

North East England Aggregates Working Party Note of Meeting

Meeting Date:	Wednesday 28 June 2023	Meeting Venue:	Meeting held virtually
Meeting Chair:	Claire Teasdale	Note Taker:	Jack Freeman

Attendees:

Chair:

Claire Teasdale (CT)

Technical secretary:

Kevin Tipple (KT) (also representing Northumberland County Council)

Mineral Planning Authority representatives:

Rachel Cooper – South Tyneside Council

Laura Craddock – North Tyneside Council

Fiona Hurworth – Redcar and Cleveland Council

Jack Freeman – Northumberland County Council

Jason McKewon – Durham County Council

Rebecca Ravellin – Gateshead Council

Jamie Simpson – Sunderland City Council

Helen Smith – Hartlepool Borough Council

Aggregates industry representatives:

Mike Hodges – Hanson UK

Nick Horsley – Mineral Products Association

Geoff Storey - Aggregate Industries

Niall Kelly – Breedon and British Aggregates Association

John Carlon – British Aggregates Association

Apologies:

Christina Davey (DLUHC), Niamh Murphy (DLUHC), Nick Everington (The Crown Estate) Sidonie Kenward (Marine Management Organisation), David Nelson (Darlington Borough Council), David Bage (Stockton on Tees), Susannah Buylla (Northumberland National Park Authority), Kris Furness (Breedon)

Agenda:

1. Welcome, introductions and apologies
2. Notes and actions from the meeting held on 10 November 2022
3. DHLUC and Aggregates Working Party update
4. Annual Survey and Annual Report 2022
5. Local Aggregate Assessments
6. Industry and The Crown Estate updates
7. Mineral Planning Authority updates
8. Any other business
9. Date of next meeting

Item	Details	Action
1.	<p>Welcome and Introductions</p> <p>KT welcomed everyone to the meeting and invited introductions from all participants whilst CT resolved a connection issue.</p>	
2.	<p>Notes and actions from meeting held on 10 November 2022</p> <p>The notes of the last North East England AWP meeting held on 10 November 2022 were reviewed and KT provided an update on the identified actions:</p> <ul style="list-style-type: none"> • Action 1: Complete. The notes from previous meeting had been updated with a new version uploaded to the website. • Action 2: Complete. The comments received on the draft report were reviewed and incorporated in the final report where possible. The final report was sent off to DLUHC in December 2022. KT thanked everyone who had provided comments. • Action 3: Complete. KT and Jason McKewon had discussed crushed rock figures for County Durham. The outcome of the discussion was reflected in the figures that were used in the final report. • Action 4: Complete. The feedback provided by AWP members had informed the response of the AWP to each of the LAAs. KT thanked everyone for the comments provided. • Action 5: To follow up. Niall Kelly agreed to find the notes BAA Planning meeting to share with KT who will circulate to the North East AWP. • Action 6: Complete. The Mineral Products Association documents were circulated. Some additional documents were also circulated for information following the meeting. • Action 7: Complete. The Crown Estate document showing landings for each AWP region was circulated. It is also available on The Crown Estate website. • Action 8: Complete. Meeting arranged after members were canvassed for a suitable date and time. <p>The notes of the meeting were agreed.</p>	<p>ACTION 1: Notes of BAA Planning meeting to be shared and circulated</p>
3.	<p>DLUHC and Aggregates Working Party update</p> <p>KT provided an outline of the anticipated work programme in 2023/2024 for the North East England AWP:</p> <ul style="list-style-type: none"> • Meetings – There would be two meetings in 2023/24. The first in June 2023 and the second in Autumn 2023. • Annual survey – Work on the 2022 annual survey would be completed with support for the 2023 national Aggregates Mineral Survey expected to begin from late 2023 onwards. • Annual Report 2022 – This will be drafted, consulted upon and published by the end of December 2023 	

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	<ul style="list-style-type: none"> • Local Aggregates Assessment – Scrutiny of the LAAs containing 2022 data and monitoring the obligations of MPAs to prepare these • Liaison with DLUHC, other AWP secretaries, MPAs and industry. • Attending the National Aggregate Co-ordinating Group meetings and contributing to any work arising from these, Next meeting is at 10am on 19 July 2023. <p>KT advised that Christina Davey and Niamh Murphy from DLUHC were unable to attend the meeting and had sent apologies. Niamh Murphy had provided a written update prior to the meeting, which KT read out:</p> <p><u>Levelling Up and Regeneration Bill</u></p> <ul style="list-style-type: none"> • The Bill has now passed committee stage in the House of Lords • The next stage is the Report stage. The debate has not yet been scheduled • Lots of amendments were made during Committee stage which has slower progress than anticipated. • The aim is for Royal Ascent as soon as possible. <p><u>NPPF Consultation</u></p> <ul style="list-style-type: none"> • The NPPF consultation closed in March 2023. • Approximately 26,000 responses were received. There is a significant volume of work required to analyse these responses and this is the main focus of the DLUHC planning team at present. • The responses will inform next stage of policy development, including the proposed National Development Management Policies. • There is likely to be a further consultation on the NPPF towards the end of the year. <p><u>Consultations on Planning Fees, Environmental Outcomes Reports and the Infrastructure Levy</u></p> <ul style="list-style-type: none"> • These consultations have now closed. The responses are being analysed. <p><u>Aggregates Minerals Survey</u></p> <ul style="list-style-type: none"> • DLUHC are currently in the process of organising the next national Aggregate Minerals Survey, which will collect 2023 data. • The tender process is to begin soon. The aim is to have a contract in place by August/September 2023 to allow sufficient time to get everything in place for the survey to commence in January 2024. • The last two surveys were at five-year intervals so this will bring the survey back to a four-year cycle. <p><u>Guidelines for Aggregate Provision</u></p> <ul style="list-style-type: none"> • There is ongoing work to consider how to update the national and sub-national guidelines for aggregates provision. • A draft discussion paper was circulated in January 2023 setting out proposed approaches and inviting comment from stakeholders. • Comments were received and DLUHC have met with the NACG task and finish group to discuss these and the way forward. • DLUHC will share the next steps at the next NACG meeting, which is scheduled for 19 July 2023. 	

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	<p><u>AWP Annual Reports</u></p> <ul style="list-style-type: none"> The gov.uk webpage has now been updated with the AWP annual reports DLUHC has received up to 2021. The link is: https://www.gov.uk/guidance/aggregates-working-parties-annual-reports <p>In relation to the guidelines for aggregates provision, KT reminded the group that the discussion paper had been circulated in January 2023 and had been re-circulated with the agenda for this meeting.</p> <p>KT outlined that the MPAs and the industry representatives that provided comments on the discussions generally had different views on whether the guidelines should be provided at a national and regional level or whether they should be further disaggregated to MPA level. The MPAs appear to support the figures being provided to regional level only, while industry favoured figures to MPA level. KT added that there had been some discussion around the guidelines being produced in a phased way where the first phase would involve regional figures being produced before further work was done to provide figures to an MPA level. In terms of timing, the guidelines would follow the completion of the planned 2023 survey with the results informing the guidelines. This could delay the production of the guidelines, although it had been suggested figures from the 2019 survey could be used to pilot the approach.</p> <p>Nick Horsley discussed the reasons why it was felt industry and the MPAs had preferred the guidelines being disaggregated to different levels. He felt there was pressure from MPAs, particularly in South East England, not to disaggregate figures down to the local level. This had been controversial when last undertaken. The concern of industry is that if the guidelines are not disaggregated down to the local level, then the document will just sit on the shelf and be worthless. He also agreed with the suggestion that the model to produce the guidelines is tested on 2019 results and we do not wait until the 2023 are available. Industry was also concerned with the position that had been outlined in the response provided by the Peak District National Park Authority, which reflects an approach of 'managed retreat'. If areas such as this reduce their contribution to supply this has a lot of consequences for other areas, not just Derbyshire and surrounding areas. If the approach is replicated in other National Parks and designated landscapes, it will put a lot of pressure on other upland areas where extraction takes place. This also has implications for the distances minerals are transported and consideration needs to be given to any increased carbon footprint that would result from these movements.</p> <p>From the perspective of the MPAs preparing LAA and the AWP preparing its annual report, KT stated the lack of up-to-date guidelines is making it very difficult to provide a view on whether each MPA and the AWP is making adequate provision for aggregate minerals. There would therefore be some benefit in having national and regional guidelines as soon as possible to assist with this work. Disaggregation to an MPA level was likely to be more a more complex and time-consuming piece of work and this would most likely delay the timing of when guidelines could be made available. One of the things which concerned MPAs is the timing.</p>	

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	<p>Jason McKewon stated it was very pleasing to see this was now on the agenda, as the guidelines have been out of date for some time and there is an NPPF requirement is to have regard to them. It was important to get something in place at national and regional level and he supported phased approach. If figures are disaggregated to a local level then there could be an issue with discussions around need at Local Plan hearings when these would be better focussed in LAAs and AWP. Local planning authorities should have some input in decision if is disaggregated to a local level and a method based only on sales would not be desirable. Future supply is not just about where resources are, but also where consumption and demand is. Role of the industry is essential.</p> <p>KT stated there is expected to be further discussion and consultation around the method used as the work on this project progresses. There is therefore likely to be an opportunity for the AWP to influence the process.</p> <p>Jason McKewon added that the last guidelines were done at an officer level. They also needed the backing of elected members to whatever outcome is reached.</p> <p>Nick Horsley added that the issue of review was addressed and ideally should be reviewed every five years. KT added that the guidelines should be reviewed following each of the four-yearly national aggregate mineral surveys.</p> <p>CT asked about industry's view on consultation on Environmental Outcomes Reports and how they differ from EIAs.</p> <p>Nick Horsley stated that the problem is that the European approach to EIAs is wholly different. They are part of the decision, not just there to advise the decision-making process. The Mineral Product Association's view is that its not the EIA process that is the problem, the problem is that there has been historical lack of resources towards expertise in working on and understanding EIAs. The review process feels like it is being driven by academics and not practitioners. This will cause significant delays and real problems as nobody will really know what to do. A number of areas that are well established in EIA are excluded from the proposed Environmental Outcome Reports. In both the North East and North West there are going to be potentially conflicting issues cross border which have not been given consideration. The consultation posed more questions than answers. The Mineral Products Association has serious concerns over what has been proposed.</p>	
4.	<p>Annual Survey and Annual Report 2022</p> <p>KT provided an update.</p> <p>The survey commenced in January 2023. Data collection is largely complete. Returns have been received from the vast majority of operators. Survey returns have yet to be provided for three of the Tarmac sites in the North East and for Eppleton Quarry in Sunderland.</p> <p>A collated set of sales and reserves figures is likely to be ready in the next few weeks. This means work can begin to prepare the Annual Report for 2022 and shared to inform LAA preparation. A draft will be circulated ahead of the November meeting of the North East AWP with the final report submitted to DLUHC no later than the end of December 2023.</p>	<p>ACTION 2: Continue to progress the data validation exercise, then prepare draft annual report using the DHLUC</p>

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	<p>The draft collation, which has yet to be fully validated and includes estimates for the site where returns have yet to be received, indicates sales in 2022 that are broadly similar to 2021. There are some local variations. For example, sand and gravel sales have declined in Northumberland due to reserves being exhausted at the existing quarries in the County.</p> <p>Nick Horsley offered to contact operators if that would help to get survey returns. KT thanked Nick Horsley for this, but it was felt this was not necessary, The industry in the North East have engaged well with the survey and the percentage of returns in the North East compares very favourably with other regions. There was a positive dialogue with the operators that had not provided the survey returns and it was anticipated these would be received in the coming weeks.</p>	<p>template and circulate prior to the next AWP meeting (KT)</p>
<p>5.</p>	<p>Local Aggregates Assessments</p> <p>KT advised that the time is now approaching where data from the 2022 survey will be available to inform the annual updates of LAAs.</p> <p>The MPAs were advised to work towards the submission of their LAAs to the AWP prior to the planned meeting in November 2023. Indicative dates for LAA preparation and scrutiny were provided to help the MPAs plan for this:</p> <ul style="list-style-type: none"> • Drafting – Commence from July • Submission to AWP – 3 weeks prior to the planned meeting in November 2023 • Consideration by AWP – November 2023 meeting • AWP advice – Following meeting <p>The North East Minerals and Waste Planning Officers Group (NEMWPOG) will be meeting next week, with an item on the agenda to discuss how to go forward with joint working arrangements for the production of LAAs.</p> <p>Jason McKewon reiterated that discussions on how to approach this issue, whether individually or jointly, will take place next week. Any sharing of data will be very useful. He thanked the AWP for comments on Durham’s 2021 LAA which is now finalised and published on the Council’s website.</p>	<p>ACTION 3: MPAs to submit LAAs incorporating 2022 data prior to the November meeting of the North East AWP (all MPAs)</p>
<p>6.</p>	<p>Industry and The Crown Estate updates</p> <p>Nick Everington was unable to attend the meeting but had provided a written update in advance of the meeting on behalf of The Crown Estate, which CT shared:</p> <ul style="list-style-type: none"> • Landings statistics – The Crown Estate 2022 landing statistics have been published. A total of 20.5 million tonnes was extracted, almost identical to 2021. In North East England 0.95 million tonnes landed into Blyth and into wharves on the River Tyne and River Tees. This compares to 0.77 million tonnes in 2021. https://www.thecrownestate.co.uk/media/4348/2023-summary-statistics.pdf • Marine aggregate tender process – In January 2023 the Crown Estate announced their intention to launch the next marine aggregate tender 	

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	<p>process in the period 2024-2025, subject to the dependencies of other leasing programmes (notably carbon capture (CCUS) and floating offshore wind (FLOW)). This is available on the “notices” section of the Crown Estate website - https://www.thecrownestate.co.uk/en-gb/media-and-insights/seabed-and-coastal-notices/aggregates-potash-and-other-minerals/</p> <ul style="list-style-type: none"> • Resource assessments – The Crown Estate intending to conduct geophysical surveys in the Irish Sea and geotechnical surveys in the English Channel and North Sea to enhance the granularity of understanding of key resources that could feed into the market. There are some outstanding issues to resolve, but in principle the surveys work will take place this summer / early autumn. • Agent changes – The Crown Estate are pleased to confirm that our marine minerals managing agents (Royal HaskoningDHV) has appointed a new lead agent. Dr Nigel Griffiths joined the team based in Brighton in mid-June. Nigel was previously Resources Manager for Hanson Aggregates Marine. <p>Geoff Storey (Aggregate Industries) stated that industry is awaiting the outcome of several DCO processes in the North East. He reminded the group that it was useful for MPAs to take into account DCO projects in their LAAs.</p> <p>KT replied that these major projects are generally picked up in LAAs. The AWP secretaries and DLUHC have been discussing the approach each region is taking to the identify projects that are likely to result in a significant demand and whether there is any merit in standardising the methodology behind how relevant projects are identified and recorded in the annual reports. A problem is it can be difficult to obtain figures for the quantities of aggregates each project is going to use.</p> <p>Geoff Storey asked if there should be a list of DCOs in the North East in the annual report. KT confirmed there is a section and table within the report that identifies and provides commentary on relevant projects. The list is based on a review of NSIP projects and other relevant projects that the MPAs identify. It also includes some projects outside of North East England where they could influence demand from sites within the region. An element of judgement is required on which project could have a significant influence on the demand for aggregate minerals.</p> <p>Mike Hodges (Hanson) raised the issue of planning permissions where permitted development rights have been withdrawn. The approach is inconsistent across MPAs – some require full applications, while others will accept written correspondence via email.</p> <p>CT stated that Durham County Council normally require a full planning application to be submitted and will charge the relevant fee. Helen Smith stated that in Hartlepool Borough, where permitted development rights have been removed by a planning condition, an application is required but no fee is charged.</p> <p>Geoff Storey agreed that the approach was inconsistent and felt that in some areas the standard removal of permitted development rights is not necessary and may not meet the six tests for planning condition as set out in the NPPF.</p>	

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	<p>KT agreed that it should not be applied by MPAs as a standard condition on planning permissions for minerals site. There are however circumstances where such conditions are appropriate. An example would be a site in the Green Belt where the MPA would have some justification to have some additional control on any additional structures within the site to consider the impact on openness.</p> <p>Nick Horsley agreed with the point made by KT and added that where certain environmental and planning considerations were present the use of such conditions was appropriate. It was also considered that charging fees in these situations is not appropriate.</p> <p>John Carlon stated he has seen two approaches: prior agreement which infers it is a discussion between applicant and MPA, and others which use the word approval, which implies an application is required. The minerals industry does need clarity on the issue.</p> <p>Geoff Storey added that external auditors will often ask for some sort of external communication from MPAs confirming that development is permitted development.</p> <p>Nick Horsley shared an updated from the Mineral Products Association:</p> <ul style="list-style-type: none"> • Annual Mineral Planning Survey report – The tenth Annual Mineral Planning Survey report was published in April 2023 and is available via https://www.mineralproducts.org/News/2023/release12.aspx. The key headlines include: <ul style="list-style-type: none"> ○ Sales increased in 2021 by about 15% over 2020; ○ Replenishment rates continue to decline - 63% sand and gravel, 52% crushed rock on a ten-year rolling average. This is creating concern; ○ The time taken to obtain planning permission remains about 30 months for sand and gravel sites and 20 months for crushed rock. ○ 38% of new permission were on sites that had not been allocated in local plans. • Environment Agency delays – This is a serious issue that the industry is facing at the moment. There are potential consequences arising from the delays in terms of the life of planning permissions. A recent case has taken two years for an abstraction license just to be allocated to an officer following submission to the Environment Agency. This is affecting investment decisions. It was important that MPAs are aware of these delays and the implications for planning applications and permissions. • National Significant Infrastructure projects (NSIPs) – The MPA have been trying to encourage the consenting process for DCOs to consider supply chains and include a resource assessment. Floating wind turbines were a good example of a development that will require a lot of aggregates. • Consultations on the NPPF and Environmental Outcome Reports – Responses were submitted to these. 	

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	<ul style="list-style-type: none"> Report on smarter regulation – In April 2023 the MPA published a report (‘Smarter regulation in the Mineral Products Sector’) setting out 18 regulatory reforms that the Government should enact to reduce uncertainty delays and costs in the mineral products sector. The report refers to improving funding for local authorities. Increased planning fees should be linked to improvements to services, but this has not been achieved the past. The report can be viewed via the following link https://mineralproducts.org/MPA/media/root/Publications/2023/Smart_Regulation_in_the_Mineral_Product_Sector_Apr2023.pdf Economic outlook – Inflation and interest rates are affecting the industry. However, up to the end of Q1, construction output had reached a record levels, despite a 44% decline in residential housing starts. 	
7.	<p>Mineral Planning Authority updates</p> <p><u>Northumberland County Council</u></p> <ul style="list-style-type: none"> Local Plan – Northumberland Local Plan was adopted in March 2022. Decisions on planning applications – A new sand and gravel site was granted permission in April 2023 involving the proposed extraction of 5.8 million tonnes. This will make a big impact on the level of permitted reserves in Northumberland reported in the 2023 survey. An extension to Divet Hill Quarry (2.7 million tonnes of dolerite) was also granted planning permission in June 2022. Applications pending – Two planning applications for crushed rock sites are currently pending determination: Shiel Dykes (5 million tonnes); and Northside (3 million tonnes). <p><u>Northumberland National Park Authority</u></p> <ul style="list-style-type: none"> Local Plan – The Northumberland National Park Local Plan was adopted in July 2020. Decisions on planning applications – Planning permission was granted in January 2023 for a lateral extension to Harden Quarry consisting of an additional 2.5 million tonnes of rock. The planning permission allows extraction to continue at the site until 2054. The site produces a red-coloured stone. <p><u>Durham County Council</u></p> <ul style="list-style-type: none"> Local Plan – Durham County Council consulted on the publication draft Minerals and Waste Policies and Allocations document in winter 2022/23. It is anticipated that the document will be submitted for examination in early July 2023 and the examination hearing sessions are expected to be scheduled for November 2023. Planning applications/decisions – In May 2023 a revised application was received for a proposed eastward extension to Hulands Quarry for the extraction of 9.79 million tonnes of Carboniferous limestone. This is still being considered. <p><u>Hartlepool and the Joint Tees Valley Minerals and Waste DPDs</u></p> <ul style="list-style-type: none"> Hartlepool – the Local Plan is just 5 years old and gets reviewed annually. It is still up to date, so it is not likely a new Local Plan will be started until Autumn 2024 at the earliest. 	

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	<ul style="list-style-type: none"> • Tees Valley Minerals and Waste DPDs – Discussions are ongoing between each of the five Tees Valley authorities regarding the approach to update these. There are currently no plans to commence work on a review. <p><u>Sunderland City Council</u> Currently working on annual position statement with regards to housing supply and looking to take forward the allocations and designations document.</p> <p><u>Gateshead Council</u> Currently working with Newcastle City Council on a review of the Joint Core Strategy. It is anticipated that a consultation on issues and options will begin in September 2023. It is proposed to include a brief section on minerals within the consultation document.</p> <p><u>South Tyneside Council</u> Work on the South Tyneside Local Plan has been delayed to allow the implications of the proposed planning reforms and the NPPF consultation to be considered. Work is progressing on Regulation 19 Publication Draft Local Plan with a consultation expected to commence in early 2024. It is proposed to include updated minerals policies.</p> <p><u>North Tyneside Council</u> The North Tyneside Local Plan was adopted in 2017. A five-year review was undertaken in 2022 and it was concluded that the Local Plan remains sound and it is not proposed to undertake further work to update the plan.</p>	
8.	<p>Any Other Business</p> <p>KT asked if anything relevant to the meeting came out of last week's RTPI conference.</p> <p>CT mentioned a number of interesting speakers on critical minerals, law update, planning practice and implementation including difficulties of recruiting. Some interesting case studies, including North Wales. DLUHC messaging fairly consistent with information provided to today's meeting.</p> <p>Nick Horsley highlighted NW RTPI event which might be of interest and could be available online.</p> <p>Geoff Storey asked if Nick Horsley could share RTPI mineral related events with the RICS and Institute of Quarrying, as both institutions are struggling for CPD so sharing would be appreciated.</p>	
9.	<p>Date of next meeting</p> <p>The next meeting will take place in November 2023. AWP members will be canvassed in due course to arrange a suitable date and time. It is proposed that the meeting will be via video call.</p> <p>CT thanked all for attending and closed the meeting.</p>	<p>ACTION 4: Arrange next meeting (KT)</p>

List of actions from the meeting on 28 June 2023:

Action number	Action	Owner
1.	Notes of BAA Planning meeting to be shared and circulated.	KF and KT
2.	Continue to progress the data validation exercise, then prepare draft annual report using the DHLUC template and circulate prior to the next AWP meeting	KT
3.	MPAs to submit LAAs incorporating 2022 data prior to the planned November 2023 meeting of the North East AWP	All MPAs
4.	Arrange next meeting	KT