
  - c) the Secretary would prepare a report to 27 November NCG based on SEERAWP 07/12 in order to advise NCG of the methodology being adopted in this region.

#### **4 AM2006 Regional Report**

- 4.1 A draft AM2006 was issued for the meeting. The Secretary drew attention to key aspects in the Executive Summary and explained why no 2006 data was available for rail depots, and only Crown Estate data for marine dredged aggregate landings at wharves. This stemmed from the lack of response from industry to the wharves and rail depot survey by MDS Transmodel on behalf of the Assembly. NJ asked for the names of the companies which had not responded; he would 'name and shame' in a QPA meeting. Mike Lowe agreed to do the same for BAA. The Secretary agreed to forward a list of names to QPA and BAA.
- 4.2 A number of minor amendments to AM2006 were suggested at the meeting. Subject to these and any further amendments notified to the Secretary by 16 November, SEERAWP agreed that the report be issued and placed on the Assembly and CLG web sites.

#### **5 Draft 4<sup>th</sup> Monitoring Report and Draft Revised Aggregate Guidelines 2005-2020**

- 5.1 The 4<sup>th</sup> Review of the 2003 Aggregate Guidelines shows a modest decline in the forecast national demand for aggregates of some 5%, but there are more significant regional changes. The forecast of total demand for the South East region is a decline of over 20% from the 2001 survey, and a 38% fall in primary aggregate consumption. The review recommends that a revision is made to the Guidelines.

- 5.2 The draft revision assumes that the contribution from alternatives will rise, marine sand and gravel supplies will only increase a little, and net imports will be significantly less than in the current Guidelines. The draft revision proposes that the region should supply 12.2mtpa from land won sand and gravel for the period 2005-2020 compared with the current figure of 13.25mtpa, and 1.6mtpa of land won crushed rock, rather than 2.2mtpa.
- 5.3 The draft revision is to be reported to NCG on 27 November, and will be followed by a public consultation stage in which SEERAWP and its members will be consulted.

## **6 SE Plan and Progress on Development Documents**

- 6.1 DNB reported that the EIP Panel had accepted the proposed sub regional apportionment for recycling in Policy M2; otherwise the aggregate policies remain unchanged from RPG9 amendments.
- 6.2 The meeting then reviewed the progress with development documents as illustrated in the Key Milestones chart. Most MPAs have reached the sites and preferred options stage, but a number of plans face set backs. Industry reiterated its concern that until an EIP takes place and an inspectors report is issued, or ideally until a plan is adopted, applications even in preferred areas are at risk of refusal.
- 6.3 Industry confirmed that maintaining the chart was useful to them, and MPAs were reminded that they should supply updates to the Secretary as they take place. He will then issue an updated chart at regular intervals.

## **7 QPA Sustainable Development Report**

- 7.1 Ken Hobden said that stakeholder meetings had been held on the report. These had been useful in identifying areas on which QPA was now taking steps to improve, such as complaints monitoring and handling, biodiversity and carbon emissions.
- 7.2 The Chairman asked whether better controls would be in place for an extension of the ASLF to avoid funding being lost. Bill MacKenzie said that funding for a further 3 years is anticipated, and additional controls are to be put in place, including ring fencing the funding. He agreed with the Chairman that in future the full use of the funding would depend upon submission of a sufficient number of good schemes. Defra will be consulting upon the ASLF themes. He would be glad to hear from SEERAWP members of where research is needed.
- 7.3 The QPA report also pointed to a staffing and recruitment issue, a problem shared by the MPAs. QPA is advertising careers in the industry on its web site, and is receiving hundreds of enquiries. MPAs could access this web site for their own needs.

## **8 Marine Aggregates**

- 8.1 The Secretary reported on the latest monitor of marine reserves produced by Crown Estate in association with BMAPA. This interim report compares 2007 figures with those for 2005. The national primary aggregate reserve has increased, partly due to the opening up of the Eastern English Channel (EEC) with some 25Mt of licensed reserve. The figure of 25Mt of licensed reserve reflects the limitations on production for the first 5 years set in the decision notices, rather than the total permitted tonnage (some 300Mt).

- 8.2 SEERAWP 07/15 also drew attention to the Crown Estate annual report on the area involved in dredging. The report for 2006 identifies that over 1300km<sup>2</sup> are licensed for dredging, but only some 140km<sup>2</sup> (11%) was actually dredged, and 90% was carried out in some 50km<sup>2</sup> (5%). The EEC is now to be treated in these reports as a separate sea region.
- 8.3 QPA had suggested at another meeting that it would investigate a standard methodology for industry in calculating reserves in quarries. The secretary suggested that it would be helpful if this embraced a methodology for comparison between land based and marine reserves. NJ said that QPA would consider best practice in calculating reserves.

## **9 Guidance for MPAs on Regional Monitoring**

- 9.1 In response to comments and requests for guidance from MPAs, DNB introduced a paper on what the Assembly sought from MPAs for the Regional Monitoring Report (RMR). The RMR draws heavily on the RPG9 indicators. The data for primary aggregates is accounted for in the AM surveys. The problem lies with data on secondary materials and recycling. The national and regional surveys do not provide reliable data at the regional or MPA level. The data needs to be collected locally, and the Assembly expects MPAs to conduct annual surveys of operators as part of the work on their Annual Monitoring Reports.
- 9.2 For reserves of non aggregate minerals, it is recognised that an annual survey is unnecessary, but in the absence of available data, MPAs need to conduct a 'base year' survey and then keep it up to date. Similarly, for wharves and rail depots, MPAs will be expected to provide annual updates of changes to the base data once the combined coverage for the region has been completed.
- 9.3 MPAs commented upon the difficulty of providing reliable data, and it was agreed that the tonnage of secondary materials and recycled aggregates would be acceptable as a proxy for the tonnage used. The requirements of the Environment Agency for data on licensed sites will improve the data base. The site waste management plans could be a source of further data, but are a self regulating system with no reporting mechanism, and may reflect aspirations rather than what does take place on site.
- 9.4 Tony Cook suggested that secondary materials and recycling data could be a suitable proposal for an ASLF bid. SEERAWP accepted the report.

## **10 CLG: Legislation and Research**

- 10.1 Peter Bide reported on progress on the programme of managed aggregates research. On the research into the reasons for the decline in aggregate reserves, Brian Marker would be seeking meetings with some company representatives, and Capita Symonds will be asking MPAs to fill in gaps in the data they have collected on applications.
- 10.2 A statement on the direction of travel regarding infrastructure projects to be handled by an Infrastructure Planning Commission is to be issued this month of November, but it will not contain a national policy statement.
- 10.3 A statement by Yvette Cooper on not proceeding with the planning gain supplement can be accessed on the web. LAs are to be given discretion in the Planning Reform Bill to apply a charge to development for appropriate supporting infrastructure. This will apply to development decisions which result in an uplift in land value, such as for housing or commercial and industrial development, but not to resources such as minerals.

- 10.4 A cap is to be retained for planning fees for new applications for land won extraction, but will not apply for underground working. Fees are not to be charged for the submission of details in response to conditions.

## **11 Any Other Business**

- 11.1 The Secretary had received plans from BGS identifying unsterilised aggregate resources outside international and national environmental designations, together with active quarries, wharves and rail depots identifying the aggregate produced or handled. These have been prepared for one of the CLG managed aggregates studies. MPAs were handed a copy and asked to respond to Joe Mankelow on any necessary corrections.
- 11.2 The Chairman invited DNB to comment on the how the relationship of the RAWP might change with the RPB role transferring from the Assembly to the South East England Development Agency. DNB said that the change was proposed in 2010, some way ahead. The Assembly were to be consulted in the near future on options for the transition. He did not expect any material change in the RAWP relationship with the Agency replacing the Assembly. Bill MacKenzie said that CLG would seek to ensure that the RPB would have the appropriate sound staff base with which to enter into any new RAWP contract. DNB agreed to update SEERAWP on any developments on the change as they take place.

## **12 Date of Next Meeting**

- 12.1 It was agreed that the next meeting would be held on Wednesday 23 April 2008 at 10 30am, and will be in Room GL/M at Eland House, Bressenden Place, London. It is intended that this will be followed by an OMG meeting at 2pm.