

Meeting of West Berkshire District Council

Thursday 9 January 2020

Summons and Agenda



To: All Members of the Council

You are requested to attend a meeting of
WEST BERKSHIRE DISTRICT COUNCIL
to be held in the
**COUNCIL OFFICES, MARKET STREET,
NEWBURY**

on

**9 January 2020 at the Rising of the
Extraordinary Meeting**

Sarah Clarke.

Sarah Clarke
Head of Legal and Strategic Support
West Berkshire District Council

Date of despatch of Agenda: Tuesday 31 December 2019

AGENDA

1. **APOLOGIES FOR ABSENCE**

To receive apologies for inability to attend the meeting (if any).

2. **CHAIRMAN'S REMARKS**

The Chairman to report on functions attended since the last meeting and other matters of interest to Members.

3. **MINUTES**

The Chairman to sign as a correct record the Minutes of the Council meeting held on 12 September 2019. **(Pages 9 - 20)**

4. DECLARATIONS OF INTEREST

To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).

5. PETITIONS

Councillors may present any petition which they have received. These will normally be referred to the appropriate body without discussion.

**6. COUNCIL'S RESPONSE TO A PLASTIC WASTE RECYCLING PETITION -
ADDITIONAL PLASTIC WASTE COLLECTIONS**

To provide a response to the e-petition submitted on 5 September 2019 by Ms Sukey Russell-Hayward.

The wording of the e-petition is as follows:

"We, the undersigned, petition the Council to

1. Improve the environmental solutions for single-use plastics, including the collection and recycling of domestic plastic waste within West Berkshire.
2. Provide more effective communication on the environmental solutions for single-use plastics, including the collection and recycling of domestic plastic waste within West Berkshire.
3. Improve research into alternative and more ecological approaches to managing domestic plastic waste within West Berkshire.

As a resident of West Berkshire I am very concerned at the low level of plastic recycling which is collected in West Berkshire and challenge the council to improve this situation. I am also concerned about the council's use of incineration to dispose of plastics, when far less polluting, effective and efficient processes are available and used by other councils.

Some local residents have tried to compensate by offering collection points at their homes and then driving cars full of plastics to collection bins at Sainsbury's in Reading. This is not sustainable, and these people and businesses have become overrun with the volume of plastics being deposited, posing significant issues in terms of storage, handling and health risks.

Many councils, e.g. Stroud, Gloucester and Oxford, have excellent kerbside collections and transparency in terms of their contracts and recycling policy, including what happens to the plastics post collection. I would like to see West Berkshire Council taking a lead in, and communicating clearly, environmental solutions which directly impact our community and the wider environment." **(Pages 21 - 44)**



7. PUBLIC QUESTIONS

Members of the Executive to answer the following questions submitted by members of the public in accordance with the Council's Constitution:

- (a) **Question to be answered by the Executive Member for Transport and Countryside submitted by Mr Brian Withers:**

"Will the Council consider removing the ban on private cars crossing the Wharf Bridge in light of the changes that have been made to the Bear lane/A339 junction?"

- (b) **Question to be answered by the Executive Member for Economic Development and Planning submitted by Mr Simon Gardner:**

"What agreement was made with Vodafone regarding the planning permission for the HQ and restrictions upon the employee parking in the local streets within 2 miles of said buildings?"

- (c) **Question to be answered by the Executive Member for Economic Development and Planning submitted by Mr Simon Gardner:**

"Is parking in the local streets within a 2 mile radius of the Vodafone HQ lawful given that an individual pays a vehicle road tax that has no restrictions with respect to parking within the Highway Code?"

8. MEMBERSHIP OF COMMITTEES

The Council to agree any changes to the membership of Committees.

9. MOTIONS FROM PREVIOUS MEETINGS

To note the responses to Motions which have been presented to previous Council meetings.

- a) [Response to Motion from Councillor Keith Woodhams](#) presented to the 02 July 2019 Council Meeting.
- b) [Response to Motion from Councillor Lee Dillon](#) presented to the 12 September 2019 Council Meeting. **(Pages 46 - 48)**

10. LICENSING COMMITTEE

The Council is asked to note that since the last meeting of the Council, the Licensing Committee met on 18 November 2019. Copies of the Minutes of this meeting can be obtained from Legal and Strategic Support or via the [Council's website](#).

11. PERSONNEL COMMITTEE

The Council is asked to note that since the last meeting of the Council, the Personnel Committee met on 12 September 2019 and 15 October 2019. Copies of the Minutes of these meetings can be obtained from Legal and Strategic Support or via the [Council's website](#).

Agenda - Council to be held on Thursday, 9 January 2020 (continued)

12. GOVERNANCE AND ETHICS COMMITTEE

The Council is asked to note that since the last meeting of Council, the Governance and Ethics Committee met on 25 November 2019. Copies of the Minutes of this meeting can be obtained from Legal and Strategic Support or via the [Council's website](#).

13. DISTRICT PLANNING COMMITTEE

The Council is asked to note that since the last meeting of the Council, the District Planning Committee has not met.

14. OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION

The Council is asked to note that since the last meeting of the Council, the Overview and Scrutiny Management Commission met on 29 October 2019. Copies of the Minutes of this meeting can be obtained from Legal and Strategic Support or via the [Council's website](#).

15. JOINT PUBLIC PROTECTION COMMITTEE

The Council is asked to note that since the last meeting of the Council, the Joint Public Protection Committee met on 07 November 2019. Copies of the Minutes of this meeting can be obtained from Legal and Strategic Support or via the [Council's website](#).

16. RESPONSE TO A MOTION ON DEVELOPMENT SITES FOR THE NEW LOCAL PLAN (C3842)

To set out a response to a Motion brought to the 12 September 2019 Council meeting. **(Pages 49 - 62)**

17. RESPONSE TO A MOTION ON CO2 EMISSIONS AND WATER USAGE (C3843)

To set out a response to a Motion brought to the 12 September 2019 Council meeting. **(Pages 63 - 80)**

18. MINERALS AND WASTE LOCAL PLAN – PROPOSED SUBMISSION VERSION FOR CONSULTATION AND ASSOCIATED EVIDENCE BASE DOCUMENTS (C3720)

To present the Proposed Submission version of the Minerals and Waste Local Plan and supporting evidence base for approval to undertake public consultation on these documents in accordance with the West Berkshire Statement of Community Involvement and the Town and Country Planning (Local Planning) (England) Regulations 2012. **(Pages 81 - 240)**

Agenda - Council to be held on Thursday, 9 January 2020 (continued)

19. REVISED STATEMENT OF COMMUNITY INVOLVEMENT (2019) (C3751)

To seek agreement to adopt the Revised Statement of Community Involvement (SCI).
(Pages 241 - 286)

20. REVISION OF THE 2019/20 INVESTMENT AND BORROWING STRATEGY (C3856)

The 2019/20 Investment and Borrowing Strategy was approved by Full Council at the meeting held on 5 March 2019 meeting its legal obligation under the Local Government Act 2003. This report is an amendment of the agreed strategy to reflect:

- (1) Outline compliance against the Prudential Indicators
- (2) An expansion in the sources of borrowing available to the Council
- (3) An allowance for provision of loan financing to local enterprises, charities, wholly owned companies and joint ventures as part of a wider strategy for local economic growth. In particular the joint venture in the form of Limited Liability Partnership (LLP) with Sovereign Westing House Developments Ltd, a subsidiary of Sovereign Housing Association (SHA).

The Council has approved a revised Property Investment Strategy in July 2018. The criteria for investment in property are different from those for cash based investments. However the strategy for borrowing set out in this document also applies to borrowing to fund investment in property. **(Pages 287 - 308)**

21. 2020/21 WEST BERKSHIRE COUNCIL TIMETABLE OF PUBLIC MEETINGS (C3845)

To recommend a timetable of public meetings for the 2020/21 Municipal Year. **(Pages 309 - 316)**

22. NOTICES OF MOTION

- (a) **The following Motion has been submitted in the name of Councillor Jeff Brooks:**

“We contend that there is considerable risk to pedestrians and motorists along the A4/Benham Hill section from the Lower Way Traffic lights to Henwick Lane in Thatcham.

It is extraordinary that this section along the A4 allows a 40 Mile Per Hour speed limit when the rest of the A4 through Thatcham is at 30 MPH. Recent installation of a Pedestrian refuge at the top of Pound Lane is welcome but did not prevent a serious incident involving a young girl in September when her foot was run over and broken by a speeding vehicle.

We believe that the speed limit in these two stretches of road is anomalous and we therefore propose that this section of the A4 is adapted to a 30 Mile Per Hour limit by West Berkshire Highways Department and with a high degree of urgency.”



Agenda - Council to be held on Thursday, 9 January 2020 (continued)

(b) The following Motion has been submitted in the name of Councillor Richard Somner:

“Maintaining a Green District is one of this Council’s priorities for improvement. It’s about natural habitats, it’s about biodiversity, it’s about our open spaces, it’s about the improving the environment we live and work in, it’s about our communities, it’s about our homes, our health, our wellbeing and more.

The Council recognises the freedoms for some that vehicle ownership brings, whilst it acknowledges that many older properties do not have designated off road parking. It fully recognises vehicle drivers are often reliant upon street parking with little alternative option. However, the practice of parking on pavements is becoming more widespread, and is a nuisance at best and a public danger at worst. Parking is not the only cause of pavement obstruction. It also arises from poorly placed advertising stands, protruding shop front displays and street clutter.

This Council notes the Healthwatch Voice of Disability Report which raises concerns for the disabled in our community; this Council has a long been concerned that pavement obstruction can risk public health and is detrimental to public wellbeing. The lack of easy navigability for wheel chair uses, those with sight conditions and limited mobility as well as for parents with pushchairs, can become trapped in their homes, leading to social isolation or a danger to pedestrians, particularly children in often having to step in to traffic to avoid obstructions.

While the government select committee is considering widening the ban on pavement parking outside London and until legislation in England comes in to force;

The Council calls on:

- Parish Councils to champion an awareness campaign for considerate parking in their parishes.
- Drivers to respect the rights of pedestrians to exercise their right to safe and unobstructed passage on footpaths and pavements.
- Drivers to park any vehicle, motorcycle or bike with the maximum consideration to pavement users and to avoid blocking lines of sight or the passage of emergency vehicles.
- Drivers to limit their use of pavement parking where damage to curbs, street furniture and grass verges would occur.
- Businesses to be considerate with Advertising Board placement and remove where the footpath is obstructed.
- Residents to safely position curb clutter such as bins and recycling boxes, pushchairs and trollies.”



23. **MEMBERS' QUESTIONS**

Members of the Executive to answer the following questions submitted by Councillors in accordance with the [Council's Constitution](#):

- (a) **Question to be answered by the Executive Member for Transport and Countryside submitted by Councillor Keith Woodhams:**

“Can the Executive Member for Transport and Countryside tell me why on one hand he is promoting getting out of the car to walk and cycle when cycle ways are not being swept leading to tyre punctures, and when London Road & Hambridge Road flood when it rains leading to pedestrians and cyclists being drenched in water by passing cars, vans and heavy lorries?”

- (b) **Question to be answered by the Executive Member for Transport and Countryside submitted by Councillor Keith Woodhams:**

“Given that it was recently reported that a passing HGV knocked off a branch from an overhanging tree in Bowling Green Road, which then fell onto the bonnet of a car travelling in the opposite direction, can the Executive Member for Highways and Transport tell me if the highways authority has a duty to maintain public roads to a standard that ensures they are safe and passable?”

- (c) **Question to be answered by the Executive Member for Transport and Countryside submitted by Councillor Phil Barnett:**

“Can the Executive Member for Highways identify what official powers private security guards controlling traffic movements on certain public roads have to undertake these activities?”

- (d) **Question to be answered by the Executive Member for Transport and Countryside submitted by Councillor Phil Barnett:**

“Can the Executive Member for Highways identify when the highly valued speed indicator devices [SIDS] that the West Berkshire Council own are likely to be upgraded or replaced?”

If you require this information in a different format or translation, please contact Moira Fraser on telephone (01635) 519045.



Agenda Item 3.

DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

COUNCIL

MINUTES OF THE MEETING HELD ON THURSDAY, 12 SEPTEMBER 2019

Councillors Present: Adrian Abbs, Steve Ardagh-Walter, Peter Argyle, Phil Barnett, Jeff Beck, Dennis Benneyworth, Dominic Boeck, Graham Bridgman, Jeff Brooks, Jeff Cant, Hilary Cole, James Cole, Jeremy Cottam, Carlyne Culver, Lee Dillon, Lynne Doherty, Billy Drummond, Clive Hooker (Vice-Chairman), Gareth Hurley, Owen Jeffery, Rick Jones, Nassar Kessell, Tony Linden, Royce Longton, Ross Mackinnon, Alan Macro, Thomas Marino, David Marsh, Steve Masters, Geoff Mayes, Andy Moore, Graham Pask (Chairman), Erik Pattenden, Claire Rowles, Garth Simpson, Richard Somner, Joanne Stewart, Martha Vickers, Tony Vickers, Andrew Williamson, Keith Woodhams and Howard Woollaston

Also Present: John Ashworth (Corporate Director - Environment), Sarah Clarke (Head of Legal and Strategic Support), Tess Ethelston (Group Executive (Cons)), Joseph Holmes (Executive Director - Resources), Olivia Lewis (Group Executive (Lib Dem)), Andy Sharp (Executive Director (People)), Shiraz Sheikh (Principal Solicitor), Peta Stoddart-Crompton (Public Relations Officer), Moira Fraser (Democratic and Electoral Services Manager), Honorary Alderman Andrew Rowles (Honorary Alderman) and Jo Watt (Member Services Officer)

Apologies for inability to attend the meeting: Nick Carter and Councillor Alan Law

PART I

40. Chairman's Remarks

The Chairman asked all Members to rise and observe a minutes' silence to remember PC Andrew Harper.

The Chairman reported that he and the Vice Chairman had attended 17 events since the last Council meeting.

41. Minutes

The Minutes of the meeting held on 02 July were approved as a true and correct record and signed by the Chairman.

42. Declarations of Interest

Councillor Peter Argyle stated that (in relation to agenda item 14) in the interests of transparency he wanted to notify those present that some years ago he and his wife had signed a letter of support for the Back Heathrow campaign. Councillor Tony Linden noted that he too had signed a similar letter.

Councillor Jeff Beck reported that (in relation to agenda item 14) he had been lobbied extensively on the expansion of Heathrow Airport. It was noted that all Members had received a letter from the Back Heathrow campaign.

Councillor Gareth Hurley declared an interest in Agenda Item 14, and reported that, as his interest was a disclosable pecuniary interest or an other registrable interest, he would be leaving the meeting during the course of consideration of the matter.

Councillor Tom Marino declared an interest in Agenda Item 15b by virtue of the fact that he worked for Alok Sharma, MP, and reported that, as his interest was a personal

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interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

Councillor Hilary Cole reported that all Conservative Members had received an email from Councillor Tony Vickers on the subject of Item 15b (Motion on a Confirmatory Referendum on the Final Brexit Outcome). She considered the content of that email to be lobbying. In response to a query as to whether this approach should be taken in respect of all intra Member communications the Monitoring Officer explained that it depended on the specific content of those emails and if Members considered the content to be lobbying.

43. **Petitions**

There were no petitions presented to the meeting.

44. **Public Questions**

A full transcription of the public and Member question and answer sessions are available from the following link: [Transcription of Q&As](#). *(right click on link and 'Edit Hyperlink'. Insert URL to pdf on website in 'address' field)*

1. A question standing in the name of Mr Lee McDougall on the subject of funding for a replacement Step 5 facility at Faraday Road, should it be needed, was answered by the Portfolio Holder for Public Health and Community Wellbeing.

45. **Membership of Committees**

MOTION: Proposed by Councillor Lynne Doherty and seconded by Councillor Rick Jones:

That the Council:

“amends its appointment to the Appeals Panel as follows: Councillor Graham Bridgman to replace Councillor Jo Stewart.”

The Motion was put to the meeting and duly **RESOLVED**.

46. **Licensing Committee**

The Council noted that, since the last meeting, the Licensing Committee had not met.

47. **Personnel Committee**

The Council noted that, since the last meeting, the Personnel Committee had not met.

48. **Governance and Ethics Committee**

The Council noted that, since the last meeting, the Governance and Audit Committee had met on 29 July 2019.

49. **District Planning Committee**

The Council noted that, since the last meeting, the District Planning Committee had met on 21 August 2019.

50. **Overview and Scrutiny Management Commission**

The Council noted that, since the last meeting, the Overview and Scrutiny Management Commission had met on 09 July 2019.

51. Joint Public Protection Committee

The Council noted that, since the last meeting, the Joint Public Protection Committee had not met.

52. Response to the Consultation and Motion on Heathrow Expansion (C3804)

(Councillor Keith Woodhams left the chamber during the discussion on this item)

(Councillor Gareth Hurley declared a personal and prejudicial interest in Agenda item 14 by virtue of the fact that he worked for Network Rail. As his interest was prejudicial he determined to leave the meeting and took no part in the debate or voting on the matter).

The Council considered a report (Agenda Item 14) which set out a response to the motion submitted to the Council meeting on 2nd July 2019 relating to the expansion of Heathrow Airport and included a draft response to the current consultation on Heathrow expansion which was open from 18th June to 13th September 2019.

MOTION: Proposed by Councillor Richard Somner and seconded by Councillor Lynne Doherty:

That the Council:

- “(i) rejects the motion submitted to the Council meeting held on 2nd July 2019 relating to the expansion of Heathrow Airport,
- (ii) updates its position statement as set out in section 4.1 of Appendix C to reflect relevant local and national changes that have occurred and new information now available since 2014 (when the Executive agreed the previous position statement).
- (iii) agrees the set of responses to the questions posed in the Heathrow expansion consultation as detailed in Appendix D for submission by the 13th September consultation deadline.”

Councillor Richard Somner in introducing the item stated that the report set out a response to the Motion proposed by Councillor David Marsh at the 02 July 2019 Council meeting which had been discussed at the Transport Advisory Group. It also set out a proposed response to the Heathrow expansion consultation which would close the following day. In addition it also addressed the issues raised in the petition submitted by Jackie Paynter to the Executive on the 05 September 2019 which was broadly in line with the motion presented at the previous Council meeting.

Councillor Somner thanked Officers for the effort they had put into preparing the report. He outlined a range of economic benefits for West Berkshire and the Thames Valley region that would be derived from the expansion including job creation, assisting supply chains, improvements to infrastructure and that it would be a platform for the development of new technology. The negative environmental impacts including air quality and noise would not directly affect the District’s residents. The Council would include comments on the need to reduce carbon emissions in its response to the consultation.

Councillor Somner noted that in 2014 and again in 2017 the Council had voted unanimously to support the expansion. In July 2018 the former Leader of the Council had written to the three local MPs to highlight the Council’s support. He also noted that in July 2019 the Council had declared a Climate Emergency and had committed to being carbon neutral by 2030. He recognised that the proposal would not find universal support in the chamber at this meeting. He, however, urged Members to support the recommendations which he believed would improve the lives of the District’s residents.

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Councillor Carlyne Culver reminded Members that they had declared a Climate Emergency at the 02 July 2019 Council meeting and they had committed to creating a strategic plan to deliver carbon neutral by 2030. Supporting the expansion of Heathrow contradicted that position and meant that in her opinion the Council had failed at the first hurdle. She reminded Members that over 800 residents had signed the petition submitted to the Executive the previous week. She reported that the Green Party would submit their own response to the consultation.

Councillor Ross Mackinnon noted that the expansion of Heathrow would be a major driver for prosperity in the region and would create and support significant levels of employment for neighbouring residents. He noted that the airport had made statements about mitigating carbon emissions and that they had to have a basis for those claims.

Councillor Alan Macro commented that the number of flights would increase by 54%. In addition part of the proposal included the construction of the largest car park in the world which would increase the number of traffic movements significantly. He highlighted that over 750 homes, two schools and some hotels would be removed in order to accommodate the expansion. He also noted that some of the flight paths would cover West Berkshire which would generate noise pollution and carbon emissions which would affect its residents. He therefore believed that supporting the recommendations set out in the report would not be compatible with the declaration of a climate emergency. He could therefore not support the recommendations. He noted that the Liberal Democrat Members would also be submitting their own response to the consultation.

Councillor Owen Jeffery commented that in his opinion this was the wrong thing in the wrong place.

Councillor James Cole explained that he and Councillor Dennis Benneyworth had recently visited a company located in their ward which was working on technology in relation to fuel cells. He felt that the expansion was an opportunity to rework the whole airport and deliver technology that would reduce reliance on fossil fuels which would in turn assist with improvements to air quality. It should therefore be seen as an opportunity.

Councillor Jeff Brooks commented that, while he had previously supported expansion, since then there had been a considerable raising of awareness of the plight the world was facing and he had now revised his position. He accepted that the ability to travel helped to expand people's minds and he would not like them not to have that opportunity. However 80% of passenger travel was undertaken for business purposes and he felt that this was an area that should be looked at. Technology existed already which negated the need to make as many business trips.

Councillor Lee Dillon disputed that the expansion would have a positive impact for West Berkshire residents. It was likely to result in increased house prices, more congested roads and more air pollution. It would have a negative impact on the quality of the lives of residents living closer to the airport and would result in the removal of a large number of homes. The new car park would result in more private car journeys, freight transport would increase and the concrete that would be needed to build it would all generate significant carbon emissions. He also noted that the emissions generated by air travel were more damaging than those created by cars as they were already in the atmosphere. He felt that there was existing capacity in the regional airports which should be used rather than expanding Heathrow.

Councillor Martha Vickers stated that as the Council's Green Champion she could not support the recommendations as they were contrary to the declaration of a climate emergency.

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Councillor David Marsh stated that he was disappointed to hear that some Members were highlighting the benefits of the expansion but were not concerned about the negative impact on residents in other authorities.

Councillor Tony Vickers also supported making greater use of regional airports which would generate less carbon emissions, would cost less and would cause less disruption.

Councillor Steve Masters stated that the petition demonstrated the depth of feeling of local residents and that he hoped Members were listening to the concerns raised by the public. He urged Members to think about the future and that more use should be made of existing facilities such as train journeys instead of short haul flights and the existing capacity on transatlantic flights.

Councillor Tony Linden drew Members' attention to a number of environmental processes that were being put in place by the airport to mitigate the impact of the expansion.

Councillor Benneyworth noted that paragraph 2.19 of Appendix C dealt with transportation of racehorses. He explained that he was employed as an international horse transporter and had therefore had a lot of experience in this area. The horse racing industry in West Berkshire benefitted from its close proximity to Heathrow. It was one of only two airports that could be used to transport horses in the UK. He often had to travel to Europe on roads and then fly out of a European Airport.

Councillor Nassar Kessell queried if this use of the airport by Councillor Benneyworth constituted an interest that should preclude him from taking part in the discussion. The Monitoring Officer commented that the declaration of any interest was always a matter for the individual member. Councillor Benneyworth had determined that he did not have an interest that needed to be declared. Councillor Benneyworth informed Council that his employment was a matter of public record as it was included on his Register of Interest form. Councillor Claire Rowles commented that many Members would make use of the airport for business travel.

Councillor Steve Ardagh-Walter challenged the assertion that supporting the expansion of Heathrow was incompatible with the declaration of a climate emergency in West Berkshire. He was of the opinion that the issue should be considered in a local, national and global context. The airport was located around 50 miles away and the District would not be affected by the noise or air pollution. He accepted that other boroughs would be affected and therefore it was understandable that they would object to the expansion.

Councillor Ardagh-Walter stated that in terms of a national level it had been established by the Airports Commission that Heathrow was the best place to provide the capacity. It was Heathrow's long term aspiration to make growth from its new runway carbon neutral. They had also made a commitment to operate zero carbon infrastructure, including buildings and other fixed assets by 2050. Central Government would be responsible for achieving its challenging target of carbon neutrality by 2050. In terms of the global picture aviation contributed about half of the carbon emissions that were generated by internet and telephones. He therefore urged Members to support the recommendations set out in the report.

Councillor Hilary Cole stated that recent figures showed that economy was expanding as services returned to growth and the expansion would have a positive impact on the local economy of West Berkshire. The third runway would double the freight capacity at Heathrow. There were a relatively high, and growing, number of logistics firms in the District as well as a large Amazon depot at Theale. Their growth, had the potential benefits of more jobs, more money spent locally and more business rate receipts. BREXIT could result in changes in trading partners, for example a new trade agreement

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with the United States, which might well increase Heathrow's strategic importance. Councillor Cole reiterated that 70% of international firms looking to set up in the UK would do so within an hour's drive of Heathrow. With increased capacity for both passengers and freight, this could open up the door for more of these firms to establish themselves in the District.

Councillor Garth Simpson noted that Heathrow currently had two runways but were competing with other airports for example Schiphol which had six. Customers would be driven by choice based on the options available. He also noted that the aerospace industry had contributed to a 1% annual reduction in carbon emissions. He noted however that there was currently no bus service between Newbury and Heathrow and he felt that this was something that should be lobbied for.

Councillor Jeremy Cottam stated that more use should be made of technological advances in order to reduce the amount of business air travel that was undertaken.

Councillor Doherty thanked Members for the debate. She stated that there was sound economic reasoning to support the expansion of Heathrow. She believed that the expansion would encourage innovation and technological advancement. She did not believe that supporting it was in conflict with the Council's declaration of a climate emergency. Since 1990 the UK had been able to cut its emissions while Gross Domestic Products (GDP) continued to grow.

Councillor Somner stated that he had nothing to add to the arguments put forward to support the recommendations. He would continue to work with stakeholders where possible to deliver infrastructure changes such as the rail links and a bus service. In addition he supported the declaration of the climate change emergency and would continue to work with colleagues across the chamber to support it.

The Motion was put to the meeting and duly **RESOLVED**.

Prior to the vote being taken Councillor Steve Masters requested that, in accordance with paragraph 4.17.3, the vote be recorded. The requisite number of Members supported the motion by standing in their place.

For the Motion

Steve Ardagh-Walter, Peter Argyle, Jeff Beck, Dennis Benneyworth, Dominic Boeck, Graham Bridgman, Jeff Cant, Hilary Cole, James Cole, Lynne Doherty, Clive Hooker, Rick Jones, Tony Linden, Tom Marino, Ross Mackinnon, Graham Pask, Claire Rowles, Garth Simpson, Richard Somner, Jo Stewart, Andy Williamson, Howard Woollaston (22)

Against the Motion

Adrian Abbs, Phil Barnett, Jeff Brooks, Jeremy Cottam, Carlyne Culver, Lee Dillon, Billy Drummond, Owen Jeffery, Nassar Kessell, Royce Longton, Alan Macro, David Marsh, Steve Masters, Geoff Mayes, Andy Moore, Erik Pattenden, Martha Vickers, Tony Vickers (18)

(Councillors Gareth Hurley and Keith Woodhams did not vote on this item and returned to the chamber after the vote on this item).

53. Notices of Motion

The Council considered the under-mentioned Motion (Agenda item 15a refers) submitted in the name of Councillor Lynne Doherty relating to the development of a parental leave policy for elected councillors.

The Chairman informed the Council that the Motion would be debated at the meeting.

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MOTION: Proposed by Councillor Lynne Doherty and seconded by Councillor Howard Woollaston:

That the Council:

“notes that 96% of councils across England do not have a formal Parental Leave Policy in place for elected members and considers that the lack of such a Policy may deter new or prospective parents, and particularly women, in standing for election in the first place and, if they are elected, could be a barrier to their fulfilling their role.

Local Government is the cornerstone of our democracy; delivering services that people rely on and serving our communities. There is at present no right to parental leave for those in elected public office, but we should do all we can to encourage as wide as possible a range of candidates to stand for election. Improved provision for new parents should contribute towards increasing the diversity of experience, age and background of local authority councillors. It should also assist with retaining experienced councillors – particularly women – and making public office more accessible to individuals who might otherwise feel excluded from it.

An issue with introducing a Parental Leave Policy for Members is that a Member taking parental leave in accordance with the policy could find themselves in breach of s85(1), Local Government Act 1972 (“if a member of a Local Authority fails, throughout a period of six consecutive months from the date of their last attendance, to attend any meeting of the Authority they will, unless the failure was due to some good reason approved by the Authority before the expiry of that period, cease to be a member of the Authority”).

It is therefore proposed that this Council agrees the following resolution with the intention of (a) introducing a Parental Leave Policy for Members in due course, (b) delegating to the Personnel Committee the ownership of the new policy, and (c) suspending the effect of s85(1) whilst a Member is taking parental leave.

This Council resolves that (a) the Personnel Committee shall be delegated with (i) the agreement and adoption of a Parental Leave Policy for Members and (ii) any subsequent amendments to it, (b) if a Member takes parental leave in accordance with the Policy once adopted the period of such parental leave (“the Period”) shall be treated as a good reason for the Member failing to attend any meeting or meetings during the Period for the purposes of section 85(1) of the Local Government Act 1972, and (c) the Monitoring Officer is authorised to approve such absences during the Period and to make any consequent amendments to the Council’s Constitution necessary.”

The Motion was put to the vote and declared **CARRIED**.

The Council considered the under-mentioned Motion (Agenda item 15b refers) submitted in the name of Councillor Lee Dillon relating to confirmatory referendum on the final Brexit outcome.

The Chairman informed the Council that the Motion would be debated at the meeting.

MOTION: Proposed by Councillor Lee Dillon and seconded by Councillor Carolyne Culver:

That the Council notes:

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- “The majority of West Berkshire Residents voted to remain in the referendum in 2016.
- That West Berkshire is projected to see a drop in GVA (Gross Value Added) of -2.3% in the event of a no deal Brexit*
- That additional resources from Central Government to plan for a no deal Brexit locally have not been made available
- That a shrinking economy leads to lower tax revenues putting more strain on already underfunded public services.
- That on 12th August 2019 our local MP, Richard Benyon, put his name to a letter to the Prime Minister urging him to avoid a no deal Brexit.

This Council therefore:

- (1) Wishes to formally add its voice to those calling for a confirmatory referendum on the final Brexit outcome to be held while we remain members of the EU. The options in this referendum should be to leave the EU with whatever the Government’s specific plan is, or to remain in the EU on our current terms.
- (2) Will write to our 3 local MPs:
 - (a) note that we share Richard Benton MP’s alarm at the ‘Red Lines the Prime Minister has drawn’ which appear to make no deal the most likely Brexit outcome
 - (b) to express our concern about the expected negative economic impact of a no deal Brexit on West Berkshire
 - (c) urge them to do all they can to prevent a no deal Brexit
 - (d) urge them to join West Berkshire Council in supporting a confirmatory referendum to ensure explicit public support for the final course of action.
- (3) Will write to the Chancellor of the Duchy of Lancaster (No Deal Planning) to request additional resources to enable us to carry out a detailed impact study on our local economy in order to:
 - (a) understand the full impact of a no deal Brexit on services run solely by West Berkshire Council.
 - (b) prepare a plan to mitigate/deal with the identified impacts”.

The Motion was put to the vote and declared **LOST**.

The Council considered the under-mentioned Motion (Agenda item 15c refers) submitted in the name of Councillor Alan Macro relating the selection of development sites for the new Local Plan.

The Chairman informed the Council that the Motion would not be debated at the meeting. In accordance with Procedure Rule 4.9.8, it would be referred to the Planning Advisory Group for consideration and a response would be brought back to Council.

MOTION: Proposed by Councillor Alan Macro and seconded by Councillor Tony Vickers:

That the Council notes:

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“that sites to be allocated for development in past local plan documents have been selected by a task group meeting in private and, although the local plan documents were approved for submission and adoption by full Council, it proved not possible to change which sites were included. The decisions on which sites should be included in the local plan documents were therefore effectively taken behind closed doors.

Council therefore resolves that, in the interests of transparency and democracy, development sites to be included in the submitted new Local Plan should be selected in public. Local members, parish councils, the public and site promoters should have speaking rights similar to those at planning committees”.

The Council considered the under-mentioned Motion (Agenda item 15d refers) submitted in the name of Councillor Alan Macro relating to CO2 emissions and water usage.

The Chairman informed the Council that the Motion would not be debated at the meeting. In accordance with Procedure Rule 4.9.8, it would be referred to the Planning Advisory Group for consideration and a response would be brought back to Council.

MOTION: Proposed by Councillor Alan Macro and seconded by Councillor Adrian Abbs:

That the Council notes

“that it has declared a climate emergency and adopted a policy of achieving carbon neutrality by 2030. Given that private dwellings account for around 20% of carbon dioxide emissions, it is essential for measures to be urgently taken to reduce the emissions from new dwellings and extensions to be reduced by the maximum possible. This council also notes concerns by the Environment Agency and others about the effect of water abstraction on our watercourses and, particularly, on our chalk streams. Thames Water is classified as being under serious stress.

This council therefore resolves to draw up and adopt a Supplementary Planning Document within six months requiring new dwellings and extensions to be built to standards requiring carbon dioxide emissions and water consumption to be minimised to the maximum extent consistent with government guidance.”

The Council considered the under-mentioned Motion (Agenda item 15e refers) submitted in the name of Councillor Lee Dillon relating to re-opening the Faraday Road Football Club Ground.

The Chairman informed the Council that the Motion would not be debated at the meeting. In accordance with Procedure Rule 4.9.8. it would be referred to the Executive for consideration as this motion was an Executive function.

MOTION: Proposed by Councillor Lee Dillon and seconded by Councillor Jeff Brooks:

That the Council

- “It served an eviction notice on the tenants of the Faraday Road Football site resulting in the site being vacant since June 2017
- That the Council was obligated to secure the site in its Development Agreement with St Modwen Developments Limited relating to the planned redevelopment of London Road Estate (LRE)
- That the Chief Executive of West Berkshire Council confirmed at a Newbury Vision meeting on that it would be 3 years before any works would be carried out on the site
- That the Council has foregone an income stream in rent since it evicted the tenants of the football club

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- That the Executive of West Berkshire Council agreed on in December to allocate £88,000 secure the site following the eviction.
- That the Council allowed the removal of the football stand despite it being part of an Asset of Community Value (reg. number) and part of a protected local Sports Facility Cultural Facility registered by the Council in the Core Strategy
- That according to the Councils own planning policies Area Delivery Plan Policy 2 (ADPP2) and Core Strategy Policy 18 (CS18) the Ground is protected as a facility for organised football. In regard ADPP2 the Ground is identified on the CS proposals map as a cultural facility “sports stadium” and labelled on the Map as “Football Ground”. *“Existing community facilities will be protected and, where appropriate, enhanced. These include leisure and cultural facilities, which contribute to the attraction of the town for both residents and visitors. In regard CS18 (with added emphasis) “The District’s green infrastructure will be protected and enhanced **Developments resulting in the loss of green infrastructure or harm to its use or enjoyment by the public will not be permitted. Where exceptionally it is agreed that an area of green infrastructure can be lost a new one of equal or greater size and standard will be required to be provided in an accessible location close by.**”* And supporting text para 5.124: *“For the purposes of this Core Strategy, green infrastructure is defined as: **Outdoor sports facilities (with natural or artificial surfaces, either publicly or privately owned) – including sports pitches,.....**”* and para 5.129 *“Sporting provision ranges from established sports clubs with good facilities such as **Newbury Town, Thatcham Town and Hungerford Town Football Clubs.....**”*
- That following the Court of Appeal declaring in November 2018 the Development Agreement with St Modwen “ineffective” the Council it has decided to reappraise LRE and is currently creating a development brief for the Estate.
- That the Councils Overview and Scrutiny Commission is currently undertaking a review of events that led to the decision by the Court of Appeal.

Therefore Council resolves:

- To commission a report into the costs associated with re-opening the existing football ground to include the reinstatement of the stand.
- To proceed with formal agreement on a development brief for LIRE only after the conclusion of the Overview and Scrutiny Commission investigation into the previous actions relating to the project so that any recommendations and required changes to process and authorisations can be taken into consideration and actioned.”

54. Members' Questions

A full transcription of the Member question and answer session is available from the following link: (link to pdf on website)

- (a) A question standing in the name of Councillor Phil Barnett on the subject of incentives for coach companies to get them to stop off in Newbury was answered by the Executive Member for Transport and Countryside.
- (b) A question standing in the name of Councillor Phil Barnett on the subject of the filling of pot holes was answered by the Executive Member for Transport and Countryside.

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A full transcription of the public and Member question and answer sessions are available from the following link: [Transcription of Q&As](#). *(right click on link and 'Edit Hyperlink'. Insert URL to pdf on website in 'address' field)*

(The meeting commenced at 7.00 pm and closed at 10.05 pm)

CHAIRMAN

Date of Signature

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Council's Response to a Plastic Waste Recycling petition - Additional Plastic Waste Collections

Committee considering report:	Council
Date of Committee:	09 January 2020
Portfolio Member:	Councillor Steve Ardagh-Walter
Date Portfolio Member agreed report:	10 December 2019
Report Author:	Kofi Adu-Gyamfi
Forward Plan Ref:	N/a

1. Purpose of the Report

Preamble

On the 05 September 2019, a petition was started by Ms Sukey Russell-Hayward on behalf of some concerned residents who wanted to see the collection and recycling of a wider range of plastic waste materials in West Berkshire, and improvements to recycling communications in the District. The petition obtained the necessary number of signatures to trigger a debate by the Council. **The discussion and recommendations in this paper represent the Council's formal response ahead of the plastics petition debate currently scheduled for 09 January 2020.**

- 1.1 In response to the plastics petition, to explain the relevant key issues, constraints and opportunities.
- 1.2 To set out the options available to the Council for the potential collection of new plastic waste types e.g. plastic pots, tubs and trays (PTTs) and to identify the Council's preferred option(s).
- 1.3 To explain to petitioners and stakeholders the measures the Council intends to actively consider, and potentially implement, to ensure that we continue to achieve greater recycling and resource efficiency, improved communications and suitable value for money (VfM) for the Council's ratepayers.

2. Recommendations

- 2.1 It is recommended that, as things stand, the Council does not make any changes to the existing collection service for plastic waste until there is further clarity from the UK Government on emerging waste collection requirements, funding options and the development of established offtake markets for these additional materials.
- 2.2 In the meantime, the Council will actively explore options for the separate collection of food waste at the kerbside. This will achieve considerably more environmental benefits and value for money (VfM) for the Council's ratepayers.

2.3 Additionally, the Council will improve on its recycling communications and education initiatives, so that residents are better informed on what the Council is doing to achieve greater recycling and how residents can continue to support this effort.

Context of Recommendation:

- The Council is currently one of the better performing local authorities in England when it comes to waste recycling (we recycled or composted about 50% of waste from households in 2018/19) and our kerbside collections provision is of a good quality level;
- It will cost the Council up to £1m in capital investment to make necessary modifications at the Council's materials recovery facility at Padworth, so that additional plastic stream can be sorted, plus ongoing annual revenue cost of c. £100k to collect this material;
- Collecting the materials is relatively easy compared to securing a viable recycling destination for the materials in the UK. If exported overseas as done by many of the UK authorities who collect these additional plastics, then the Council will have limited control over what happens to the waste (whether it is effectively recycled or ends up in landfills/rivers); Reference: <https://www.independent.co.uk/news/uk/home-news/recycling-waste-uk-overseas-landfill-pollution-nao-environment-defra-a8458991.html>; and
- A potentially better use of the Council's resources will be to assess options for the introduction of separate food waste collections in the District (food waste currently makes up about 25% of the residual bin). This will significantly improve the recycling performance and will have greater benefits for the environment. Introduction of separate food waste collections will have financial implications for the Council – an initial capital investment in collection vehicles and food waste caddies/containers will be required. However, this will result in ongoing revenue savings from avoided disposal/energy from waste (EfW) use. Introduction of separate food waste collections could be eligible for financial support from the Government as part of emerging national measures.

3. Implications

- 3.1 **Financial:** No financial pressure if the recommended approach is adopted. On the other hand, there could be a pressure of £500k to £1m in required capital investment plus estimate of c. £100k in ongoing revenue costs per annum, if the Council decides to collect new plastic waste streams e.g. PTTs in the short term.
- 3.2 **Policy:** None
- 3.3 **Personnel:** None
- 3.4 **Legal:** None
- 3.5 **Risk Management:** There is a low risk of limited adverse local publicity. This risk is manageable through effective and proactive communications from the Council.
- 3.6 **Property:** None
- 3.7 **Other:** None

4. Other options considered

4.1 The following options have been assessed for the collection and recycling of additional plastic waste streams e.g. PTTs (Table 1).

Table 1: Options Considered

Option	Description	Comment
Option 1	Do Nothing	This option is not being recommended
Options 2	No change for plastic collections until c. 2022 - 2023, by which time the Council will have certainty around the provision of funding by the Government and the development of a viable market for the reprocessing of these materials, preferably in the UK.	This is the recommended option.
Option 3	Implement changes to include the collection and recycling of additional plastic streams e.g. PTTs by the Council at the earliest possible date e.g. from April 2020.	This option is not being recommended.

These options are assessed in more detail in Section 6.

Executive Summary

5. Introduction / Background

- 5.1 West Berkshire Council (the Council), is both a waste collection and disposal authority. The Council currently undertakes kerbside waste collection and management service for about 68,400 households. In 2018/19, the Council achieved a recycling (and composting) rate of just under 50%. This makes the Council one of the better performing local authorities in England. The Council's recycling performance has been benchmarked against selected neighbouring authorities in Appendix D.
- 5.2 During summer/autumn 2019, a petition was launched by some concerned residents who wanted to see the collection and recycling of a wider range of plastic materials in West Berkshire, and improvements to recycling communications in the District. The petition obtained the necessary number of signatures to trigger a debate by the Council. The discussion and recommendations in this paper represent the Council's formal response to the plastics petition debate currently scheduled for 09 January 2020.
- 5.3 The Council is committed to continuing to improve its recycling performance. The Council currently collects plastic bottles as part of kerbside recycling; it does not collect other harder-to-recycle plastics such as plastic pots, tubs and trays (PTTs), polystyrene, plastic bags and film.
- 5.4 Collecting additional plastics will be relatively-speaking, the easy part; however, the additional plastic waste materials like PTTs do not currently have a viable market in the UK. There is, therefore, no guarantee that they will be recycled afterwards. A number of local authorities have suffered considerable reputational harm because some waste they have collected and exported overseas for recycling has ended up in landfills or polluting water bodies (Reference: <https://www.bbc.co.uk/news/av/science-environment-48581673/hugh-fearnley-whittingstall-finds-uk-plastic-waste-abandoned-in-malaysia>). These incidents can do lasting damage to public confidence in recycling schemes.
- 5.5 The Council and Veolia's preferred approach is to avoid collecting waste materials for recycling unless there is a market for them and reasonable assurance that they will be recycled. For this reason, we currently do not collect materials without established recycling markets and we recycle all our materials in the UK.
- 5.6 To collect the additional plastics, the Council will need to invest up to £1m in upgrading the sorting technology at the Council's Materials Recovery Facility (MRF) at Padworth, near Reading, together with another c. £100k in ongoing annual revenue costs. As indicated, there isn't yet an established market for these materials, so the investment is unlikely to deliver VfM for the Council's ratepayers.
- 5.7 The UK Government published the Resources and Waste Strategy in December 2018. Key policy measures proposed in the Strategy include requirements for consistency in waste collections and recycling, and reforms to the Extended Producer Responsibility (EPR) scheme for packaging waste. Proposals for consistency in waste recycling include the requirement for all English local authorities to collect the same core set of dry recyclable materials from households from April 2023. EPR changes are also expected to require producers to properly

fund the management of packaging waste instead of the current situation where these costs are being borne disproportionately (about 90%) by local authorities.

- 5.8 In response to upcoming Government measures, many producers are expected to switch from harder-to-recycle packaging materials to minimise environmental burdens and their financial liabilities. This means that the waste mix in c. 2023 will be different from the current one. This means that any short-term changes introduced by local authorities for plastics may soon be redundant.
- 5.9 Further clarity on the Government's final proposals and potential funding sources for local authorities will hopefully be provided in a second round of consultations expected during spring 2020; final proposal are unlikely to be confirmed before the end of 2020 or early 2021. It would be inadvisable for the Council to adopt the collection of new waste types ahead of this timeline due to the risk of uncertainty associated with the actual nature of the changes that will be required by the Government and potential funding sources for local authorities.
- 5.10 The kerbside collection of new plastic waste streams at this time will not deliver suitable VfM for the Council's ratepayers. Additionally, it is unlikely to result in any significant environmental benefit to the Council e.g. there will be no meaningful improvement to the Council's recycling performance. This is supported by the findings of a recent compositional analysis of the contents of the residual (general refuse) bins in West Berkshire conducted during summer 2019. Further details have been provided under Appendix E.

6. Proposal

- 6.1 Option 2 is the option that provides the Council with the most advantageous position, and minimises the financial and operational risks to the Council. It also strikes the right balance between embracing the opportunities e.g. funding, market development and enhanced recycling communications investment etc. that the Government's Resources and Waste Strategy measures could bring; and not adopting changes prematurely in a way that could disadvantage the Council and residents. Option 1 is unlikely to be acceptable on an indefinite basis, especially if the Government moves forward with the inclusion of PTTs in the core set of recyclable materials that local authorities will be required to collect in the near future. Option 3 on the other hand, could expose the Council to financial and reputational risks. For example, if the Council adopts these changes too quickly, only for emerging Government guidance to require further measures, this could be confusing for residents and lead to them disengaging with existing recycling services.

7. Conclusion

- 7.1 West Berkshire Council is a high-performing authority in the area of resource efficiency and achieved a recycling rate of about 50% in 2018/19. The Council remains committed to improving recycling performance and has recently introduced new measures including the installation of recycling bins in Newbury town centre and the launch of the Procycle recycling trial.
- 7.2 There is currently some uncertainty around the Government's emerging waste requirements, provision of funding to local authorities to introduce changes and plans to help develop a viable recycling market for additional plastic types in the UK.

Introduction of new collections for additional plastic waste types, at this time, will not deliver suitable VfM for the Council's ratepayers.

- 7.3 It is recommended that the Council does not implement changes to its kerbside plastic waste collections until after such time as there is further clarity from the Government (c. early to mid-2021).
- 7.4 In the meantime, the Council would undertake relevant feasibility studies and explore introducing separate food waste collections at the kerbside; this will deliver significantly better environmental and VfM benefits. The Council would also continue to improve on its recycling communications with householders and stakeholders, to ensure they have better understanding of how their waste is managed and how they can continue to contribute to improvements in recycling performance.

8. Appendices

- 8.1 Appendix A – Data Protection Impact Assessment
- 8.2 Appendix B – Equalities Impact Assessment
- 8.3 Appendix C – Supporting Information
- 8.4 Appendix D – Benchmarking of West Berkshire's Recycling Performance
- 8.5 Appendix E – Composition of West Berkshire General Refuse Bin

Appendix A

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	Place
Service:	Transport and Countryside
Team:	Waste Management
Lead Officer:	Kofi Adu-Gyamfi
Title of Project/System:	Options for the Collection of Additional Plastic Waste Streams
Date of Assessment:	10 December 2019

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p>Note – sensitive personal data is described as “<i>data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation</i>”</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be processing data on a large scale?</p> <p>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will your project or system have a “social media” dimension?</p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will any decisions be automated?</p> <p>Note – does your system or process involve circumstances where an individual's input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

Appendix B

Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

What is the proposed decision that you are asking the Executive to make:	To approve the above recommendation(s) for the collection of additional plastic waste materials.
Summary of relevant legislation:	N/A
Does the proposed decision conflict with any of the Council's key strategy priorities?	No
Name of assessor:	Kofi Adu-Gyamfi
Date of assessment:	10 December 2019

Is this a:		Is this:	
Policy	No	New or proposed	No
Strategy	No	Already exists and is being reviewed	Yes
Function	No	Is changing	No
Service	Yes		

1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	To review options for the collection and recycling of additional plastic waste streams e.g. plastic pots, tubs and trays.
Objectives:	Increase recycling service provision.
Outcomes:	Increased recycling performance.
Benefits:	Improved recycling service.

2 Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this. (Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)		
Group Affected	What might be the effect?	Information to support this
Age	None	
Disability	None	
Gender	None	

Reassignment		
Marriage and Civil Partnership	None	
Pregnancy and Maternity	None	
Race	None	
Religion or Belief	None	
Sex	None	
Sexual Orientation	None	
Further Comments relating to the item:		
None		

3 Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer: Not applicable	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	No
Please provide an explanation for your answer: Not applicable	

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

4 Identify next steps as appropriate:	
Stage Two required	No
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name: Kofi Adu-Gyamfi

Date: 10 December 2019

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.

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Options Assessment Report for the Collection and Recycling of Additional Plastic Waste Streams – Supporting Information

1. Introduction/Background

Preamble

During summer/autumn 2019, a petition was started by some concerned residents who wanted to see the collection and recycling of a wider range of plastic waste materials in West Berkshire, and improvements to recycling communications in the District. The petition obtained the necessary number of signatures to trigger a debate by the Council. **The discussion and recommendations in this paper represent the Council's formal response ahead of the plastics petition debate currently scheduled for 09 January 2020.**

1.1 West Berkshire Council (the Council), is both a waste collection and disposal authority. The Council currently undertakes waste collection and management for about 68,400 households. In 2018/19, the Council achieved a recycling (and composting) rate of just under 50%. This makes the Council one of the better performing local authorities in England and it is on course to make a positive contribution to the achievement of the UK's 2020 target of recycling at least 50% of household waste (Note: this is an EU target for the whole of the UK; this target has not been passed down by the UK Government onto individual local authorities).

1.2 The Council's recycling service is managed by Veolia, under the long-term waste PFI contract. Dry recyclable materials currently collected at the kerbside in West Berkshire include:

- Plastic bottles, aerosols, can and tins;
- Glass bottles and jars;
- Paper and cardboard; and
- Textiles.

The recyclable materials collected from households and the household waste recycling centres (HWRCs) in West Berkshire are sent to the Council's Materials Recovery Facility (MRF) at Padworth, near Reading, for sorting before being transported to reprocessors in the UK.

1.3 Even though the Council currently collects plastic bottles from households, it does not collect other harder-to-recycle plastics such as plastic pots, tubs and trays (PTTs), polystyrene, plastic bags and film, as part of the existing kerbside recycling service. During July - August 2019, a petition was started by some residents requesting that the Council should provide improved services for the collection and recycling of domestic plastic waste, and provide better communications on recycling. This was linked with press reports

that some residents were offering collection points at their homes for additional plastic waste and driving these to nearby supermarkets for recycling.

1.4 Whilst plastic bottles have an established offtake market, these additional plastic waste materials such as PTTs do not currently have a viable UK market. The range of polymers found in these additional plastic materials cannot be successfully sorted in the Council's MRF without the need for significant further investment in new equipment, which at this stage would be prohibitively expensive for the Council.

1.5 How come many local authorities and some supermarkets manage to collect PTTs but West Berkshire doesn't?

It is true that many UK English local authorities collect PTTs (estimates of between 70 and 80% of councils). However, the key point to note is that the fact that a material is collected does not necessarily mean it is actually recycled. As indicated, there is currently not a viable market for these additional plastics in the UK. This means those additional plastic materials are typically exported overseas for recycling. Once exported, there is very limited control over what actually happens to the materials. A report by the National Audit Office (NAO) in July 2018 found that there the existing Government oversight measures for monitoring exported recycling were not robust enough and the NAO was critical of UK authorities for relying "on exporting materials to other parts of the world without adequate checks to ensure this material is actually recycled" (Reference: <https://www.nao.org.uk/wp-content/uploads/2018/07/The-packaging-recycling-obligations.pdf>). This led to some unfavourable media reports of UK recycling potentially ending up in overseas landfills and rivers (Reference: <https://www.independent.co.uk/news/uk/home-news/recycling-waste-uk-overseas-landfill-pollution-nao-environment-defra-a8458991.html>). Furthermore, a recent BBC investigation found that plastic waste from some UK local authorities had been dumped in a Malaysian landfill and address labels on some of the packaging was used to identify the councils from which the waste could have originated (Reference: <https://www.bbc.co.uk/news/av/science-environment-48581673/hugh-fearnley-whittingstall-finds-uk-plastic-waste-abandoned-in-malaysia>). This resulted in considerable reputational harm to the UK local authorities implicated.

The Council and Veolia's preferred approach is to avoid collecting waste materials for recycling unless there is suitable assurance that they will be recycled. We believe this is the most suitable approach for ensuring we are transparent and accountable in how we engage with our residents for recycling; this approach also minimises the risk of inadvertently contributing to environmental pollution overseas.

In the instances where some nearby supermarkets have been accepting a wider range of plastics than currently allowed under West Berkshire's kerbside collection service, it is important to emphasise that it is entirely appropriate for producers and retailers to take ownership and bear greater financial responsibility for the packaging they put on the market. This is at the heart of the Government's proposed reforms to the Extended Producer Responsibility (EPR) scheme for packaging waste. Current estimates are that local authorities are disproportionately bearing the costs for managing packaging waste i.e. about 90% of these costs, whilst producers are only paying about 10% of these costs.

1.6 The UK Government published the Resources and Waste Strategy in December 2018, with the aim of helping the UK to move to a more circular economy and become a world leader in resource efficiency. This was followed by consultations during early 2019 on some key policy measures set out in the Strategy, such as consistency in waste

collections and recycling for households and businesses, a deposit return scheme (DRS) for selected packaging materials, and reforms to the packaging EPR scheme.

1.7 The consultation on consistency recycling is particularly relevant to this discussion. For example, the proposals consulted on include the Government's ambition for all UK local authorities to collect the same core set of dry recyclable materials from households from April 2023. The only material types on the initial core set proposal that is not currently collected by the Council are PTTs. Importantly, the Government has made commitments, in the Strategy consultations and via other ministerial responses, to funding any new financial burdens placed on local authorities in the adoption of required new waste collection and recycling measures. This funding is anticipated to cover both upfront investments in vehicles or bins, and ongoing operational costs linked to waste collection and recycling. Under packaging EPR reforms, producers will be required to bear greater financial responsibility for the management of packaging they place on the market. Some of the funds raised from the EPR system will be used to fund local authority costs for managing packaging and support comprehensive recycling communications with householders at both national and local levels.

1.8 Potential reforms to the packaging EPR system could result in producers changing their manufacturing processes and a shift away from the use of specific packaging types e.g. PTTs to minimise their cost liabilities under the new EPR system. This is because the EPR system will likely use modulated fees, whereby producers will be required to pay more for the management of packaging types which are harder to recycle or for which the offtake market is not fully established, to incentivise producers to move to more recyclable packaging materials. In other words, **some of the additional plastic waste streams currently in use may not be used on a large scale by manufacturers in the near future**. Some changes in packaging formats are already under way and many retailers are offering plastic-free aisles and refill options for various products from cereals to cosmetics. Given the uncertainties and the changes anticipated ahead of the implementation date (c. April 2023) for the new Strategy measures, it will not be advisable for the Council to introduce the collection of new plastic materials at great financial cost.

1.9 Further clarity on final Government proposals and potential funding availability will hopefully be provided in a second round of consultations expected during spring 2020, in which the Government will set out its preferred options for various consistency, DRS and packaging EPR measures. It is possible that the core set will be amended in the final Government proposals based on stakeholder feedback. The Government is also anticipated to publish statutory guidance covering minimum service standards for waste collection and recycling in England around the same time as these second stage consultations. **The final set of Government proposals may not be settled until the end of 2020 or early 2021**. It may be inadvisable for local authorities to adopt the collection of a new material stream ahead of this timeline; it is possible that more changes would be required by the Government following further engagement with stakeholders.

1.10 The collection of new plastic waste streams is unlikely to result in any significant environmental benefit to the Council or help to meaningfully improve the Council's recycling performance. This is supported by the findings of a recent compositional analysis of the contents of the residual (i.e. general refuse) bins in West Berkshire conducted during summer 2019. Further details have been provided under Section 2.

1.11 **Procycle Recycling Trial:** The Council remains committed to improving its recycling performance and will continue to work with Veolia to explore additional ways of delivering value for money (VfM) recycling services to residents. For example, under the

leadership of the Executive Member for the Environment, the Council has started a trial of Veolia's Procycle¹ recycling initiative targeting harder-to-recycle plastic materials from November 2019. Under the trial, recycling boxes have been positioned in Council and public buildings including the Market Street and West Street House Council office buildings in Newbury, Newbury Library, Northcroft Leisure Centre and Theale Library. The materials being targeted for collection are sweet wrappers, plastic toys and empty toiletries bottles used in the Council's staff showers and changing rooms. The Council has circulated a press release to [publicise](#) the launch of the Procycle initiative and initial feedback from the public especially on social media has been very positive.

1.12 Additionally, 8 new recycling bins were installed in Newbury town centre in September 2019 to help capture more plastic bottles and metal cans used on-the-go by the public. The Council will actively monitor the success of these new recycling schemes e.g. the effectiveness of public participation and contamination levels, and assess whether it will be environmentally beneficial and deliver value for money (VfM) to roll them out on a wider scale to other parts of the District.

1.13 Improvements in waste recycling and sustainable resource use will contribute to the Council's strategic priorities e.g. to "maintain a green district" and support the achievement of the measures emanating from the Council's declaration of a Climate Emergency in July 2019. Better waste and resource efficiency will also support the objectives set out in the Council's forthcoming Environment Strategy.

2. Supporting Information

2.1 **Compositional Analysis of Residual Waste Bins:** to better understand the potential opportunity to improve recycling, the Council conducted composition analyses of black bin waste collected in West Berkshire during winter 2018 and summer 2019. The results of the latest survey has been shown graphically under Appendix E. This indicates the amount of food waste in the black bin (about 25%) is significantly higher than the amount of PTTs (3.5%), with the potential to improve the Council's recycling performance if food waste were to be collected separately. Separate collection of food waste could increase the current recycling rate from c. 50% to 57.2%, compared with 50.8% if PTTs were collected. Separate food waste collection will be beneficial for the environment - especially if anaerobic digestion (AD) is used for its treatment instead of composting - and also result in significant financial savings for the Council. Feasibility work for the potential separate collection of food waste will be undertaken from early 2020.

2.2 Initial assessments indicate that a significantly high investment of c. £500k to £1m will be required in MRF sorting technology upgrades at the Padworth facility to enable PTTs to be sorted effectively. There will also be additional costs linked to the introduction of at least one more kerbside collection round and associated collection crew. These significant costs aside, the PTTs extracted will then have no viable UK recycling market, as things stand, and may have to be sent to EfW facilities.

2.3 An important consideration is that if the Council implements the collection of additional plastic streams e.g. PTTs too far ahead of the Government's April 2023 proposed start date, then without prior assurances of Government funding, the Council may not be able to make a justifiable claim for retrospective funding.

¹ <https://www.veolia.co.uk/press-releases/new-procycle-service>

3. Options for Consideration

3.1 The following options have been assessed for the collection and recycling of additional plastic waste streams e.g. PTTs (Table 1).

Table 1: Options Considered

Option	Description	Comment
Option 1	Do Nothing	This option is not being recommended
Options 2	No change until c. 2022 - 2023, by which time the Council will have certainty around the provision of funding by the Government and the development of a viable market for the reprocessing of these materials, preferably in the UK.	This is the recommended option.
Option 3	Implement changes to include the collection and recycling of additional plastic streams e.g. PTTs by the Council at the earliest possible date e.g. from April 2020.	This option is not being recommended.

These options are assessed in more detail in Section 4.

4. Proposals

4.1 Option 2 is the option that provides the Council with the most advantageous position, and minimises the financial and operational risks to the Council. It also strikes the right balance between embracing the opportunities e.g. funding, market development and enhanced recycling communications investment etc. that the Government’s Resources and Waste Strategy measures could bring; and not adopting changes prematurely in a way that could disadvantage the Council and residents. Option 1 is unlikely to be acceptable on an indefinite basis, especially if the Government moves forward with the inclusion of PTTs in the core set of recyclable materials that local authorities will be required to collect in the near future. Option 3 on the other hand, could expose the Council to financial and reputational risks. For example, if the Council adopts these changes too quickly, only for emerging Government guidance to require further measures, this could be confusing for residents and lead to them disengaging with existing recycling services.

4.2 **Improving Communications:** the Council will be implementing further improvements to how we communicate recycling messages to householders. It is apparent that some residents do not fully understand the good work that the Council is currently doing in the area of recycling and also where their collected waste ends up. We will be using the range of available tools including social media channels, newsletters to households, bin hangers and recycling-centred story books for local school pupils. The livery on the existing waste collection fleet would be updated in the coming months with positive recycling messages that can engage householders.

5. Conclusion

5.1 West Berkshire Council is a high-performing authority in the area of resource efficiency and achieved a recycling rate of about 50% in 2018/19. The Council remains committed to improving recycling performance and has recently introduced new measures including the installation of recycling bins in Newbury town centre and the launch of the Procycle recycling trial.

5.2 There is currently uncertainty around the Government's emerging waste requirements, provision of funding to local authorities to introduce changes and plans to help develop a viable recycling market for additional plastic types in the UK. Introduction of new collections for additional plastic waste types, at this time, will not deliver suitable VfM for the Council's ratepayers.

5.3 It is recommended that the Council does not implement changes to its kerbside plastic waste collections until after such time as there is further clarity from the Government (c. early to mid-2021).

5.4 In the meantime, the Council will actively explore introducing separate food waste collections at the kerbside; this will deliver significantly better environmental and VfM benefits for the Council's stakeholders. The Council will also continue to improve on its recycling communications with householders to ensure they have better understanding of how their waste is managed.

6. Consultation and Engagement

6.1 This matter was discussed at a recent Strategic PFI Contract Meeting held on 19 September 2019 between relevant senior Council and Veolia representatives.

6.2 An options assessment paper on this topic with relevant recommendations was presented to the Council's Environment Board on 17 October 2019.

6.3 Another paper on this matter was also presented to Corporate Board on 19 November and 03 December 2019.

6.4 This paper was presented to the Council's Operations Board on 19 December 2019.

Background Papers:

None

NOTE: The section below does not need to be completed if your report will not progress beyond Corporate or Operations Board.

Subject to Call-In:

Yes: No:

If not subject to call-in please put a cross in the appropriate box by double-clicking on the box and selecting 'Checked':

The item is due to be referred to Council for final approval

Delays in implementation could have serious financial implications for the Council

Delays in implementation could compromise the Council's position

Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months

Item is Urgent Key Decision

Report is to note only

Wards affected: *(add text)

Please put a cross in the appropriate box(es) by double-clicking on the box and selecting 'Checked':

Strategic Priorities Supported:

The proposals contained in this report will help to achieve the following Council Strategy priority(ies):

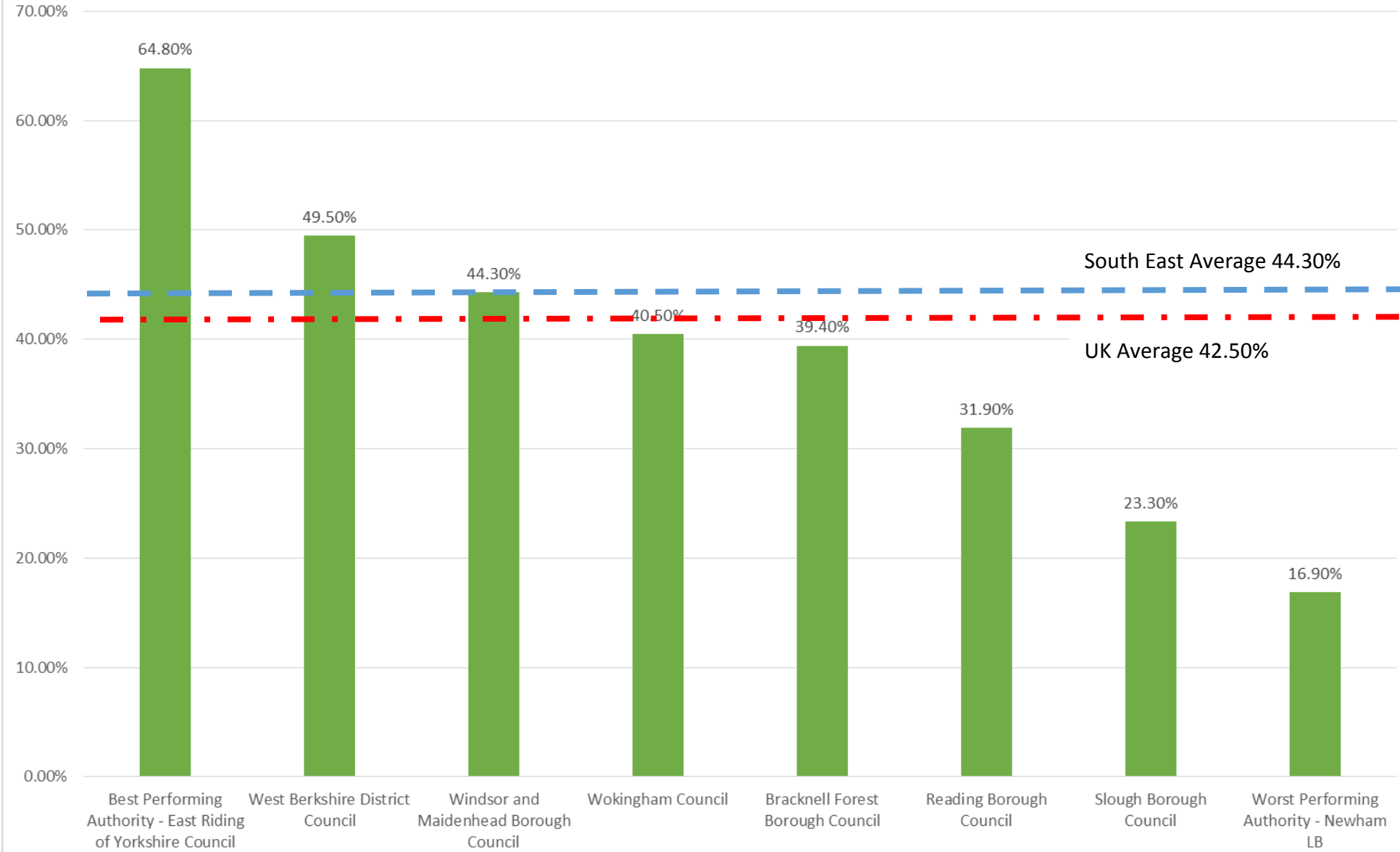
- PC1: Ensure our vulnerable children and adults achieve better outcomes**
- PC2: Support everyone to reach their full potential**
- OFB1: Support businesses to start, develop and thrive in West Berkshire**
- GP1: Develop local infrastructure to support and grow the local economy**
- GP2: Maintain a green district**
- SIT1: Ensure sustainable services through innovation and partnerships**

The proposals contained in this report will help to achieve the above Council Strategy priorities by [April 2023](#).

Officer details:

Name: Kofi Adu-Gyamfi
Job Title: Waste Manager
Tel No: 01635519216 (Ext. 2216)
E-mail Address: Kofi.Adu-Gyamfi1@westberks.gov.uk

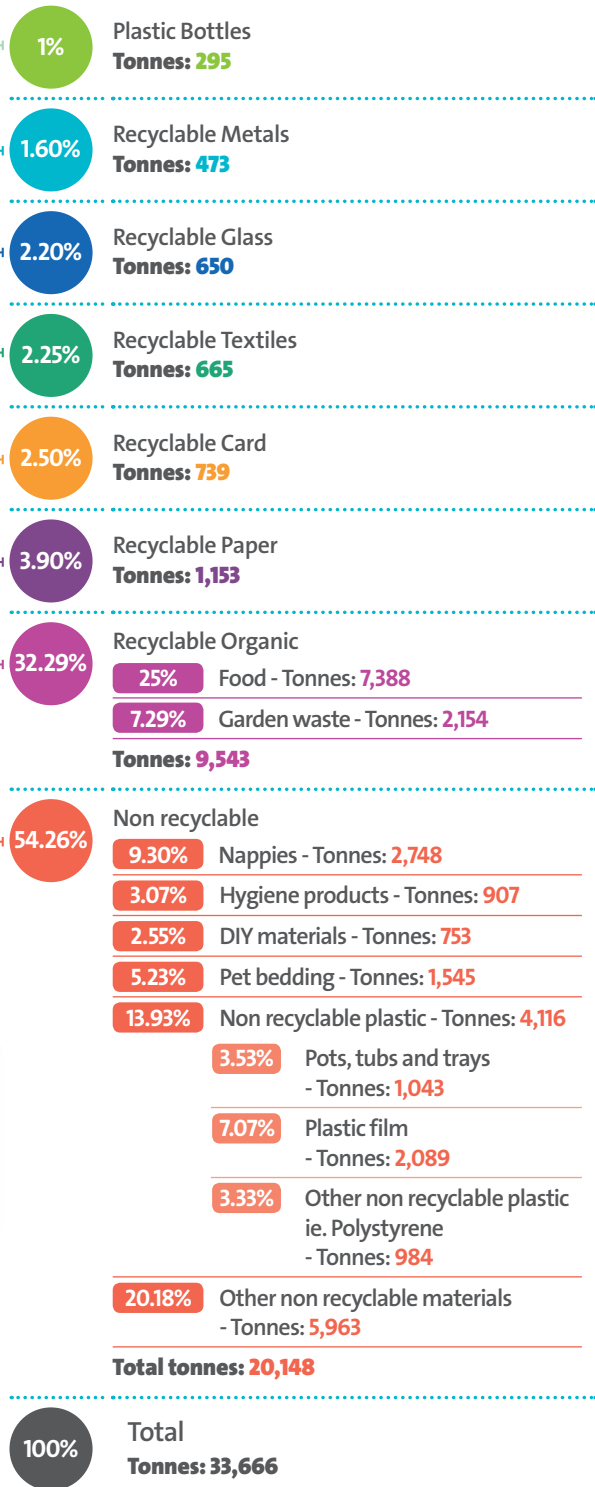
Percentage of household waste sent for reuse, recycling or composting



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THE COMPOSITION OF THE GENERAL WASTE BIN*

OVER 45% OF WASTE THROWN AWAY CAN BE RECYCLED



*West Berkshire kerbside-collected residual waste bin – compositional survey conducted during 2018/2019



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West Berkshire District Council Individual Executive Member Decision Record Sheet






Forward Plan Reference	Service Grouping
ID3805	Place

Title:	Response to a Motion relating to road and pedestrian safety issues on Bowling Green Road, Thatcham								
Recommendation by Officer:	<p>That the Portfolio Member for Transport and Countryside approves the proposals set out in Section 9 of the report and as follows:</p> <ul style="list-style-type: none"> That works to remove vegetation from locations identified in Appendix C are undertaken as soon as is practically possible and included within the Countryside team's rota for cyclic routine maintenance that is being developed to be proactive to the cutting back and maintenance of vegetation adjacent to the Highway rather than wait for requests for reactive works and the long reach arm is installed on the terminal sign at Tull Way to bring it out more into view. 								
Purpose of Recommendation:	To inform the Portfolio Member for Transport and Countryside of the findings of a safety evaluation review of Bowling Green Road due to perceived safety problems along its entire length.								
Decision Taken:	<i>As 'recommendation by officer' above.</i>								
Reason for Decision Taken:	<i>As 'purpose of recommendation' above.</i>								
Options Considered:	n/a								
Those Consulted and a Summary of Comments Received:	<p>Members:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Leader of Council:</td> <td>Councillor Lynne Doherty</td> </tr> <tr> <td>Overview & Scrutiny Management</td> <td>Councillor Alan Law</td> </tr> <tr> <td>Commission Chairman:</td> <td></td> </tr> <tr> <td>Ward Members:</td> <td>Councillor Jeff Brooks and Councillor Keith Woodhams</td> </tr> </table>	Leader of Council:	Councillor Lynne Doherty	Overview & Scrutiny Management	Councillor Alan Law	Commission Chairman:		Ward Members:	Councillor Jeff Brooks and Councillor Keith Woodhams
Leader of Council:	Councillor Lynne Doherty								
Overview & Scrutiny Management	Councillor Alan Law								
Commission Chairman:									
Ward Members:	Councillor Jeff Brooks and Councillor Keith Woodhams								

	Opposition Spokesperson: Councillor Alan Macro Local Stakeholders: Not consulted at this stage. Officers Consulted: Jon Winstanley, Neil Stacey and Gareth Dowding Trade Union: Not applicable
Background Papers:	n/a
Exempt Information:	n/a
Declarations of Interest:	n/a

I confirm that I have been fully advised and have taken account of all the relevant facts in making this decision.

Is the Decision subject to Call In		Date Decision Made	Date Decision will be Implemented (5 clear days)
Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>	23 December 2019	03 January 2020

Portfolio Member:	Signed: 	Print Name: Councillor Richard Somner
Director or representative:	Signed: 	Print Name: Gareth Dowding
Witnessed by:	on behalf of  Head of Strategic Support	Print Name: Stephen Chard
Date:	23 December 2019	

Summary of Executive Decision taken on 19 December 2019

Part I

Response to a Motion on reopening London Road Industrial Estate Football Ground (EX3844) (Item 4.)

Resolved that:

- The Council does not re-open the LRIE football ground.
- The Executive proceeds with plans to open the ground as an informal area of grassland for general sports and recreational use until such time as the ground is required as part of the LRIE redevelopment.
- The Executive approves a budget of £85,000 to appoint consultants to produce a new development brief and masterplan for the LRIE.
- In the New Year, consultants are appointed by competitive tender to review and plan the reprovision of football facilities elsewhere within Newbury.

This decision is eligible to be 'called-in'. However, if the decision has not been 'called-in' by 5.00pm on 30 December 2019, then it will be implemented.

If you have any queries regarding these decisions, please contact:
Moira Fraser, Democratic Services Manager
Tel: (01635) 519045 or e-mail: moira.fraser@westberks.gov.uk

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Motion to Council - Selection of Development Sites for New Local Plan

Committee considering report:	Council
Date of Committee:	09 January 2020
Portfolio Member:	Councillor Hilary Cole
Date Portfolio Member agreed report:	01 December 2019
Report Author:	Bryan Lyttle
Forward Plan Ref:	C3842

1. Purpose of the Report

1.1 At the September meeting of Council the following motion was submitted:

“This council notes that sites to be allocated for development in past local plan documents have been selected by a task group meeting in private and, although the local plan documents were approved for submission and adoption by full Council, it proved not possible to change which sites were included. The decisions on which sites should be included in the local plan documents were therefore effectively taken behind closed doors.

Council therefore resolves that, in the interests of transparency and democracy, development sites to be included in the submitted new Local Plan should be selected in public. Local members, parish councils, the public and site promoters should have speaking rights similar to those at planning committees”.

1.2 The Chairman informed the Council that the Motion would not be debated at the meeting. In accordance with Procedure Rule 4.9.8, it would be referred to the Planning Advisory Group for consideration and a response would be brought back to Council.

1.3 The Planning Advisory Group considered the attached report (appendix C) at its meeting in November 2019.

1.4 At this meeting it was clarified that the request related to the final stage of the process prior to the Submission Draft Local Plan going to Council for approval and submission to the Secretary of State, not the start of the process which has seen over 260 sites put forward for consideration.

1.5 The main legislation setting out the process for the preparation of Local Plans is found in Part 2 of the Planning and Compulsory Purchase Act 2004 (as amended) and Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). This regulatory framework includes a formal public consultation. Therefore, it is considered that the options available are:

- A) to follow this process; or

- B) to deviate from it and undertake additional consultation at an additional cost to the council.

2. Recommendation

2.1 For the reasons set out in this report the motion to Council is not supported.

3. Implications

3.1 **Financial:** If the motion was supported the production of the local plan would be delayed and additional unbudgeted costs incurred.

3.2 **Policy:** Part 2 of the Planning and Compulsory Purchase Act 2004 (as amended) and The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), legislate for the preparation of a local plan.

3.3 **Personnel:** Not Applicable

3.4 **Legal:**

3.5 **Risk Management:**

3.6 **Property:**

3.7 **Other:**

4. Other options considered

4.1 None

Executive Summary

5. Introduction / Background

5.1 At the September meeting of Council the following motion was submitted:

“This council notes that sites to be allocated for development in past local plan documents have been selected by a task group meeting in private and, although the local plan documents were approved for submission and adoption by full Council, it proved not possible to change which sites were included. The decisions on which sites should be included in the local plan documents were therefore effectively taken behind closed doors.

Council therefore resolves that, in the interests of transparency and democracy, development sites to be included in the submitted new Local Plan should be selected in public. Local members, parish councils, the public and site promoters should have speaking rights similar to those at planning committees”.

5.2 The Chairman informed the Council that the Motion would not be debated at the meeting. In accordance with Procedure Rule 4.9.8, it would be referred to the Planning Advisory Group for consideration and a response would be brought back to Council.

5.3 The Planning Advisory Group considered the attached report (appendix C) at its meeting in November 2019.

5.4 At this meeting it was clarified that the request related to the final stage of the process prior to the Submission Draft Local Plan going to Council for approval and not the start of the process which has seen over 260 sites put forward for consideration.

6. Proposals

6.1 Members were informed that the Town and Country Planning (Local Planning) (England) Regulations 2012 covers everything from preparation of a local plan, to publication, submission and Independent examination.

6.2 Part of this process includes the publication of a “Statement of Consultation”. The statement produced for the Housing Site Allocations Development Plan Document in 2016 shows that at the first consultation 8,484 comments were received from 4,488 consultees and the second stage consultation received 3,017 comments from 616 consultees. All of which was before the plan was submitted to the Examination in Public in front of an independent Planning Inspector.

6.3 This cannot be considered a “behind closed doors process”.

6.4 The Independent Planning Inspector during the hearings held a session for each of the four spatial planning areas on “Consideration of Alternative Sites for Housing” during which Parish Councils and members of the public as well as developers were invited to participate. Members will recall that following the examination the Inspector took none of the sites proposed by the Council out of the final plan and

also he did not include any additional sites proposed by site promoters and developers.

- 6.5 The report also noted the ability of local communities to undertake Neighbourhood Planning, which has increased to eight communities. It should be remembered that neighbourhood planning allows communities (parishes) to develop a shared vision for their neighbourhood and shape development and growth in their local area.

7. Conclusions

- 7.1 Given the level of community involvement demonstrated in the Statement of Consultation for the HSA DPD, it was felt that the process is very clear, well documented, transparent and democratic and could not be classed as being “behind closed doors”.
- 7.2 It was proposed and agreed by PAG that the regulations would continue to be followed and consultation on the emerging local plan as appropriate as set out in the statement of community involvement (SCI).

8. Recommendation

- 8.1 For the reasons set out in this report the motion to Council is not supported.

9. Appendices

- 9.1 Appendix A – Data Protection Impact Assessment
- 9.2 Appendix B – Equalities Impact Assessment
- 9.3 Appendix C – Supporting Information

Appendix A

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	Place
Service:	Development and Planning
Team:	Planning Policy
Lead Officer:	Bryan Lyttle
Title of Project/System:	Motion to Council on additional consultation
Date of Assessment:	10/12/201

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p>Note – sensitive personal data is described as “<i>data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation</i>”</p>	<input type="checkbox"/>	X
<p>Will you be processing data on a large scale?</p> <p>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</p>	<input type="checkbox"/>	X
<p>Will your project or system have a “social media” dimension?</p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>	<input type="checkbox"/>	X
<p>Will any decisions be automated?</p> <p>Note – does your system or process involve circumstances where an individual’s input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</p>	<input type="checkbox"/>	X
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>	<input type="checkbox"/>	X
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>	<input type="checkbox"/>	X
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>	<input type="checkbox"/>	X

If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

Appendix B

Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

What is the proposed decision that you are asking the Executive to make:	
Summary of relevant legislation:	Town and Country Planning (Local Planning) (England) Regulations 2012 National Planning Policy Framework 2012 (as amended) Planning Practice Guidance (as amended)
Does the proposed decision conflict with any of the Council's key strategy priorities?	No
Name of assessor:	Bryan Lyttle
Date of assessment:	10/12/2019

Is this a:		Is this:	
Policy	Yes	New or proposed	Yes
Strategy	No	Already exists and is being reviewed	Yes
Function	No	Is changing	Yes/No
Service	No		

1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	
Objectives:	
Outcomes:	
Benefits:	

2 Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.		
(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)		
Group Affected	What might be the effect?	Information to support this
Age		

Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Further Comments relating to the item:		
All groups are equally impacted as the policy does not discriminate since it applies to the provision of all new housing.		

3 Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer: All groups are equally impacted as the policy does not discriminate since it applies to the provision of all new housing.	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	No
Please provide an explanation for your answer:	

If your answers to question 2 have identified potential adverse impacts and you have answered ‘yes’ to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

4 Identify next steps as appropriate:	
Stage Two required	
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name: Bryan Lyttle

Date: 10/12/2019

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.

Motion to Council – Selection of Development Sites for the New Local Plan

1. Introduction/Background

1.1 At the September meeting of Council the following motion was submitted:

“This council notes that sites to be allocated for development in past local plan documents have been selected by a task group meeting in private and, although the local plan documents were approved for submission and adoption by full Council, it proved not possible to change which sites were included. The decisions on which sites should be included in the local plan documents were therefore effectively taken behind closed doors.

Council therefore resolves that, in the interests of transparency and democracy, development sites to be included in the submitted new Local Plan should be selected in. Local members, parish councils, the public and site promoters should have speaking rights similar to those at planning committees”.

1.2 The Chairman informed the Council that the Motion would not be debated at the meeting. In accordance with Procedure Rule 4.9.8, it would be referred to the Planning Advisory Group for consideration and a response would be brought back to Council.

2. Supporting Information

2.1 The Town and Country Planning (Local Planning) (England) Regulations 2012 covers everything from preparation of a local plan, to publication, submission and Independent examination. Part of this process includes the publication of a “Statement of Consultation”. The statement produced for the Housing Site Allocations Development Plan Document in 2016 states:

2.13 → Views on the preferred options Housing Site Allocations DPD (both the preferred options DPD and the Policies for Housing in the Countryside) were invited by the following methods:¶

- → Email to all Council Members (see Appendix D and Appendix L). ¶
- → Publication of consultation documents and comments forms for the development plan document (see Appendix E and Appendix M for a copy of the comments forms). The relevant documents were published on the Council’s website¶; and a small number of hard copies were available as set out below;¶

- → Email/letter to all consultees on the Planning Policy Consultation Database, all Town and Parish Councils, all neighbouring Town and Parish Councils, all adjacent local authorities and relevant internal officers (see Appendix F and Appendix N for a copy of the letters/emails);¶
- → Letter to properties within 100m of preferred option site allocations (see Appendix G);¶
- → Issue of press release (see Appendix H); ¶
- → Copy of the DPD available at the Council's main Market Street office, in all of the districts libraries, and in two Reading libraries close to the district's eastern boundary (Tilehurst and Southcote). A covering memo/letter (see Appendix I and Appendix O) was included which outlined why a Housing Site Allocations DPD was being undertaken, the purpose of the preferred options consultation, and the timing of the consultation. The memo/letter also included the address of the appropriate web pages and the contact details for the Planning Policy team. ¶

¶

2.14 → Prior to the consultation, a letter was sent on 3 July 2015 to the Parish and Town Council clerks with a brief article advising them that it may be of use for circulation lists, websites and parish newsletters (see Appendix J). A poster advertising the consultation was also sent to the Parish and Town Council clerks for display on parish notice boards (see Appendix K). ¶

2.2 This process attracted 8,484 comments from 4,488 consultees.

2.3 In addition and following the preferred options consultation, it was felt appropriate to brief not only the members of the Planning Advisory Group but also ward members on the key issues raised in representations, further technical work undertaken (including landscape capacity assessments and transport assessments) to inform site selection and the emerging officer conclusions and recommendations.

2.4 The proposed submission Housing Site Allocations DPD was then subject to a final public consultation which all Parish/Town Councils, West Berkshire elected members and everyone who responded to the previous consultation and supplied their email address (4,488) were entitled to respond to. The consultation was also publicised with consultation posters and a press release. This received 3,017 comments from 616 consultees.

2.5 After all this the plan was then subject to the Examination in Public.

2.6 The Independent Planning Inspector during the hearings held a session for each of the four spatial planning areas on "Consideration of Alternative Sites for Housing". Members will recall that following the examination the Inspector took none of the sites proposed by the Council out of the final plan and also he did not include any additional sites proposed by site promoters and developers.

2.7 It should also be noted that Neighbourhood Planning was already in existence at the time of the HSA DPD and was embraced by Stratfield Mortimer who got their Neighbourhood Plan adopted following a referendum in June of 2017. Planning Policy officers are now working with neighbourhood planning groups in a further

seven communities: Burghfield, Cold Ash, Compton, Hermitage, Hungerford, Lambourn, Tilehurst.

2.8 It is very clear and well documented that the process of allocating sites for the HSA DPD was transparent and democratic.

3. Options for Consideration

3.1 Given that the Town and Country Planning (Local Planning) (England) Regulations 2012 legislate for the preparation of a local plan, which includes public consultation, it is considered that the options are:

- A) to follow this process; or
- B) to deviate from it and undertake additional consultation at an additional cost to the council.

4. Proposals

4.1 Officers propose to follow the regulations and consult on the emerging local plan review as appropriate.

5. Conclusion

5.1 For the reasons set out in this report the motion to Council is not supported.

6. Consultation and Engagement

6.1 Planning Advisory Group

Background Papers:

None

Subject to Call-In:

Yes: No:

The item is due to be referred to Council for final approval



Wards affected: All

Strategic Priorities Supported:

The proposals contained in this report will help to achieve the following Council Strategy priority:

GP1: Develop local infrastructure to support and grow the local economy

Officer details:

Name: Bryan Lyttle
Job Title: Planning and Transportation Policy Manager
Tel No: 2638
E-mail Address: bryan.lyttle@westberks.gov.uk

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Motion to Council requesting a Supplementary Planning Document within 6 months requiring new dwellings to minimise CO₂ and H₂O Summary Report

Committee considering report:	Council
Date of Committee:	09 January 2020
Portfolio Member:	Councillor Hilary Cole
Date Portfolio Member agreed report:	01 December 2019
Report Author:	Bryan Lyttle
Forward Plan Ref:	C3843

1. Purpose of the Report

- 1.1 At the September meeting of Council the following motion was submitted:

“This council notes that it has declared a climate emergency and adopted a policy of achieving carbon neutrality by 2030. Given that private dwellings account for around 20% of carbon dioxide emissions, it is essential for measures to be urgently taken to reduce the emissions from new dwellings and extensions to be reduced by the maximum possible. This council also notes concerns by the Environment Agency and others about the effect of water abstraction on our watercourses and, particularly, on our chalk streams. Thames Water is classified as being under serious stress.

This council therefore resolves to draw up and adopt a Supplementary Planning Document within six months requiring new dwellings and extensions to be built to standards requiring carbon dioxide emissions and water consumption to be minimised to the maximum extent consistent with government guidance”.

- 1.2 The Chairman informed the Council that the Motion would not be debated at the meeting. In accordance with Procedure Rule 4.9.8, it would be referred to the Planning Advisory Group for consideration and a response would be brought back to Council.
- 1.3 The Planning Advisory Group considered the attached report (appendix C) at its meeting in November 2019.

2. Recommendations

- 2.1 The motion to the Council seeks the introduction of an SPD for CO₂ and H₂O, while this is possible it would not be advisable to do so as any SPD would not be enforceable under planning legislation as it would not be in conformity with both national and our local planning policies.

- 2.2 In order for the Council to progress such a policy as proposed, it will have to part of the new local plan and subject to consultation and examination in public and this is the intention.
- 2.3 However, this does not prevent the Council from progressing with the Environment Strategy, the consultation on which ends on the 21st February 2020, and which aims to make West Berkshire Council is carbon neutral by 2030.
- 2.4 For the reasons set out in this report the motion to Council is not supported.

3. Implications

- 3.1 **Financial:** If the Council was to introduce a SPD on this issue in advance of the local plan it would expose the Council to appeals as developers sought to remove the condition in their planning applications. It is highly likely that these appeals would include cost applications as the Council had acted outside of both National and Local Planning policy.
- 3.2 **Policy:** The Council has declared a Climate Emergency, and is progressing with its Environment Strategy which aims to make the Council and West Berkshire carbon neutral by 2030.
- In order for planning permissions to be granted permissions must conform to both national planning policy and local planning policy. If it doesn't then it opens up the Council to risk of legal challenge. In addition new development must also conform to the building regulations. If the authority was to deviate away from this then the developer could challenge the authority and apply for costs as the Council has acted "unreasonably". The new local plan will cover this issue and the evidence is currently being collected from the Building Research Establishment and the Construction Industry Products Association to support this work.
- 3.3 **Personnel:** Not Applicable
- 3.4 **Legal:**
- 3.5 **Risk Management:**
- 3.6 **Property:**
- 3.7 **Other:**

4. Other options considered

- 4.1 A new policy in the Local Plan section 3.3 of appendix C sets out the benefits of such an approach.

Executive Summary

5. Introduction / Background

5.1 At the September meeting of Council the following motion was submitted:

“This council notes that it has declared a climate emergency and adopted a policy of achieving carbon neutrality by 2030. Given that private dwellings account for around 20% of carbon dioxide emissions, it is essential for measures to be urgently taken to reduce the emissions from new dwellings and extensions to be reduced by the maximum possible. This council also notes concerns by the Environment Agency and others about the effect of water abstraction on our watercourses and, particularly, on our chalk streams. Thames Water is classified as being under serious stress.

This council therefore resolves to draw up and adopt a Supplementary Planning Document within six months requiring new dwellings and extensions to be built to standards requiring carbon dioxide emissions and water consumption to be minimised to the maximum extent consistent with government guidance”.

6. Proposals

6.1 The motion was discussed at the Planning Advisory Group in November 2019 as requested by the Chairman of the Council (appendix C).

6.2 Members were informed that the provision of new dwellings must comply with both the national and local planning regulations as well as the nationally approved Building Regulations 2010 (as amended).

6.3 The legislation relating to the provisions of “Supplementary Planning Documents” was also outlined in detail as was the provisions of the Planning and Energy Act 2008, the Written Ministerial Statement on Plan Making dated 25th March 2015 and Planning Practice Guidance revision date 15th March 2019.

6.4 The report considered a new SPD but states that such an SPD would not be able to compel developers to go above and beyond what was in the Current Building Regulations and Core Strategy.

6.5 If the Council introduced an SPD now with higher standards and was then to refuse planning permissions for new development that did not go beyond the existing Building Regulations (which are to Code level 4) for example, a developer could appeal and the Council would be liable for costs for unreasonable behaviour.

6.6 The report also answered the question “Why have other authorities been able to introduce a new policy approach?” and the answer is that they have had their local plan policies examined by an Independent Planning Inspector at a local plan public inquiry after the Ministerial Statement of March 2015.

6.7 The existing local plan had a policy requiring Zero Carbon Homes by 2016 which although approved in 2012, was overtaken by Government policy and it has been officers’ intention to provide an updated policy for inclusion in the new local plan, the draft of which will be produced for consultation next summer.

Motion to Council requesting a Supplementary Planning Document within 6 months requiring new dwellings to minimise C02 and H2O Summary Report

- 6.8 Officers have been in touch with the Building Research Establishment (BRE) and the Construction Products Association (CPA) to discuss how best to “future ready” such a policy and this dialogue is on-going.
- 6.9 Further, in order to ensure such an approach remains economically viable, officers have commission separate viability work on the costs associated with creating a zero carbon development. This will enable the Council to rebuke developers at the examination in saying that such a proposal will render development in West Berkshire uneconomical and therefore inconsistent with national policy.

7. Conclusions

- 7.1 While the aim of the motion to Council is supported it needs to be introduced via the local plan process to be enforceable and it is for this reason alone that the recommendation is not to support the motion.

8. Appendices

Appendix A – Data Protection Impact Assessment

Appendix B – Equalities Impact Assessment

Appendix C – Supporting Information

Appendix A

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	Place
Service:	Development and Planning
Team:	Planning Policy
Lead Officer:	Bryan Lyttle
Title of Project/System:	Motion to Council CO2 and H2O
Date of Assessment:	10/12/201

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p>Note – sensitive personal data is described as “data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation”</p>	<input type="checkbox"/>	X
<p>Will you be processing data on a large scale?</p> <p>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</p>	<input type="checkbox"/>	X
<p>Will your project or system have a “social media” dimension?</p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>	<input type="checkbox"/>	X
<p>Will any decisions be automated?</p> <p>Note – does your system or process involve circumstances where an individual’s input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</p>	<input type="checkbox"/>	X
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>	<input type="checkbox"/>	X
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>	<input type="checkbox"/>	X
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>	<input type="checkbox"/>	X

If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

Appendix B

Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

What is the proposed decision that you are asking the Executive to make:	
Summary of relevant legislation:	Town and Country Planning Act 1991 (as amended) Energy Act 2008 And the associated regulations in relation to these acts Building Regulations 2010 (as amended) National Planning Policy Framework 2012 (as amended) Planning Practice Guidance (as amended)
Does the proposed decision conflict with any of the Council's key strategy priorities?	No
Name of assessor:	Bryan Lyttle
Date of assessment:	10/12/2019

Is this a:		Is this:	
Policy	Yes	New or proposed	Yes
Strategy	No	Already exists and is being reviewed	Yes
Function	No	Is changing	Yes/No
Service	No		

1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	
Objectives:	
Outcomes:	
Benefits:	

2 Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this. (Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race,

Religion or Belief, Sex and Sexual Orientation.)		
Group Affected	What might be the effect?	Information to support this
Age		
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Further Comments relating to the item:		
All groups are equally impacted as the policy does not discriminate since it applies to the provision of all new housing.		

3 Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer: All groups are equally impacted as the policy does not discriminate since it applies to the provision of all new housing.	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	No
Please provide an explanation for your answer:	

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

4 Identify next steps as appropriate:	
Stage Two required	

Motion to Council requesting a Supplementary Planning Document within 6 months requiring new dwellings to minimise C02 and H2O Summary Report

Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name: Bryan Lyttle

Date: 10/12/2019

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.

SPD CO2 and H2O– Supporting Information

1. Introduction/Background

1.1 At the September meeting of Council the following motion was submitted:

“This council notes that it has declared a climate emergency and adopted a policy of achieving carbon neutrality by 2030. Given that private dwellings account for around 20% of carbon dioxide emissions, it is essential for measures to be urgently taken to reduce the emissions from new dwellings and extensions to be reduced by the maximum possible. This council also notes concerns by the Environment Agency and others about the effect of water abstraction on our watercourses and, particularly, on our chalk streams. Thames Water is classified as being under serious stress.

This council therefore resolves to draw up and adopt a Supplementary Planning Document within six months requiring new dwellings and extensions to be built to standards requiring carbon dioxide emissions and water consumption to be minimised to the maximum extent consistent with government guidance”.

1.2 The Chairman informed the Council that the Motion would not be debated at the meeting. In accordance with Procedure Rule 4.9.8, it would be referred to the Planning Advisory Group for consideration and a response would be brought back to Council.

2. Supporting Information

2.1 West Berkshire District has approximately 68,000 dwellings and has on average 525 new build additions every year. Each of these dwellings must comply with both the national and local planning regulations as well as the nationally approved Building Regulations 2010 (as amended).

2.2 Planning Regulations

- (1) The NPPF was introduced in 2012 and updated in June 2019. This sets out the Government’s planning policies for England and how they should be applied. It provides a framework within which locally-prepared plans for housing and other developments can be produced.
- (2) However, the Motion to Council specifically requests that a Supplementary Planning Document be produced within six months to cover the issue raised.
- (3) SPDs are “Documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan”. (National Planning Policy Framework 2019 Annex 2 Glossary page 72).

- (4) The Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the requirements for producing SPDs. Importantly SPDs should not contain new policies and should not be contrary to the Local Development Plan or national policy. In addition, SPDs should be prepared only where necessary and in line with the NPPF
- (5) Further clarification is provided in the Planning Practice Guidance (PPG) which states;

Can a local planning authority set higher energy performance standards than the building regulations in their local plan?

Different rules apply to residential and non-residential premises. In their development plan policies, local planning authorities

Can set energy performance standards for new housing or the adaptation of buildings to provide dwellings, that are higher than the building regulations, but only up to the equivalent of Level 4 of the Code for Sustainable Homes.

Are not restricted or limited in setting energy performance standards above the building regulations for non-housing developments.

The Planning and Energy Act 2008 allows local planning authorities to set energy efficiency standards in their development plan policies that exceed the energy efficiency requirements of the building regulations. Such policies must not be inconsistent with relevant national policies for England. Section 43 of the Deregulation Act 2015 would amend this provision, but is not yet in force.

The Written Ministerial Statement on Plan Making dated 25 March 2015 clarified the use of plan policies and conditions on energy performance standards for new housing developments. The statement sets out the government's expectation that such policies should not be used to set conditions on planning permissions with requirements above the equivalent of the energy requirement of Level 4 of the Code for Sustainable Homes (this is approximately 20% above current Building Regulations across the build mix).

Provisions in the Planning and Energy Act 2008 also allow development plan policies to impose reasonable requirements for a proportion of energy used in development in their area to be energy from renewable sources and/or to be low carbon energy from sources in the locality of the development.

Paragraph: 012 Reference ID: 6-012-20190315

Revision date: 15 03 2019

2.3 Building Regulations

- (1) Building regulations are the minimum standards for design, construction and alterations and are supported by Approved

Documents which set out detailed guidance on how to comply with the regulations.

(2) The Approved Documents are:

Part A – Structure;

Part B – Fire Safety;

Part C – Site preparation and resistance to contaminants and moisture;

Part D – Toxic Substances;

Part E – Resistance to the passage of sound;

Part F – Ventilation;

Part G – Sanitation, hot water safety and water efficiency;

Part H – Drainage and Waste Disposal;

Part J – Combustion appliances and fuel storage systems;

Part K – Protection from falling, collision and impact ;

Part L – Conservation of fuel and power;

Part M – Access to buildings;

Part N – Glazing safety (Withdrawn);

Part P – Electrical Safety;

Part Q – Security;

Part R – Physical infrastructure for high speed electronic communications networks; and

Regulation 7 - Materials and workmanship.

2.4 Therefore the standards relating to CO2 are contained in Part L and the standards relating to H2O are in Part G.

3. Options for Consideration

3.1 A new SPD

- (1) The motion asks for a new SPD to cover both CO2 and H2O relating to new residential development.
- (2) However as outlined above in 2.2 (4) an SPD should not contain new policies and should not be contrary to the Local Development Plan or national policy.

- (3) Following an Examination in Public the adopted West Berkshire Core Strategy (2012) Policy CS 15 Sustainable Construction and Energy Efficiency which covered both CO2 and H2O considerations.
- (4) This policy in relation to residential development requires;

Residential Development

New residential development will meet the following minimum standards of construction:

- Minor development - Code for Sustainable Homes Level 3
- Major development⁽⁶⁹⁾ - Code for Sustainable Homes Level 4
- From 2013: All development - Code for Sustainable Homes Level 4
- From 2016: All development - Code for Sustainable Homes Level 6

- (5) And

Renewable energy

Major development shall achieve the following minimum reductions in total CO₂ emissions (regulated and unregulated energy use) from renewable energy or low/zero carbon energy generation on site or in the locality of the development as long as a direct physical connection is used, unless it can be demonstrated that such provision is not technically or economically viable.

The percentage reductions in CO₂ emissions should be based on the estimated CO₂ emissions of the development after the installation of energy efficiency measures related to either the Code for Sustainable Homes, BREEAM or equivalent method has been applied.

Residential Development:

- A 10% reduction in CO₂ emissions;
- from 2014: A 20% reduction in CO₂ emissions;
- from 2016: Zero Carbon⁽⁷⁰⁾.

- (6) Footnote 69 states – For dwellings; where 10 or more are to be constructed, or the site is more than 0.5 hectares.
- (7) Footnote 70 states – requirements for zero carbon in line with stated Government aspirations, which may be subject to change.
- (8) At the time the policy was written the Code for Sustainable Homes was the Government’s national sustainability standard for new homes. However this was abolished from 27th March 2015 in a Written Ministerial Statement and the Government’s intention was to develop the Building Regulations to cover this aspect.
- (9) Therefore, as the Governments stated aspirations had changed the policy was lost.
- (10) However, the national position changed in March 2019 as set out in 2.2 (5) with the Government stating “*Can set energy performance standards for new housing or the adaptation of buildings to provide*

dwellings, that are higher than the building regulations, but only up to the equivalent of Level 4 of the Code for Sustainable Homes”

- (11) This change means that Core Strategy Policy CS15 for new residential development could again be considered enforceable BUT we are unable to go beyond the building regulations and remain in compliance with national and local policies.
- (12) It is therefore possible for the Council to produce an SPD on CO2 and H2O but it would not be able to compel developers to go above and beyond what was in the current Building Regulations and the Core Strategy.
- (13) If the Council was to refuse planning permissions for new development that did not go beyond the existing Building Regulations (which are to Code level 4) for example, a developer could appeal and the Council would be liable for costs for unreasonable behaviour.

3.2 Why have other authorities been able introduce a new policy approach?

- (1) The planning and Energy Act 2008 allows local planning authorities to set energy efficiency standards in development plan policies that exceed the energy efficiency requirements of the building regulations. However it was the government’s intention to remove this provision and section 43 of the Deregulation Act 2015 allows for this but as yet remains unacted.
- (2) Therefore some authorities like Stroud have been able to write a policy in their Local Plan that is generic and does not mention Code for Sustainable Homes like West Berkshire.
- (3) Core Policy CP14 of the Stroud Local Plan (adopted November 2015) is entitled High Quality Sustainable Development and concludes with

Development proposals will be required to demonstrate how they have responded to the above criteria through the submission of Design and Access Statements and relevant technical reports. It is important that the applicant provides clear and informative plans, elevations and street scenes and, where required, Masterplans, Development Briefs, Concept Statements and Design Codes to show how these criteria have been taken into account where necessary.

- (4) The Stroud local plan also states in paragraph 6.13

matters that developers can consider. It is not intended to duplicate the elements of sustainable construction that are incorporated into the building regulations. It will enable the Council to assess which sustainable construction principles have been considered in development proposals for new build and/or refurbishment of existing buildings, but does not seek to prescribe a set standard or requirement. The Council encourages a holistic approach where sustainable construction considerations are taken fully into account from initial project thinking through to development completion. This

- (5) More locally, Reading, having had their examination (2018) are about to adopt their local plan (4th November 2019) which includes a policy requiring Zero Carbon development stating “All major new-build development should be designed to achieve zero carbon homes”.

3.3 A new Policy in the Local Plan

- (1) The existing local plan had a policy requiring Zero Carbon Homes by 2016 which was overtaken by Government policy and it has been officers intention to provide an updated policy for inclusion in the new local plan, the draft of which will be produced for consultation next summer.
- (2) Officers have been in touch with the Building Research Establishment (BRE) and the Construction Products Association (CPA) to discuss how best to “future ready” such a policy and this dialogue is on-going.
- (3) Further, in order to ensure such an approach remains economically viable, officers have commission separate viability work on the costs associated with creating a zero carbon development. This will enable the Council to rebuke developers at the examination in saying that such a proposal will render development in West Berkshire uneconomical and therefore inconsistent with national policy.

4. Proposals

- 4.1 The motion to the Council seeks the introduction of an SPD for CO2 and H2O, as stated in 3.1(12) while this is possible it would not be advisable to do so as any SPD would not be enforceable under planning legislation as it would not be in conformity with national or local planning policies.
- 4.2 In order for the Council to progress such a policy as proposed it will have to part of the new local plan and subject to consultation and examination in public and this is the current intention.

5. Conclusion

- 5.1 For the reasons set out in this report the motion to Council is not supported.

6. Consultation and Engagement

6.1 Planning Advisory Group

Subject to Call-In:

Yes: No:

The item is due to be referred to Council for final approval



Officer details:

Name: Bryan Lyttle
Job Title: Planning and Transport Policy Manager
Tel No: 2638
E-mail Address: bryanlyttle@westberks.gov.uk

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West Berkshire Minerals and Waste Local Plan Proposed Submission Consultation - Summary Report

Committee considering report:	Council
Date of Committee:	09 January 2020
Portfolio Member:	Councillor Hilary Cole
Date Portfolio Member agreed report:	07 October 2019
Report Author:	Elise Kinderman / Rachael Lancaster
Forward Plan Ref:	C3720

1. Purpose of the Report

- 1.1 The Proposed Submission Consultation is a key stage in the development of the emerging West Berkshire Minerals and Waste Local Plan (MWLP) that will shape the future of minerals and waste development in West Berkshire up to 2036.
- 1.2 The purpose of this report is to present the Proposed Submission version of the MWLP and supporting evidence base for approval to undertake public consultation on these documents in accordance with the West Berkshire Statement of Community Involvement and the Town and Country Planning (Local Planning) (England) Regulations 2012.

2. Recommendations

- (1) That the Minerals and Waste Local Plan Proposed Submission consultation document, and supporting evidence base documents are published for consultation in accordance with the West Berkshire Statement of Community Involvement and Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The consultation is proposed to take place between 20th January and 2nd March 2020.
- (2) That following public consultation, the Proposed Submission Minerals and Waste Local Plan and supporting evidence base be submitted to the Secretary of State for independent examination in line with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- (3) That Full Council grant delegated authority to the Head of Development and Planning to agree any minor typographical and presentational changes and factual updates to the Proposed Submission MWLP and supporting information prior to publication for consultation and submission for independent examination.

3. Implications

- 3.1 **Financial:** The Council is committed to producing the Minerals and

Waste Local Plan. Budgetary provision has been made to carry out the relevant work.

- 3.2 **Policy:** The Minerals and Waste Local plan will replace the Replacement Minerals Local Plan for Berkshire (2001) and the Waste Local Plan for Berkshire (1998). The West Berkshire Minerals and Waste Local Plan will include sites allocated to meet the Council's mineral requirements over the life of the plan (to 2036) as well as the policy framework against which decisions on minerals and waste proposals will be made.
- 3.3 **Personnel:** N/A
- 3.4 **Legal:** The Minerals and Waste Local Plan will provide the planning framework for Minerals and Waste planning in West Berkshire.
- 3.5 **Risk Management:** In the absence of an up to date development plan relating to minerals and waste, planning applications received have to be considered against a dated local policy framework and national policy, increasing the possibility of the authority not being able to consider all relevant local circumstances when making a determination.
- 3.6 **Property:** N/A
- 3.7 **Other:** N/A

4. Other options considered

- 4.1 No other options considered. The Council is required to have an up to date Minerals and Waste Local Plan and consultation forms a legislative requirement in the development of the plan.

Executive Summary

5. Introduction / Background

- 5.1 The West Berkshire Minerals and Waste Local Plan (MWLP) will replace the Replacement Minerals Local Plan for Berkshire (incorporating the alternations adopted in December 1997 and May 2001) and the Waste Local Plan for Berkshire (adopted 1998) and will provide an up to date planning framework for minerals and waste development in West Berkshire to 2036.
- 5.2 This is the first West Berkshire specific Minerals and Waste Local Plan. Minerals and waste planning has previously been carried out jointly for the whole of Berkshire, with this work coordinated by the now dissolved Joint Strategic Planning Unit.
- 5.3 The process of developing the MWLP has already been through several stages of public consultation, starting with the Issues and Options consultation in early 2014, a sites consultation on all sites submitted for consideration in the plan in summer 2016, and consultation on the Preferred Options in spring 2017.
- 5.4 It is proposed to consult on the Proposed Submission MWLP for six weeks from 20th January until 2nd March 2020.
- 5.5 Following consultation, officers will prepare the Proposed Submission MWLP and supporting evidence for submission to the Secretary of State for independent examination in line with Regulation 22 of the Town and Country Planning (Local Planning (England) Regulations 2012).

6. Proposals

- 6.1 The Proposed Submission MWLP sets out the Council's proposed planning framework for minerals and waste development in West Berkshire, based on the evidence collected, site assessment work and the outcomes of earlier consultations.
- 6.2 The MWLP sets out comprehensive policies to guide minerals and waste development and proposes the allocation of sites for mineral development to meet the Council's mineral need over the plan period.
- 6.3 Full Council approved the previous 'Preferred Options' version of the MWLP for consultation in spring 2017. This 'Proposed Submission' version builds on the previous Preferred Options, and takes into account representations received as part of this consultation and further technical work and evidence. As a result, the number of sand and gravel sites proposed for extraction has reduced from seven to three (two sites for sharp sand and gravel and one site for soft sand).
- 6.4 No waste sites are proposed to be allocated in the MWLP as there is no identified need for additional waste management capacity over the plan period.
- 6.5 Further information on the proposed policies and sites to be included within the MWLP is given in Appendix C – Supporting Information.
- 6.6 Notable policy requirements include:

- Minerals and waste proposals must demonstrate how they will minimise their impact on the causes of climate change (Policy 25 – Climate Change).
- Requirement for minerals and waste proposals to deliver at least 10% net gains for biodiversity in line with government guidance (Policy 17 – Restoration and After-use of Sites and Policy 20 – Biodiversity and Geodiversity).
- Encourage sustainable modes of transport including rail and/or water (Policy 22 – Transport).

6.7 The Environmental Assessment of the MWLP has been undertaken in the Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA). A summary of the outcomes of the assessment are included in the non-technical summary of this document.

6.8 The MWLP is supported by a number of supporting evidence documents, including:

- Minerals Evidence Paper
- Local Aggregates Assessment
- Soft Sand Study
- Soft Sand Topic Paper
- Local Waste Assessment
- Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA)
- Habitats Regulation Assessment (HRA)
- Strategic Flood Risk Assessment (SFRA)
- Landscape and Visual Assessment
- Preliminary Ecological Assessment
- Heritage Assessment
- Highways and Transport Topic Paper
- Site Selection Methodology Paper
- Equality Impact Assessment (EqIA)
- Statement of Consultation
- Duty to Cooperate Statement
- Glossary
- Policies Map

6.9 These documents are available via the Council's website (www.westberks.gov.uk/mwevidencebase). In addition, the following documents are available as appendices to this report:

- Equality Impact Assessment (Appendix B)
- Proposed Submission Minerals and Waste Local Plan Consultation Document (Appendix D)

6.10 Consulting on the Proposed Submission version of the MWLP is a requirement under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, and allows members of the public, landowners and developers the opportunity to comment on the proposed plan before it is submitted for independent examination. Authorisation for the publication of the consultation on the Proposed Submission West Berkshire Minerals and Waste Local Plan needs to be formally ratified by Full Council.

7. Conclusion

7.1 It is concluded that the Proposed Submission MWLP and supporting evidence documents that have been prepared by officers, and informed by elected members, public consultations, technical studies and consultations with statutory bodies and internal departments should be the subject of public consultation in line with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and subsequently submitted to the Secretary of State for independent examination.

8. Recommendations:

- (1) That the Minerals and Waste Local Plan Proposed Submission consultation document, and supporting evidence base documents are published for consultation in accordance with the West Berkshire Statement of Community Involvement and Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- (2) That following public consultation, the Proposed Submission Minerals and Waste Local Plan and supporting evidence base be submitted to the Secretary of State for independent examination in line with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- (3) That Full Council grant delegated authority to the Head of Development and Planning to agree any minor typographical and presentational changes and factual updates to the Proposed Submission MWLP and supporting information prior to publication for consultation and submission for independent examination.

8.1 If approved, it is anticipated that the consultation will take place for six weeks between 20th January and 2nd March 2020 and will be carried out in accordance with the Council's Statement of Community Involvement and Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

8.2 Following the consultation, officers will prepare the Proposed Submission MWLP and supporting evidence for submission to the Secretary of State for independent examination in line with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

9. Appendices

9.1 Appendix A – Data Protection Impact Assessment

9.2 Appendix B – Equalities Impact Assessment

9.3 Appendix C – Supporting Information

9.4 Appendix D - West Berkshire Council Minerals and Waste Local Plan Proposed Submission Consultation Document.

Appendix A

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	Economy and Environment
Service:	Development and Planning
Team:	Planning and Transport Policy (Sub-team: Minerals and Waste)
Lead Officer:	Elise Kinderman
Title of Project/System:	Minerals and Waste Local Plan Proposed Submission Consultation
Date of Assessment:	30 th August 2019

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p>Note – sensitive personal data is described as “<i>data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation</i>”</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be processing data on a large scale?</p> <p>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Will your project or system have a “social media” dimension?</p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will any decisions be automated?</p> <p>Note – does your system or process involve circumstances where an individual’s input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

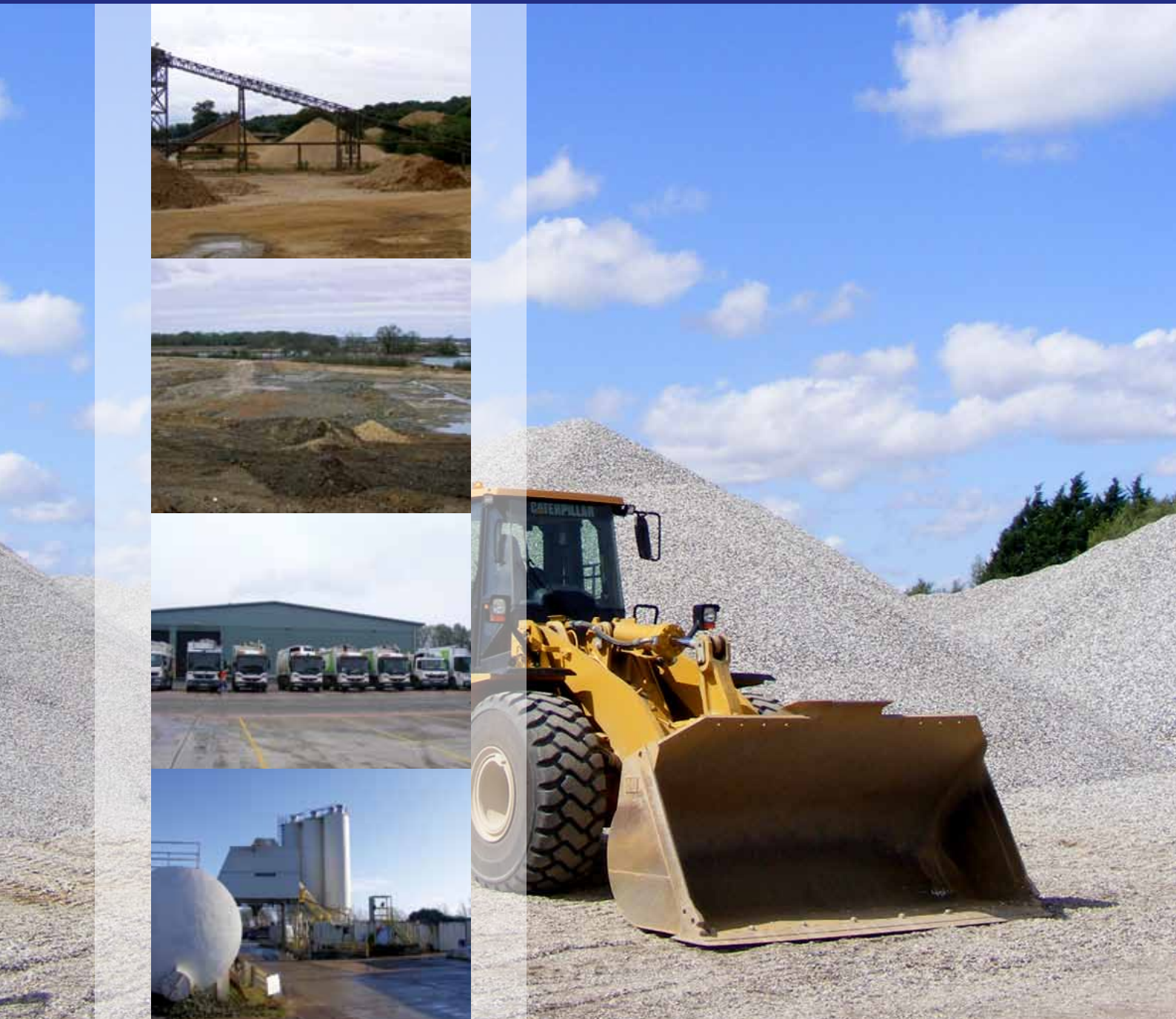
If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

NOTE: The Information Management Officer has confirmed that a Stage Two Data Protection Impact Assessment is not required.

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West Berkshire Minerals and Waste Local Plan Equality Impact Assessment (EqIA) July 2019

West Berkshire Local Plan



Equality Impact Assessment – Stage One

Name of Policy, strategy of function:	Minerals and Waste Local Plan (Proposed Submission)
Version and release date of item (if applicable):	Proposed Submission (MMYY)
Owner of item being assessed:	Bryan Lyttle (Planning and Transport Policy Manager)
Name of assessor:	Rachael Lancaster (Senior Planning Officer – Minerals and Waste) Updated by Alistair Buckley (Senior Planning Officer – Minerals and Waste)
Date of assessment:	25/11/2018
Date of Update/Review:	July 2019

Is this a:		Is this:	
Policy	Yes	New or proposed	Yes
Strategy	Yes	Already exists and is being reviewed	No
Function	No	Is changing	No
Service	No		

Main Aims, Objectives and intended Outcomes of the Minerals and Waste Local Plan	
Aims:	The Minerals and Waste Local Plan will set out the strategic policy for minerals and waste development in West Berkshire. The vision for the plan states: “To facilitate the planned delivery of mineral resources and waste management capacity which meet the requirements for West Berkshire in accordance with national planning policy. In particular to plan for the delivery of mineral resources and waste management capacity in locations which meet the needs of West Berkshire in the most sustainable way.”
Objectives:	The plan objectives are: Minerals 1. To encourage the most appropriate use of all mineral resources and the re-use of recycled minerals and secondary aggregates, having regard to the need to ensure that there is a sufficient supply, whilst maintaining the long term conservation of primary aggregates 2. To attain the principles of sustainable development set out in the NPPF by taking into consideration the demand for all mineral resources and the need to protect the quality of life of residents, and protect and enhance the

	<p>natural, built and historic environment.</p> <ol style="list-style-type: none"> 3. Where practicable to locate minerals development in appropriate locations in order that the potential negative impact from flooding is minimised. 4. To maintain a stock of permitted reserves (a landbank) for aggregate minerals, in accordance with current Government advice to ensure an adequate and steady supply of minerals, as far as is practical, from outside the North Wessex Downs Area of Outstanding Natural Beauty, Scheduled Monuments and Conservation Areas. 5. To identify sites for future mineral extraction which will provide for the continued extraction of minerals, having regard to the need to avoid demonstrable harm to interests of acknowledged importance. 6. To prevent the unnecessary sterilisation of proven mineral resources by other forms of development and to safeguard existing and planned rail head sites together with existing and planned concrete batching facilities, coated road stone manufacturing facilities and sites that handle, process and distribute recycled and secondary aggregates. 7. To provide for the recovery and reuse of aggregate from construction and demolition waste in order to reduce the requirement for new primary resources to a minimum. 8. To ensure that mineral sites are progressively restored at the earliest opportunity to a high standard, beneficial and viable after-use that delivers meaningful measurable net gains for biodiversity, including the establishment of coherent ecological networks. <p>Waste</p> <ol style="list-style-type: none"> 1. To seek to prevent the generation of waste arisings at source, and to support and encourage initiatives designed to achieve this. 2. To increase the overall waste management in West Berkshire in line with the Waste Hierarchy through the provision of capacity for the re-use of waste materials, the preparation for the reuse of materials, the recycling of waste and the recovery of materials that cannot be recycled and to minimise the quantities of residual waste needing final disposal while recognising that this will continue to be required. 3. To provide a flexible approach to the delivery of waste management facilities of appropriate capacity and type to achieve net self-sufficiency within the West Berkshire area. 4. To enable the delivery of the West Berkshire Waste Management strategy and increase the proportion of waste managed further up the waste hierarchy. 5. To locate waste management facilities so that wherever possible they minimise the distances that waste is transported for management and disposal, and to minimise adverse traffic effects of waste management development.
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	<p>6. To safeguard existing waste management facilities, which are appropriately located, from competing forms of development that might otherwise constrain their continued operation or lead to their loss.</p> <p>7. To ensure appropriate protection of the quality of life of those who live and work in West Berkshire from the adverse effects of waste management related development.</p> <p>8. To ensure appropriate protection and enhancement of the natural, built and historic environment in West Berkshire from the adverse effects of waste management related development in accordance with the NPPF.</p> <p>9. Where practicable to locate waste development in appropriate locations in order that the potential negative impact from flooding is minimised.</p> <p>The plan objectives were subject to EqIA in 2013 as part of the Issues and Options consultation. It was concluded at that stage that the Minerals and Waste Local Plan 'Issues and Options' have very limited relevance to equality issues, particularly considering that it was very unlikely that the resulting impacts on persons with the nine protected characteristics would differ in any way from any other interested party.</p>
Outcomes:	<p>Delivery of the Minerals and Waste Local Plan for West Berkshire to guide development of minerals and waste sites over the plan period to 2036.</p>
Benefits:	<p>The Minerals and Waste Local Plan has been positively prepared to guide development of minerals and waste sites in West Berkshire to 2036. This will provide developers, land owners and members of the public certainty as to where sites are likely to be developed as well as setting out the criteria by which sites will be assessed when considering whether it would be appropriate to grant planning permission. The plan will enable essential minerals extraction, and waste management facilities to increase recycling and divert waste from landfill.</p>

Equalities Impact Assessment

The Objectives of the Plan were subject to EqIA as part of the Issues and Options consultation in 2013. The following tables carry out the EqIA of the Preferred Options stage of the development of the West Berkshire Minerals and Waste Local Plan as well as all the policies proposed within the plan. The EqIA has subsequently been updated to reflect the changes to the plan since the Preferred Options Consultation.

Assessment of Likely effects					
No impact	0	Positive Impact	+	Negative Impact	-

The Plan: Minerals and Waste Local Plan (Preferred Options)		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from the plan. It is not considered that the plan would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from the plan. It is not considered that the plan would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from the plan. It is not considered that the plan would be discriminatory to any people who are married or in a civil partnership
Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant or have young children have been identified as likely to result from the plan. It is not considered that the plan would be discriminatory to any people who are pregnant or have young children.
Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from the plan. It is not considered that the plan would be discriminatory to any people of a particular race.

Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion of belief have been identified to result from the plan. It is not considered that the plan would be discriminatory to any people who hold a particular religion or belief.
Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from the plan. It is not considered that the plan would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from the plan. It is not considered that the plan would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of the plan on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.		

The Individual Policies of the Plan

Policy 1: Sustainable Development		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership
Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant of have young children have been identified as likely to result from this policy. It is not considered that this policy would be

		discriminatory to any people who are pregnant or have young children.
Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people of a particular race.
Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion of belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.
Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.		

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Policy 2: Landbank and Need		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be

		discriminatory to any people who are married or in a civil partnership
Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant or have young children have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are pregnant or have young children.
Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people of a particular race.
Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion or belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.
Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.		

Policy 3: Net Self-Sufficiency in Waste Management		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be

		discriminatory to any people affected by gender reassignment.
Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership
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Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion or belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.
Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.		

Policy 4: Location of Development – Construction Aggregates		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be

		discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
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Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.		

Policy 5: Location of Development – General Waste Management Facilities		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to

		any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
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Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.		

Policy 6: Location of Development - Specialist Waste Management Facilities		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
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Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected		

characteristics.

Policy 7: Location of Development - Landfill and Permanent Deposit of Waste to Land		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership
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Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion of belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.
Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.

General Comments:
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.

Policy 8: Borrow Pits		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership
Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant or have young children have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are pregnant or have young children.
Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people of a particular race.
Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion or belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.
Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.

Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.		

Policy 9: Minerals Safeguarding		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership
Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant or have young children have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are pregnant or have young children.
Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people of a particular race.
Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion of belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.

Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.		

Policy 10: Waste Safeguarding		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership
Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant or have young children have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are pregnant or have young children.
Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people of a particular race.

Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion of belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.
Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.		

Policy 11: Chalk and Clay		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership
Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant or have young children have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are pregnant or have young children.

Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people of a particular race.
Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion of belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.
Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.		

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Policy 12: Energy Minerals		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership

Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant or have young children have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are pregnant or have young children.
Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people of a particular race.
Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion or belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.
Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.		

Policy 13: Radioactive Waste Treatment and Storage at AWE		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.

Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership
Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant or have young children have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are pregnant or have young children.
Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people of a particular race.
Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion or belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.
Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.		

Policy 14: Reworking Old Inert Landfill Sites		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.

Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership
Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant or have young children have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are pregnant or have young children.
Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people of a particular race.
Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion of belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.
Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.		

Policy 15: Location of Permanent Construction Aggregate Infrastructure		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.

Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership
Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant or have young children have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are pregnant or have young children.
Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people of a particular race.
Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion or belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.
Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.		

Policy 16: Temporary Minerals and Waste Infrastructure		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership
Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant or have young children have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are pregnant or have young children.
Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people of a particular race.
Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion or belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.
Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected		

characteristics.

Policy 17: Restoration and After-Use of Sites		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership
Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant or have young children have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are pregnant or have young children.
Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people of a particular race.
Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion of belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.
Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		

It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.

Policy 18: Landscape		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership
Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant or have young children have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are pregnant or have young children.
Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people of a particular race.
Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion or belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.
Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.

Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.		

Policy 19: Protected Landscapes		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership
Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant or have young children have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are pregnant or have young children.
Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people of a particular race.
Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion of belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.

Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.		

Policy 20: Biodiversity and Geodiversity		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership
Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant or have young children have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are pregnant or have young children.
Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people of a particular race.

Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion of belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.
Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.		

Policy 21: Agricultural Land and Soils		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership
Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant or have young children have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are pregnant or have young children.

Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people of a particular race.
Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion of belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.
Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.		

Policy 22: Transport		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership

Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant or have young children have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are pregnant or have young children.
Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people of a particular race.
Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion or belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.
Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.		

Policy 23: Public Rights of Way		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.

Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership
Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant or have young children have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are pregnant or have young children.
Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people of a particular race.
Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion or belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.
Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.		

Policy 24: Flooding		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.

Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership
Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant or have young children have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are pregnant or have young children.
Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people of a particular race.
Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion of belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.
Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
<p>It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.</p> <p>It is considered that without a specific flooding policy within the Minerals and Waste Local Plan there could have been potential for the impacts of flooding to impact on different groups, particularly the elderly or those with a disability. However, the policy requires minimisation of impacts and consideration of mitigation measures to ensure that overall flood risk does not increase as a result of development, and in many cases improves, therefore, it is not considered that there will be a different impact on people based on their age or disability.</p>		

Policy 25: Climate Change		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership
Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant or have young children have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are pregnant or have young children.
Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people of a particular race.
Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion or belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.
Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected		

characteristics.

It is considered that without a specific climate change policy within the Minerals and Waste Local Plan there could have been potential for the impacts of climate change to impact on different groups, particularly the elderly and very young. However, the policy requires minimisation of impacts that could contribute to climate change and therefore, it is not considered that there will be a different impact on people based on their age.

Policy 26: Public Health, Environment and Amenity		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership
Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant or have young children have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are pregnant or have young children.
Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people of a particular race.
Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion or belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.

Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
<p>It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.</p> <p>It is considered that without a specific Public Health, Environment and Amenity policy within the Minerals and Waste Local Plan there could have been potential for the impacts of minerals and development to impact on different groups, particularly the elderly, very young or those with a disability. However, the policy requires minimisation of impacts and consideration of mitigation measures to ensure that overall there is not an adverse impact on public health the environment or amenity, therefore, it is not considered that there will be a different impact on people based on their age or disability.</p>		

Policy 27: Historic Environment		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership

Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant or have young children have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are pregnant or have young children.
Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people of a particular race.
Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion or belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.
Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.		

Policy 28: Design		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.

Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership
Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant or have young children have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are pregnant or have young children.
Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people of a particular race.
Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion or belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.
Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.		

Policy 29: Cumulative Impacts		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.

Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership
Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant or have young children have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are pregnant or have young children.
Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people of a particular race.
Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion of belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.
Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.		

Policy 30: Boot Farm		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.

Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership
Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant or have young children have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are pregnant or have young children.
Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people of a particular race.
Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion or belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.
Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.		

Policy 31: Tidney Bed		
Group Affected	Likely Effect	Comment

Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership
Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant or have young children have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are pregnant or have young children.
Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people of a particular race.
Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion of belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.
Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.		

Policy 32: Chieveley Services		
Group Affected	Likely Effect	Comment
Age	0	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people in particular age groups.
Disability	0	No adverse or positive impacts on any people with any particular disabilities have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people with any particular disabilities.
Gender Reassignment	0	No adverse or positive impacts on any people who are affected by gender reassignment have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people affected by gender reassignment.
Marriage and Civil Partnership	0	No adverse or positive impacts on any people who are married or in a civil partnership have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are married or in a civil partnership
Pregnancy and Maternity	0	No adverse or positive impacts on any people who are pregnant or have young children have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people who are pregnant or have young children.
Race	0	No adverse or positive impacts on any people who are of a particular race have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to any people of a particular race.
Religion or Belief	0	No adverse or positive impacts on any people who hold a particular religion or belief have been identified to result from this policy. It is not considered that this policy would be discriminatory to any people who hold a particular religion or belief.
Sex	0	No adverse or positive impacts on any people of a particular sex have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sex.
Sexual Orientation	0	No adverse or positive impacts on any people of a particular sexual orientation have been identified as likely to result from this policy. It is not considered that this policy would be discriminatory to people of a particular sexual orientation.
General Comments:		
It is not considered that the impacts of this policy on persons with the nine protected characteristics will differ in any way from any		

other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.

Assessment Result	
Are there any aspects of the proposed Plan, including how it is delivered or accessed, that could contribute to inequality?	No
The Minerals and Waste Local Plan has been positively planned and evidence based resulting in no impact on equalities. It is not considered that the impacts of the plan on persons with the nine protected characteristics will differ in any way from any other interested party.	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	No
The Minerals and Waste Local Plan has been positively planned and evidence based resulting in no impact on equalities. It is not considered that the impacts of the plan on persons with the nine protected characteristics will differ in any way from any other interested party.	

Identify next steps as appropriate:	
Stage Two required	No
Owner of Stage Two assessment:	N/A
Timescale for Stage Two assessment:	N/A

Name: <i>A. Buckley</i>	Date: <i>25.11.2018</i>
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If you require this information in an alternative format or translation, please call 01635 42400 and ask for the Minerals and Waste Planning Policy Team.

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WBC/P&C/CP/1213

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West Berkshire Minerals and Waste Local Plan Proposed Submission Consultation – Supporting Information

1. Introduction/Background

- 1.1 The West Berkshire Minerals and Waste Local Plan (MWLP) will replace the Replacement Minerals Local Plan for Berkshire (incorporating the alternations adopted in December 1997 and May 2001) and the Waste Local Plan for Berkshire (adopted 1998) and will provide an up to date planning framework for minerals and waste development in West Berkshire to 2036.
- 1.2 This is the first West Berkshire specific Minerals and Waste Local Plan. Minerals and waste planning has previously been carried out jointly for the whole of Berkshire, with this work coordinated by the now dissolved Joint Strategic Planning Unit.
- 1.3 The Proposed Submission MWLP sets out the Council's proposed planning framework for minerals and waste development in West Berkshire, based on the evidence collected, site assessment work and the outcomes of earlier consultations.
- 1.4 Consulting on the Proposed Submission version of the MWLP is a requirement under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, and allows members of the public, landowners and developers the opportunity to comment on the proposed plan before it is submitted for independent examination.
- 1.5 It is proposed to consult on the Proposed Submission MWLP for six weeks between 20th January and 2nd March 2020. Following this, officers will prepare the Proposed Submission MWLP and supporting evidence for submission to the Secretary of State for independent examination in line with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

2. Development of the Minerals and Waste Local Plan

- 2.1 The process of developing the MWLP has already been through several stages of public consultation, starting with the Issues and Options consultation in early 2014, a sites consultation on all sites submitted for consideration in the MWLP in summer 2016, and consultation on the Preferred Options in spring 2017.

Issues and Options

The Issues and Options consultation in January/February 2014 set out the issues the Council believed were the key issues facing minerals and waste development in West Berkshire and invited comments and further issues to be raised. This consultation also formed the consultation on the scope of the plan, as required by Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Sites Consultation

- 2.2 The sites consultation took place between July and August 2016. This was a further period of consultation carried out on all the sites submitted to the Council as part of the “Call for Sites” in early 2014 and allowed members of the public and stakeholders to comment on the potential sites at a very early stage.

Preferred Options

- 2.3 Consultation on the ‘Preferred Options’ version of the MWLP took place in May/June 2017. This document was informed by the outcomes of the previous consultations and allowed members of the public and stakeholders to comment on the policies and sites proposed to be included within the MWLP. These comments have then been taken into account in the drafting of the ‘Proposed Submission’ version of the MWLP.

Evidence Base

- 2.4 A detailed evidence base has also been developed to support the development of the MWLP. The documents produced include:

- *Minerals Evidence (including the Local Aggregates Assessments, Minerals Evidence Paper, Soft Sand Study and Soft Sand Topic Paper)*. This sets out the minerals need and land bank requirements for the district, determining the quantity of construction aggregates that the MWLP needs to deliver.
- *Local Waste Assessment*. This sets out the quantity of waste arising and waste management capacity within the district. This has shown that the Council is able to achieve net self-sufficiency in waste management, and therefore, that there is no need for additional waste management capacity or new waste sites over the plan period.
- *Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) (including Site Assessment work)*. This considers the overall sustainability of the plan, specifically looking at the policies and sites considered.
- *Habitats Regulation Assessment (HRA)*. This considers the impacts that proposed minerals and waste development could have on internationally recognised habitats - Special Protection Areas and Special Areas of Conservation.
- *Strategic Flood Risk Assessment (SFRA)*. A new SFRA (2019) has been prepared to support both the Minerals and Waste Local Plan and the new Local Plan. This considers the flood risk across the district from all sources and allows this to be taken into account in terms of proposed development.
- *Landscape and Visual Assessment*. All sites have been assessed to determine their suitability for allocation in relation to landscape impacts.
- *Preliminary Ecological Appraisal*. All sites have been assessed to determine any ecological constraints and subsequent recommendations for mitigation and/or further survey.
- *Heritage Assessment*. All sites have been assessed to determine their potential impact upon the significance of heritage (including archaeological) assets, and requirements for further work to determine effects on significance and mitigation measures are set out.

- *Highways and Transport Topic Paper*. All sites have been assessed to determine the likely traffic impacts of the sites on the highway network.
- *Site Selection Methodology Paper*. This paper sets out the methodology used in assessing sites' suitability for allocation.
- *Equalities Impact Assessment (EqIA)*. This ensures that the plan will not impact negatively on those with protected characteristics.
- *Statement of Consultation*. This sets out all the stages of consultation that have been carried out in the production of the MWLP to date, and how these have been taken into account in the preparation of the MWLP.
- *Duty to Cooperate Statement*. This document sets out how the Council has complied with its statutory 'Duty to Cooperate' on strategic, cross boundary issues.
- *Glossary*. This is a comprehensive glossary document that relates to all documents produced in support of the MWLP.
- *Policies Map*. The policies map is a visual representation of the spatial policies in the MWLP.

2.5 Copies of all the evidence base documents will be available on the Council's website as background information to support the consultation available at www.westberks.gov.uk/mwevidencebase.

3. The Proposed Submission Minerals and Waste Local Plan

3.1 Consultation on the Proposed Submission version of the plan provides members of the public, landowners and developers an opportunity to comment on the proposed MWLP before it is submitted for independent examination. The full Proposed Submission version of the plan can be found at Appendix D. Authorisation for the publication of the consultation on the Proposed Submission West Berkshire Minerals and Waste Local Plan needs to be formally ratified by Full Council.

Policy Development

3.2 The Issues and Options consultation set out a number of topic areas considered to be the key issues relating to Minerals and Waste. A review of the potential options to deal with these key issues was carried out as part of the Sustainability Appraisal (SA/SEA) process (see SA/SEA report). This set out a number of different approaches which could be taken forward into the plan, assessed them as options and made a recommendation as to which policy approach, would be the most appropriate to include in the plan.

3.3 As a result of this process, as well as the consideration of all evidence collected and collated, the following policies are proposed for inclusion in the MWLP. Where policies have been updated/altered since the Preferred Options version of the Plan, these have been reassessed under the SA/SEA.

Policy 1: Sustainable Development

- 3.4 This is a general policy setting out that the MWLP will support the NPPF priority of delivering sustainable development.

Policy 2: Landbank and Need

- 3.5 This policy sets out the mineral demand requirement for West Berkshire as set out in the minerals evidence. The policy sets out the need for the MWLP to plan for the delivery of approximately 1.73 million tonnes of construction aggregates over the plan period. This comprises 941,000 tonnes of sharp sand and gravel and 791,000 tonnes of soft sand.

Policy 3: Net self-sufficiency in Waste Management

- 3.6 This policy sets out the proposed approach to waste management for West Berkshire. The evidence compiled indicates that currently the district has sufficient waste sites to achieve net self-sufficiency of waste management and therefore, no further sites are required. This policy is closely linked to the safeguarding waste policy, as the safeguarding of existing permitted waste sites will ensure that the district is able to maintain net self-sufficiency of waste management.

Policies 4 – 8: Location of Development

- 3.7 There are five policies under this heading, Construction Aggregates, General Waste Management Facilities, Specialist Waste Management Facilities, Landfill and Permanent Deposit of Waste to Land, and Borrow Pits. The policies set out where there will be a presumption in favour of development for each type of development, with the construction aggregates policy setting out the allocated sites and an area of search for soft sand sites.

Policies 9 – 10: Safeguarding

- 3.8 There are two policies under this heading, Minerals Safeguarding and Waste Safeguarding. The policies set out the minerals and waste sites and resources that will be safeguarded from non-minerals or waste development. This will ensure that mineral deposits are not sterilised and that infrastructure to support minerals and waste processing are retained to ensure the Council can continue to meet its needs.

Policies 11 – 14: Specialist Development

- 3.9 There are four policies under this heading each relating to a specialist mineral or waste management process – Chalk and Clay, Energy Minerals, Radioactive Waste treatment linked to AWE and Reworking Old Landfill Sites. These policies all set out the criteria for when these types of development will be viewed favourably and what exceptional circumstances would need to be overcome.

Policy 15 – 16: Infrastructure

- 3.10 There are two policies under this heading, Location of Permanent Construction Aggregates Infrastructure (e.g. processing plants) and Temporary Minerals and Waste Infrastructure. The policies set out the criteria for when these types of development would be viewed favourably and what exceptional circumstances would need to be overcome.

Development Management Policies

3.11 Thirteen development management policies have been developed covering the following topics:

- (1) Policy 17 Restoration and After-Use - This policy sets out the requirements for restoration and after-use of sites following the completion of mineral extraction.
- (2) Policy 18 Landscape – this policy sets out a general approach to consideration of the impact on the landscape for minerals and waste development.
- (3) Policy 19 Protected Landscapes – this policy sets out the approach to development in protected landscapes, specifically the AONB. It includes details of the exceptional circumstances when minerals and waste development may be considered acceptable in the AONB.
- (4) Policy 20 Biodiversity and Geodiversity – this policy sets out the approach to consideration of the impact of development on biodiversity and geodiversity.
- (5) Policy 21 Agricultural land – this policy sets out the approach to considering the impacts development could have on agricultural land.
- (6) Policy 22 Transport – this policy sets out the requirements for highways and transport considerations associated with development.
- (7) Policy 23 Rights of Way – this policy sets out the requirements for rights of way affected by development to be retained or diverted to allow continued access to the countryside.
- (8) Policy 24 Flooding – this policy sets out the approach that will be taken to considering flood risk and the impacts on flooding that development may have.
- (9) Policy 25 Climate Change – this policy sets out the approach that will be taken to considering the impacts development could have on climate change, seeking to minimise these impacts.
- (10) Policy 26 Public Health, Environment and Amenity – this policy sets out the approach that will be taken to considering the impacts development could have on public health, the environment and amenity, seeking to minimise these impacts.
- (11) Policy 27 Historic Environment – this policy sets out the approach that will be taken to considering the impacts of development on the historic environment.
- (12) Policy 28 Design – this policy sets out the approach that will be taken towards ensuring good design is associated with development.

- (13) Policy 29 Cumulative Impacts – this policy sets out the requirements for considering potential cumulative impacts resulting from development.

Site Allocations

- 3.12 All sites submitted to the Council have been assessed as part of the site assessment process, the details of which are set out in the Site Selection Methodology Report (available at www.westberks.gov.uk/mwevidencebase).
- 3.13 Various technical studies have been commissioned to support the allocation of sites including Landscape and Visual Assessment and Preliminary Ecological Appraisal. Consultation with internal (highways, ecology, archaeology, environmental health, conservation) and external (Environment Agency, Natural England, Historic England) consultees has also taken place to inform the site selection process.
- 3.14 It should be noted that due to the nature of minerals development, sites can only be located where there are mineral resources and the impacts of any development are temporary during the life of the site, and following restoration of the site the impacts should be reduced to neutral, or an overall positive benefit provided.
- 3.15 Seven sites were included in the Preferred Options Minerals and Waste Plan. However, since the publication of the Preferred Options, the background evidence has been updated meaning that fewer sites need to be allocated. In addition, updated evidence regarding soft sand has shown that there is a need for soft sand sites in the district and therefore, the approach to soft sand previously considered has changed, and a site is proposed for allocation for soft sand. Full details of the change in approach to soft sand is set out in the Soft Sand Topic Paper (available at www.westberks.gov.uk/mwevidencebase).
- 3.16 Sharp Sand and Gravel
- 3.17 The proposed strategy for sharp sand and gravel is to allocate sites sufficient to meet the identified need for this mineral in the MWLP.
- 3.18 The proposed site allocations for sharp sand and gravel are:
- Boot Farm, Brimpton Common (0.75 million tonnes)
 - Tidney Bed, Ufton Nervet (1 million tonnes)
- 3.19 The location of these sites are shown in Figure 1. The number of sharp sand and gravel sites has reduced from the ‘preferred options’ version of the Plan (where seven were proposed), as the requirement for sharp sand and gravel has reduced since this time. It is anticipated that the need for sharp sand and gravel in the MWLP can be met from the two proposed sites.
- 3.20 Soft Sand
- 3.1 The proposed strategy for soft sand is:
1. Identify (allocate) one site within the AONB (Chieveley Services).
 2. Pursue a Statement of Common Ground with Oxfordshire to agree current supply levels will be planned for in their Site Allocations Document.
 3. Identify ‘Areas of Search’ for soft sand outside of the AONB (areas where knowledge of mineral resources may be less certain but within which planning permission may be granted, particularly if there is a potential shortfall in supply – [Minerals Planning Practice Guidance Paragraph 008: Reference ID: 27-008-20140306](#)).

4. Include a criteria based policy to enable other suitable sites for soft sand that may come forward to be permitted.
- 3.2 The proposed site allocation for soft sand is:
 - Chieveley Services, Chieveley (0.4 – 0.67 million tonnes)
- 3.3 The location of this site is shown in Figure 1. The reasoning for choosing this site to be allocated is given in the Soft Sand Topic Paper (available at www.westberks.gov.uk/mwevidencebase). Highways England have not objected to this allocation following clarification that access will not be through the motorway services. Although the site is within the AONB, it is considered that there are exceptional circumstances such as to justify allocation within the AONB in line with paragraph 172 of the NPPF. This allocation alone is not sufficient to meet the identified need for soft sand in the MWLP. Therefore, a statement of common ground is being pursued with Oxfordshire County Council to agree that current (higher) sales in Oxfordshire will be planned for in their Site Allocations Document in the acknowledgement that part of the current sales pattern in Oxfordshire comprises supply to West Berkshire. In addition, it is proposed to identify soft sand 'Areas of Search' in West Berkshire outside of the AONB and include a criteria based policy in the MWLP to enable future proposals to come forward if there is operator interest. Soft Sand Areas of Search are shown in Figure 2.
- 3.4 Each allocated site has a specific site policy setting out the details and information that would be required to support any planning applications coming forward.
 - (1) Policy 30 – Boot Farm
 - (2) Policy 31 – Tidney Bed
 - (3) Policy 32 – Chieveley Services
- 3.5 No waste sites are proposed for allocation as the evidence suggests that there are already sufficient waste sites in the district to meet the need for waste management through to the end of the plan period. It is proposed that these existing sites will be safeguarded (Policy 10) from non-waste development to ensure the Council can continue to meet the need for waste sites in the district.
- 3.6 The sites for allocation were presented to members of the Planning Advisory Group. Ward members with a proposed site in their ward were invited to this meeting in May 2019.

Figure 1: Location of Proposed Allocated Sites

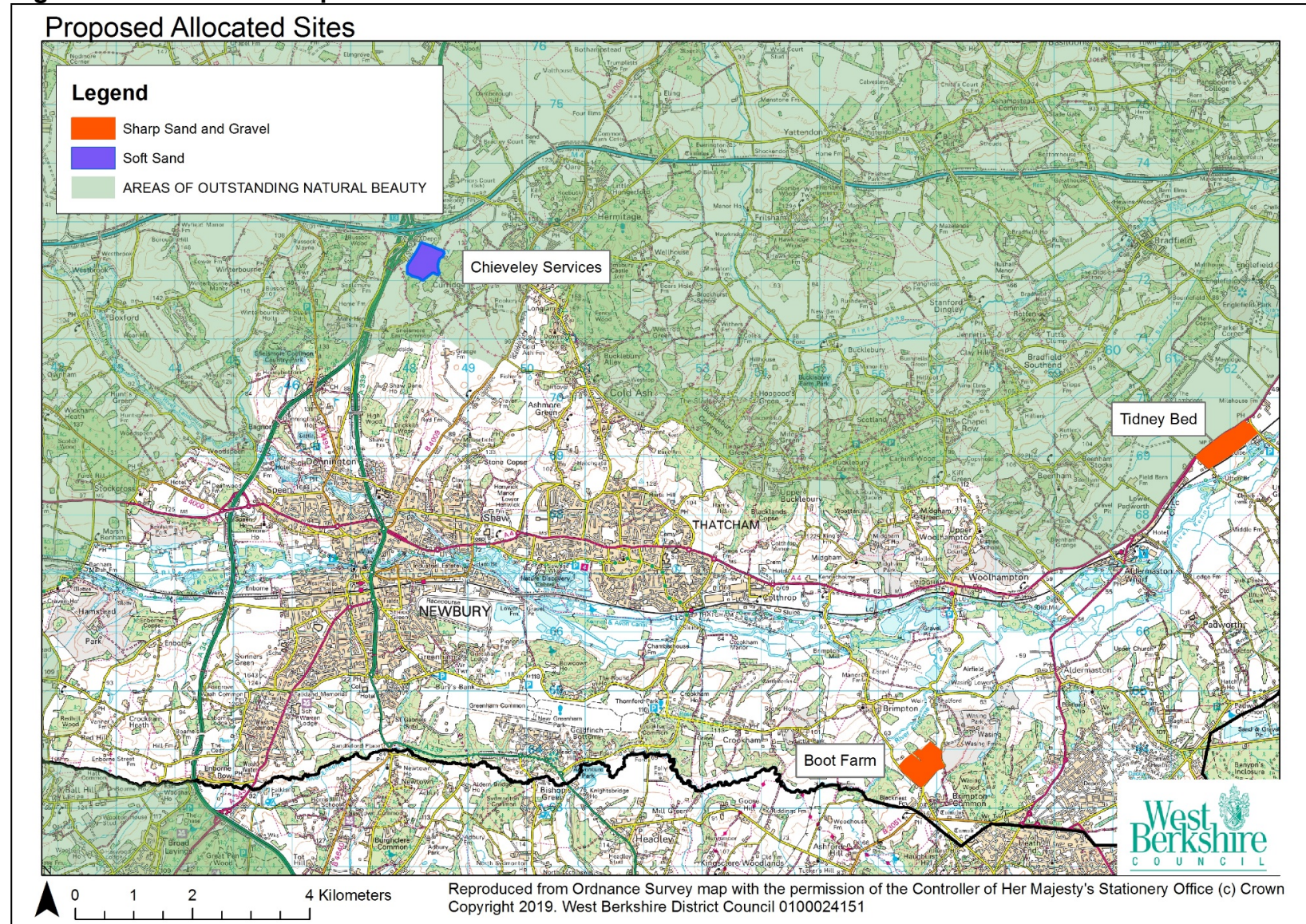
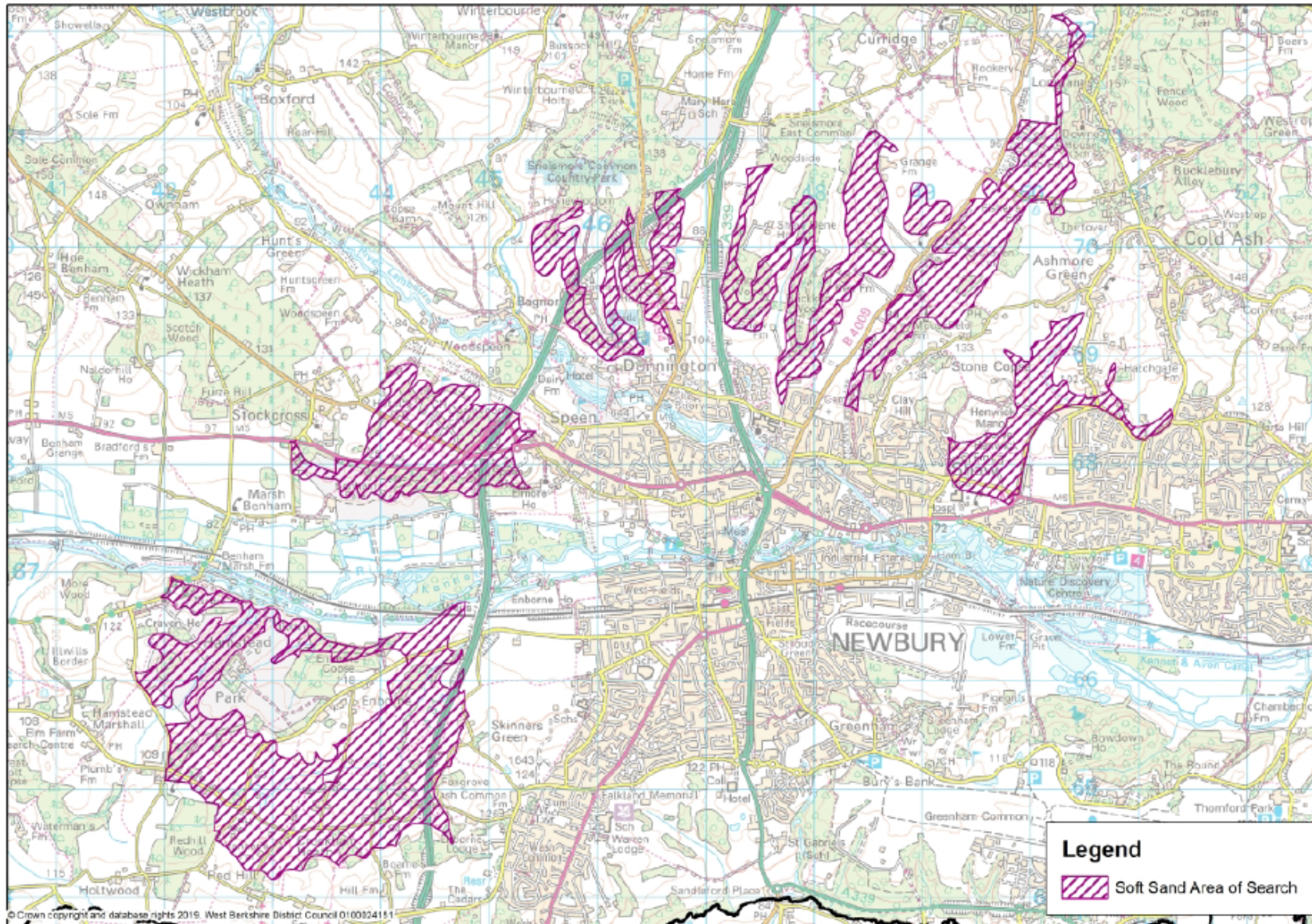


Figure 2: Proposed Soft Sand Areas of Search



4. Proposals

4.1 Recommendations:

- (1) That the Minerals and Waste Local Plan Proposed Submission consultation document, and supporting evidence base documents are published for consultation in accordance with the West Berkshire Statement of Community Involvement and Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- (2) That following public consultation, the Proposed Submission Minerals and Waste Local Plan and supporting evidence base be submitted to the Secretary of State for independent examination in line with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- (3) That Full Council grant delegated authority to the Head of Development and Planning to agree any minor typographical and presentational changes and factual updates to the Proposed Submission MWLP and supporting information prior to publication for consultation and submission for independent examination.

4.2 If approved, it is anticipated that the consultation will take place for six weeks between 20th January and 2nd March 2020 and will be carried out in accordance with the Council's Statement of Community Involvement and Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

5. Future Timetable

5.1 Following the close of consultation, officers will prepare for submission of the plan to the Secretary of State for independent examination. It is anticipated that the following timetable will be followed:

- (1) March – July 2020 – Prepare for submission to Secretary of State
- (2) July 2020 – Submission to Secretary of State for Examination
- (3) November 2020 (date subject to PINS) – Examination Hearings
- (4) June 2021 – Adoption of the Minerals and Waste Local Plan.

5.2 These timings are indicative as the level of response to the Proposed Submission consultation will impact upon the timetable, as will the level of resources within the Minerals and Waste Team.

5.3 A draft of the Local Development Scheme (LDS) has been prepared to reflect this timetable, however this is currently awaiting formal approval (via ID). The updated LDS will be adopted prior to the submission of the Minerals and Waste Local Plan.

6. Conclusion

6.1 It is concluded that the suite of documents that have been prepared by officers, which have been informed by elected members, public consultation, technical studies and consultations with statutory bodies and internal departments is the most suitable approach to delivering the requirement for an up to date Minerals and

Waste Local Plan and should be subject to public consultation in accordance with the West Berkshire Statement of Community Involvement and Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 prior to being submitted to the Secretary of State for Examination in Summer 2020.

7. Consultation and Engagement

- 7.1 Consultation on the Plan has taken place with members of the Minerals and Waste team, Planning Advisory Group and internal consultees (including: Highways, Archaeology, Conservation and Environmental Health). Advice has also been sought from statutory consultees in particular the Environment Agency, Natural England and Historic England.
- 7.2 There have been three rounds of public consultation as part of the preparation of the Proposed Submission Plan:
- (1) Issues and Options in Early 2014
 - (2) Sites Consultation in Summer 2016
 - (3) Preferred Options in Spring/Summer 2017
- 7.3 All comments made as part of these consultations have been taken into account in the preparation of the plan.

Background Papers:

*the following documents have supported the development of the Proposed Submission Minerals and Waste Local Plan. Further details on these documents are set out in section 2.4 of the above report. Electronic copies of these documents are available at www.westberks.gov.uk/mwevidencebase.

- Minerals Evidence (including: Local aggregates Assessment, Minerals Evidence Paper, Soft Sand Study and Soft Sand Topic Paper)
- Local Waste Assessment
- Strategic Flood Risk Assessment
- Landscape and Visual Assessment
- Preliminary Ecological Assessment
- Heritage Assessment
- Highways and Transport Topic Paper
- Site Selection Methodology
- Glossary
- Equalities Impact Assessment (also Appendix B)
- Minerals and Waste Local Plan Proposed Submission Consultation Document (also Appendix D)
- Sustainability Appraisal
- Habitats Regulation Assessment
- Statement of Consultation
- Policies Map
- Duty to Cooperate Statement

Subject to Call-In:

Yes: No:

The item is due to be referred to Council for final approval



Wards affected: The MWLP will affect the whole of the district.

Strategic Priorities Supported:

The proposals contained in this report will help to achieve the following Council Strategy priorities:

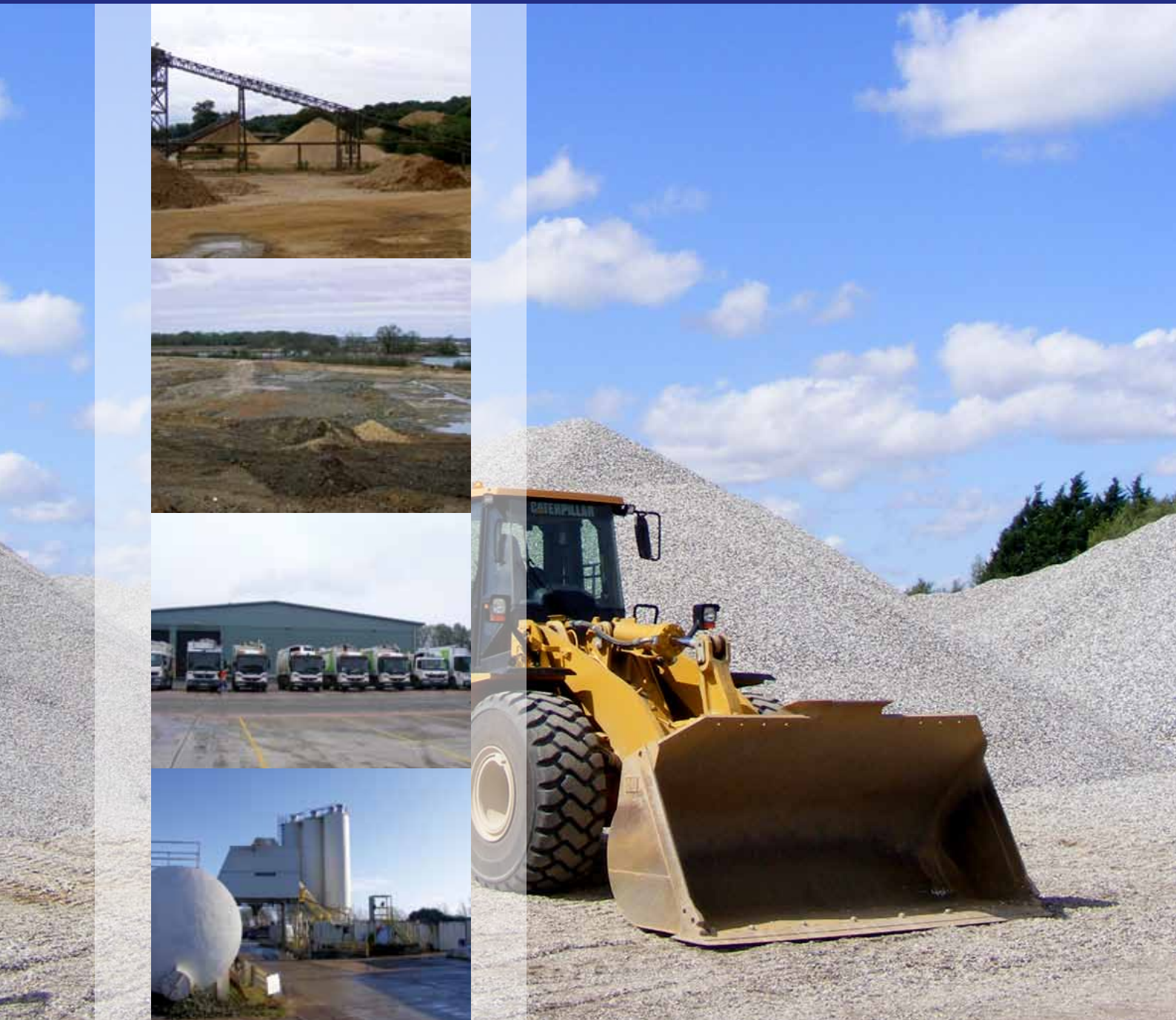
- OFB1: Support businesses to start, develop and thrive in West Berkshire**
 - GP1: Develop local infrastructure to support and grow the local economy**
 - GP2: Maintain a green district**
-

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West Berkshire Minerals and Waste Local Plan Proposed Submission December 2019

West Berkshire Local Plan



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1 Introduction

1 Introduction

What is the West Berkshire Minerals and Waste Local Plan?

1.1 The West Berkshire Minerals and Waste Local Plan (MWLP) will provide the planning framework for Minerals and Waste development in West Berkshire. It will set out the long term vision for mineral and waste development to 2036 and set out the policy context for assessing planning applications for minerals and waste development in the District.

1.2 The West Berkshire Minerals and Waste Local Plan will replace the, now dated, Replacement Minerals Local Plan for Berkshire Incorporating the alternations adopted in 1997 and 2001 (RMLP) and the Waste Local Plan for Berkshire, adopted in 1998 (WLPB) for planning decisions in West Berkshire.

1.3 The Minerals and Waste Local Plan will shape the future of minerals and waste development within West Berkshire by setting out the development of a new strategy to guide the steady and adequate delivery of minerals and waste sites in a clear and strategic manner.

1.4 The plan will include a range of planning policies against which proposals for minerals and waste can be assessed. It will also allocate preferred sites for development to ensure that the needs of the District can be met over the period covered by the plan.

Consultation

1.5 An Issues and Options consultation (undertaken in accordance with Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)⁽¹⁾ was carried out in January/February 2014. This consultation set out the issues and options the Council considered necessary to be included within the Minerals and Waste Local Plan, asking for comments from members of the public, operators and landowners. The outcome of the consultation has been used to set the framework for the emerging Minerals and Waste Local Plan.

1.6 As part of this consultation operators and landowners were invited to submit proposals for potential sites for future minerals and waste development. In the summer of 2016 a public consultation took place on the sites submitted for consideration as part of the plan making process. This consultation was carried out before the Council had carried out site assessment work, to allow comments from the public, operators and landowners to be incorporated into the site selection process.

1.7 A further “call for sites” took place between December 2016 and March 2017, mainly aimed at sites in relation to housing and economic development, but it also included the opportunity to submit further minerals and waste sites.

1.8 A Preferred Options Consultation took place between 19th May and 30th June 2017 and the consultation document set out the Council’s preferred approach for the Minerals and Waste Local Plan, asking for comments on the preferred approach. There is no formal requirement to consult on the emerging plan until the final submission version of the plan is published, however, the Council believe that it is important to engage at an early stage of plan making with the public, operators and landowners. Comments made during the Preferred Options consultation have been considered and relevant changes made to the MWLP.

1 Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended): http://www.legislation.gov.uk/uksi/2012/767/pdfs/uksi_20120767_en.pdf

Introduction 1

1.9 This public consultation is being undertaken in accordance with Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and the Council's Statement of Community Involvement⁽²⁾ This version of the Plan represents the document that the Council intends to submit to the Secretary of State for independent examination ('Proposed Submission' version).

1.10 The consultation will run for 6 weeks from Monday 20th January 2020 until 5pm on Monday 2nd March 2020.

1.11 We are inviting comments during this period on the Proposed Submission Minerals and Waste Local Plan. Comments at this stage should only relate to matters of Legal Compliance, Soundness (whether the Plan is considered to be positively prepared, justified, effective and consistent with national policy in line with paragraph 35 of the NPPF), and whether the Duty to Cooperate has been met. Further information is included in the Representation Form guidance available [online](#).

1.12 You can view the Minerals and Waste Local Plan Proposed Submission consultation document and supporting information [online](#), or at the Council offices on Market Street, Newbury or online at any of the local libraries.

1.13 We would prefer you to make your comments online via our website, however you can also let us know your views by email, post or fax.

1.14 Alternatively, if you would simply like more information on the consultation or help to comment online, please phone and speak to a member of the minerals and waste team.

Contact Details

Consultation Portal: <http://consult.westberks.gov.uk/portal>

Website: www.westberks.gov.uk/mwlpps

Email: mwdpd@westberks.gov.uk

Post: Minerals and Waste Planning Team, West Berkshire Council, Market Street, Newbury, RG14 5LD

Telephone: 01635 519111

Fax: 01635 519408

² Statement of Community Involvement: <http://info.westberks.gov.uk/CHttpHandler.ashx?id=38265&p=0>

2 Background

2 Background

About West Berkshire

2.1 West Berkshire is a unitary authority of 704 square kilometres (272 square miles), located in South East England. Approximately 90% of the district is considered to be rural in character. The North Wessex Downs Area of Outstanding Natural Beauty (AONB) is a nationally important and legally protected landscape, designated for the quality of its scenic beauty, covering approximately 74% of the district.

2.2 Approximately 44% of the population live in rural areas of the district, dispersed across a large number of towns, villages and smaller settlements. The remainder of the population are focused in the urban areas of Newbury and Thatcham and the urban areas of Calcot, Tilehurst and Purley-on-Thames to the east of the district.

2.3 West Berkshire is part of the Thames Valley which is recognised as the most productive sub-region in the UK⁽³⁾. Employment provision in West Berkshire is diverse and employment rates remain high.

2.4 West Berkshire is well connected in transport terms. At the centre of the district is an important road interchange where the east-west M4 motorway intersects with the north-south A34. There are road connections to larger centres such as Reading, Oxford, Swindon, Basingstoke and London. Mainline railway services to London and the south west of England run through the south of the District.

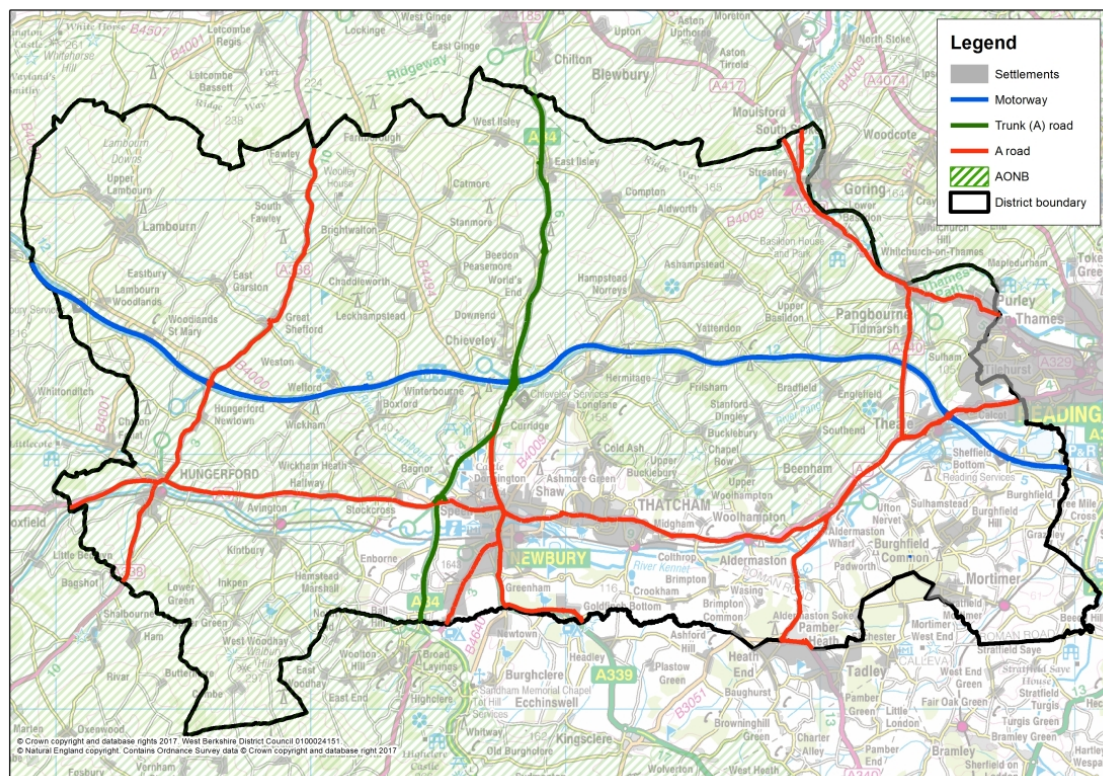


Figure 1 West Berkshire

Minerals in West Berkshire

2.5 In West Berkshire, the main mineral deposits that occur are construction aggregates, namely sharp sand and gravel (primarily used to make concrete) and soft sand (primarily used for mortar production). A limited amount of marine aggregate is imported into West Berkshire, by rail and road, for use within the authority and surrounding area. West Berkshire has no deposits of hard rock, therefore, demand for these types of minerals is met by material that is imported, by rail, to West Berkshire.

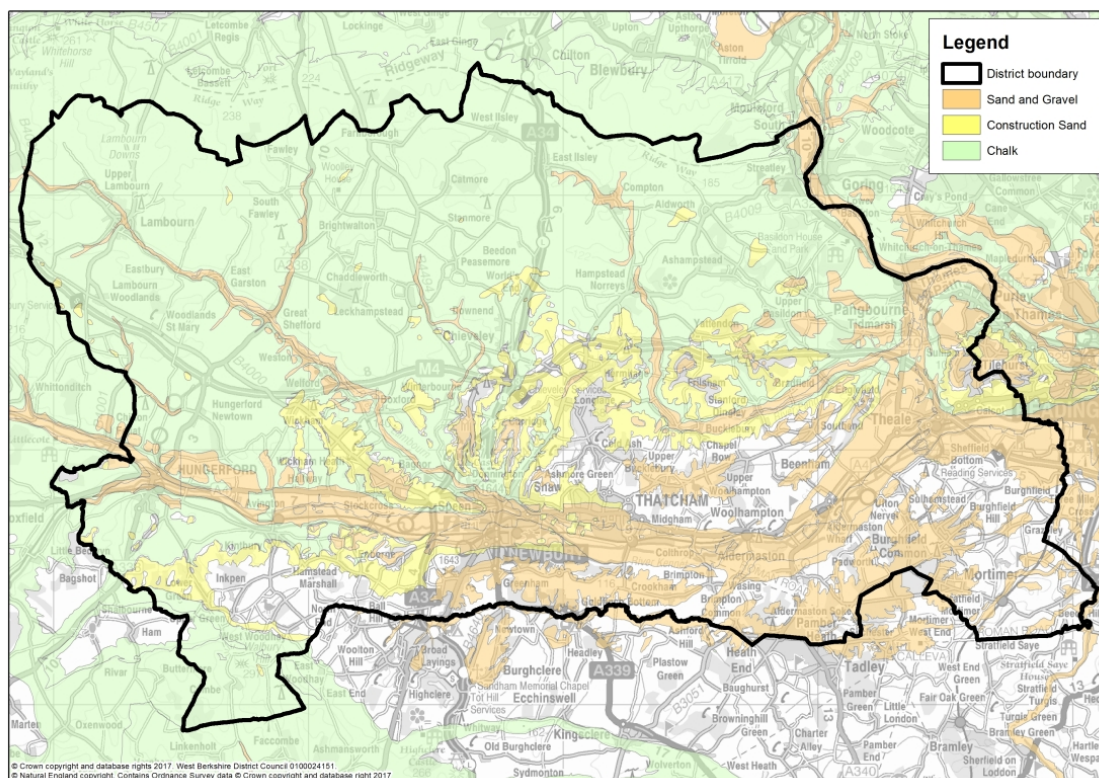


Figure 2 West Berkshire Mineral Resources

2.6 West Berkshire has been a significant producer of aggregates for many years, and over the last decade approximately 4 million tonnes of primary aggregates have been sold from quarries within West Berkshire. Years of aggregate production in the district has reduced the availability of the aggregate resources, and the high quality sharp sand and gravel deposits found throughout the Kennet valley between Newbury and Reading have seen a significant reduction in the volume of reserves that remain in situ for future working.

2.7 Historically the majority of soft sand deposits that have been worked in West Berkshire have been those found in the North Wessex Downs AONB, in particular an outcrop found around Junction 13 of the M4. The British Geological Survey has indicated that there are soft sand deposits located outside the AONB, but these have not been worked in recent years.

2.8 Sand and gravel quarrying does not require blasting and due to the shallow nature of the deposits they are relatively short lived in comparison to hard rock quarries. However, the process of minerals extraction and transportation can have a significant effect on the local environment while the operations take place.

2 Background

2.9 Increasingly construction and demolition waste is being used, where the specification allows, as a substitute for primary aggregates. This poses new and different demands on the construction aggregate supply industry in finding sites and processing capacity to recycle and deliver these materials. Since 2012 the sales of recycled aggregates from sites in West Berkshire have exceeded the sales of primary aggregates won from mineral extraction sites within the district.

2.10 Historically chalk and clay have been worked in West Berkshire for small scale specialised purposes. There are also deposits of deep coal underlying areas of West Berkshire along with outcrops of shales that may contain shale gas. None of these minerals are currently exploited, although they may offer potential for the future.

Waste in West Berkshire

2.11 There are various waste types that arise in West Berkshire, all of which need to be managed in some way or another. The three principal waste streams are:

- **Local Authority Collected Waste (LACW)** – This includes household waste and other waste collected by waste collection authorities. This waste stream includes a considerable amount of recyclable material as well as a biodegradable element and invariably a fraction of hazardous waste material (eg. batteries or paint)
- **Commercial and Industrial Waste (C&I)** - This includes waste that arises from wholesalers, catering establishments, shops and offices, factories and industrial plants. This can include a range of materials such as food, paper, card, wood, glass, plastic and metals. Broadly the volume of C&I waste arising is approximately double that of LACW.
- **Construction, Demolition and Excavation Wastes (CD&E)** – This includes waste from the construction, repair, maintenance and demolition of buildings, structures, roads and other infrastructure and the excavation of sites. It is usually made up of bricks, concrete, hardcore, subsoil and topsoil, but can include timber, metal, plastics and occasionally hazardous waste materials. This is the predominant waste stream in West Berkshire.

2.12 Other waste streams within West Berkshire include radioactive waste, hazardous waste, sewage sludge and agricultural and equine waste.

2.13 West Berkshire both imports and exports waste, but the volume of waste managed in West Berkshire exceeds the total amount of waste that arises within the authority. This appears to be principally due to a significant amount of construction and demolition waste management capacity within West Berkshire.

Cross Boundary Issues

2.14 There are movements of both minerals and waste across administrative boundaries. With respect to minerals large volumes are imported via rail to the railhead depots that exist in West Berkshire. These are either used at these sites, which also host manufacturing facilities that produce concrete and asphalt, or the aggregates are exported as raw materials by road. It is known that these railhead sites serve a far wider area than West Berkshire so a proportion of the material imported by rail is subsequently exported by road. It is believed that West Berkshire used to be a significant producer of land won sand and gravel used in the construction industry, but a consistent decline in sales of construction aggregates from sites in West Berkshire in recent years suggests that the level of exports of these minerals won from sites in the District has declined.

Background 2

2.15 Waste also crosses administrative boundaries, and it is understood that one of the larger waste movements that takes place is the importation of construction, demolition and excavation waste into West Berkshire for processing. Much of the imported waste, once processed, is subsequently exported as recycled aggregate, soils or as fill material used in the restoration of extraction sites.

2.16 The fact that minerals and waste transcend authority boundaries means that the Duty to Cooperate (DtC) is a key tool necessary for the delivery of a sound minerals and waste plan. The Localism Act of 2011 introduced a Legal requirement to co-operate under section 33A of the Planning and Compulsory Purchase Act 2004 (as inserted by section 110 of the Localism Act 2011)⁽⁴⁾, commonly referred to as the “Duty to Cooperate”.

2.17 DtC, is regarded as the tool for delivering strategic planning at a local level and requires councils and public bodies to engage constructively, actively, and on an ongoing basis, in relation to planning for strategic issues. The DtC aims to promote a culture change and spirit of partnership working on strategic cross boundary issues.

2.18 West Berkshire acknowledges that both minerals and waste are strategic matters, in the terms of section 33A of the Planning and Compulsory Purchase Act 2004⁽⁵⁾, and therefore West Berkshire Council will engage constructively, actively, and on an ongoing basis, in any process where there are cross-boundary issues or impacts.

2.19 As part of the DtC, the Berkshire Unitary Authorities have signed two memoranda of understandings, in order to form an ongoing basis for implementing the DtC for planning in the former county of Berkshire. These memoranda of understanding are not intended to be legally binding, nor do they form a statement of policy, rather they are intended to provide a statement on the six Berkshire Unitary Authorities understanding of how joint working on strategic planning, including minerals and waste plan making, will proceed.

2.20 Similarly, under this requirement enacted through the Localism Act 2011, West Berkshire Council has signed up to a further memorandum of understanding that has been signed by a number of the waste planning authorities that make up the former South East region. The purpose of this memorandum of understanding is to underpin effective cooperation, consistency and collaboration between the Waste Planning Authorities in the South East, to aid in addressing strategic cross boundary issues that relate to planning for waste management.

Other Plans and Programmes

2.21 Planning policies for West Berkshire need to be prepared in the context of national planning policy, and with regard to other local plans and strategies produced by the Council and other organisations.

National Plans and Programmes

2.22 National policies on planning matters are contained in the **National Planning Policy Framework (NPPF)**⁽⁶⁾, **National Planning Policy for Waste (NPPW)**⁽⁷⁾ and the **technical guidance to the NPPF**⁽⁸⁾.

4 Localism Act 2011 Section 110: <http://www.legislation.gov.uk/ukpga/2011/20/section/110/enacted>

5 Planning and Compulsory Purchase Act 2004 Section 33A: <https://www.legislation.gov.uk/ukpga/2004/5/section/33A>

6 NPPF: <https://www.gov.uk/guidance/national-planning-policy-framework>

7 NPPW: <https://www.gov.uk/government/collections/planning-practice-guidance>

8 Technical guidance to the NPPF: <https://www.gov.uk/government/collections/planning-practice-guidance>

2 Background

2.23 Our Waste, Our Resources: A Strategy for England⁽⁹⁾ was published in 2018 and highlights the Government's priorities to achieve a circular economy as part of the transition to a sustainable economy. It builds on measures in the 25 year environment plan and sets out how the country will preserve its stock of material resources by minimising waste and promoting resource efficiency.

"Local" Plans and Programmes

2.24 The South East Plan (the Regional Spatial Strategy for the South East) was revoked on the 25th March 2013, under the Regional Strategy for the South East (Partial Revocation) Order 2013⁽¹⁰⁾. Two policies remain extant following the partial revocation of the South East Plan and only one policy: policy NRM6 (relating to the Thames Basin Heaths Special Protection Area)⁽¹¹⁾, is relevant to the development of the Minerals and Waste Local Plan.

2.25 The West Berkshire Core Strategy (2012)⁽¹²⁾ sets out the long term, strategic vision for development in West Berkshire to 2026. It sets a target of delivery of 10,500 new homes by 2026 and allocates two strategic sites for development as well as setting the spatial framework for future development.

2.26 Housing Site Allocations DPD (2017)⁽¹³⁾ sits under the Core Strategy to allocate the remainder of the housing requirement to 2026 and includes policies to guide development in the countryside.

2.27 Neighbourhood Plans (as they emerge)⁽¹⁴⁾ form part of the development plan. Currently there are nine designated areas in West Berkshire with each parish council at a different stage of plan preparation. Of these one has been adopted. Neighbourhood Plans are not permitted to consider minerals and waste development.

2.28 Some of the policies of the **West Berkshire District Local Plan 1991 – 2006⁽¹⁵⁾** have been saved and so form part of the development plan. The policies of particular relevance to the Minerals and Waste Local Plan relate to environmental nuisance and pollution control, noise pollution and hazardous substances.

2.29 The Council has started a review of the current Local Plan (made up of the West Berkshire District Local Plan 1991 - 2006 (saved 2007), Core Strategy Development Plan Document (2006 - 2026) and Housing Site Allocations Development Plan Document (2017)) to cover the period to 2036.

2.30 When adopted the West Berkshire Minerals and Waste Local Plan will form part of the statutory development plan for West Berkshire and sit alongside and complement the other development plan documents that form part of the statutory development plan.

2.31 The Council Strategy (2019 - 2023)⁽¹⁶⁾ sets out the wider strategic objectives of the Council. The Council Strategy outlines that the Council's vision and purpose is to "work together to make West Berkshire an even greater place in which to live, work and learn". There are four strategic aims to support the vision:

- Great Place
- Sustainable and Innovative Together

9 Our Waste, Our Resources: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/765914/resources-waste-strategy-dec-2018.pdf

10 South East Plan: <http://www.legislation.gov.uk/uksi/2013/427/contents/made>

11 See pages 99 to 100 of The South East Plan

12 West Berkshire Core Strategy: <http://info.westberks.gov.uk/corestrategy>

13 Housing Site Allocations DPD: <http://info.westberks.gov.uk/hsa>

14 Neighbourhood Plans: <http://info.westberks.gov.uk/neighbourhoodplanning>

15 West Berkshire District Local Plan: <http://info.westberks.gov.uk/index.aspx?articleid=28783>

16 Council Strategy: <http://info.westberks.gov.uk/index.aspx?articleid=27946>

Background 2

- Protected and Cared for
- Open for Business

2.32 The **Local Transport Plan (LTP)**⁽¹⁷⁾ was adopted in 2011 and sets the framework for the delivery of all aspects of transport and travel for West Berkshire to 2026.

2.33 Approximately 74% of West Berkshire is within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The **North Wessex Downs AONB Management Plan**⁽¹⁸⁾ is another important consideration in the preparation of the Minerals and Waste Local Plan. The management plan is driven by the primary purpose of the AONB designation – conservation and enhancement of natural beauty. It places a strong emphasis on the delivery of an integrated and sustainable approach, with vibrant rural economies and communities.

2.34 The Council's **Waste Management Plan**⁽¹⁹⁾ was adopted in 2002, setting out the Council's plan for waste management to 2022. The strategy aims to maximise composting and recycling rates in the district. Veolia Environmental Services were appointed to deliver the waste management contract in 2008. In 2008 a new Household Waste Recycling Centre opened in Newbury, with a new Integrated Waste Management Facility opening in Padworth in 2011.

2.35 The Minerals and Waste Local Plan also needs to take into account other plans such as **Community Plans**⁽²⁰⁾ (also known as Parish Plans) produced by the local communities of West Berkshire. These types of plans identify the economic, environmental and social issues important to a particular area and set out a vision for the local community.

Evidence Base

2.36 The Local Plan has to be based on a robust and credible evidence base. The Council has carried out or commissioned technical background work to help inform the process. This includes the following studies, all of which are available to download from the Council's website⁽²¹⁾.

- Local Aggregate Assessments (LAA)
- Local Waste Assessment (LWA)
- Minerals Evidence Paper
- Authority Monitoring Reports (AMR)
- Strategic Flood Risk Assessment (SFRA)
- Landscape and Visual Assessment
- Habitats Regulation Assessment (HRA)
- Equalities Impact Assessment (EqIA)
- Soft Sand Study and Topic Paper
- Preliminary Ecological Appraisal
- Heritage Assessment
- Transport Topic Paper

2.37 Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) has also been produced alongside the Minerals and Waste Local Plan. A SA/SEA must accompany all development plan documents produced. This is a tool that highlights any significant environmental, social or economic

17 Local Transport Plan: <http://info.westberks.gov.uk/index.aspx?articleid=27914>

18 AONB Management Plan: <http://www.northwessexdowns.org.uk/About-Us/aonb-management-plan.html>

19 Waste Management Plan: <http://info.westberks.gov.uk/index.aspx?articleid=27743>

20 Community Planning: <http://info.westberks.gov.uk/index.aspx?articleid=29110>

21 Minerals and Waste Local Plan Proposed Submission documents: <https://www.westberks.gov.uk/mwevidencebase>

2 Background

effect of the plan. It assesses the plan against a number of sustainability objectives in order to identify the impacts. The appraisal is fully integrated into the plan making process so that it can inform and influence the plan as it evolves.

2.38 All the documents that form part of the evidence base for the West Berkshire Minerals and Waste Local Plan contain numerous technical terms and acronyms. As opposed to including a glossary in each and every publication the Council has produced a single 'living' Glossary ⁽²²⁾ that will continue to be updated with new terms and acronyms.

Vision and Objectives 3

3 Vision and Objectives

3.1 The vision and objectives of the Minerals and Waste Local Plan provide the basis for the development of the overarching strategy, policies and proposals for minerals supply and waste management through the plan period to 2036.

3.2 The objectives seek to address the issues identified in the production and consultation involved in the development of the Minerals and Waste Local Plan, taking into account relevant national and local policies.

Vision

To facilitate the planned delivery of mineral resources and waste management capacity which meet the requirements for West Berkshire in accordance with national planning policy. In particular to plan for the delivery of mineral resources and waste management capacity in locations which meet the needs of West Berkshire in the most sustainable way.

Strategic Objectives

3.3 The vision leads to a set of objectives which have been prepared through consultation and which reflect the direction given by other plans and strategies in the District. The strategic objectives represent the key delivery outcomes that the Minerals and Waste Local Plan should achieve. It is critical to the success of the Minerals and Waste Local Plan that these objectives are realised.

Minerals Objectives

M1	To encourage the most appropriate use of all mineral resources and the re-use of recycled minerals and secondary aggregates, having regard to the need to ensure that there is a sufficient supply, whilst maintaining the long term conservation of primary aggregates.
M2	To attain the principles of sustainable development set out in the NPPF by taking into consideration the demand for all mineral resources and the need to protect the quality of life of residents, and protect and enhance the natural, built and historic environment.
M3	Where practicable to locate minerals development in appropriate locations in order that the potential negative impact from flooding is minimised.
M4	To maintain a stock of permitted reserves (a landbank) for aggregate minerals, in accordance with current Government advice to ensure an adequate and steady supply of minerals, as far as is practical, from outside the North Wessex Downs Area of Outstanding Natural Beauty, Scheduled Monuments and Conservation Areas.
M5	To identify sites for future mineral extraction which will provide for the continued extraction of minerals, having regard to the need to avoid demonstrable harm to interests of acknowledged importance.
M6	To prevent the unnecessary sterilisation of proven mineral resources by other forms of development and to safeguard existing and planned rail head sites together with existing and planned concrete batching facilities, coated road stone manufacturing facilities and sites that handle, process and distribute recycled and secondary aggregates.

3 Vision and Objectives

M7	To provide for the recovery and reuse of aggregate from construction and demolition waste in order to reduce the requirement for new primary resources to a minimum.
M8	To ensure that mineral sites are progressively restored at the earliest opportunity to a high standard, beneficial and viable after-use that delivers meaningful measurable net gains for biodiversity, including the establishment of coherent ecological networks.

Waste Objectives

W1	To seek to prevent the generation of waste arisings at source, and to support and encourage initiatives designed to achieve this.
W2	To enhance waste management in West Berkshire in line with the Waste Hierarchy through the provision of capacity for the re-use of waste materials, the preparation for the reuse of materials, the recycling of waste and the recovery of materials that cannot be recycled and to minimise the quantities of residual waste needing final disposal while recognising that this will continue to be required.
W3	To provide a flexible approach to the delivery of waste management facilities of appropriate capacity and type to achieve net self-sufficiency within the West Berkshire area.
W4	To enable the delivery of the West Berkshire Waste Management strategy and increase the proportion of waste managed further up the waste hierarchy.
W5	To locate waste management facilities so that wherever possible they minimise the distances that waste is transported for management and disposal, and to minimise adverse traffic effects of waste management development.
W6	To safeguard existing waste management facilities, which are appropriately located, from competing forms of development that might otherwise constrain their continued operation or lead to their loss.
W7	To ensure appropriate protection of the quality of life of those who live and work in West Berkshire from the adverse effects of waste management related development.
W8	To ensure appropriate protection and enhancement of the natural, built and historic environment in West Berkshire from the adverse effects of waste management related development in accordance with the NPPF.
W9	Where practicable to locate waste development in appropriate locations in order that the potential negative impact from flooding is minimised.

Overarching Spatial Strategy

3.4 Minerals development can only take place where the resources are found. Within West Berkshire, where sand and gravel are the main minerals extracted, this occurs along the river valley between Newbury and Reading for sharp sand and gravel, and in the 'Reading Beds' for soft sand, a bedrock deposit outcropping in the higher ground above the Kennet Valley.

3.5 Waste development will be directed to the most appropriate locations including consideration of the proximity to the sources of waste arisings.

Strategic Policies 4

4 Strategic Policies

- 4.1** This section of the Plan sets out the policies to deliver the Council's minerals and waste planning strategy for the plan period to 2036.
- 4.2** The Plan makes provision for a steady and adequate supply of construction aggregates over the plan period through the allocation of sites for mineral extraction as well as through encouraging the use of secondary and recycled aggregates.
- 4.3** The Plan includes a range of locational policies that provide a preferred spatial strategy for the provision of new waste management facilities that may be needed over the plan period.
- 4.4** The strategy also sets out the proposals for safeguarding of mineral resources and infrastructure as well as waste infrastructure to ensure the ongoing supply of both mineral resources and waste management capacity in the future. Policies on restoration and after use of mineral sites reflect the importance of these matters to the residents of West Berkshire to ensure that mineral extraction enhances the environment and to provide amenities for the public.
- 4.5** Where sites have been allocated, they are accompanied by a specific site policy setting out key requirements for any planning application submitted for the site.
- 4.6** There is also a suite of development management policies that set the broad framework against which all minerals and waste proposals will need to be assessed.
- 4.7** The Minerals and Waste Local Plan is accompanied by a policies map that will set out, spatially, the various policies in the plan. All mapping information is available on the Council's [Interactive map](#).

Policy 1

Sustainable Development

When considering minerals and waste development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework, National Planning Policy for Waste and the associated Planning Guidance.

Minerals and Waste development proposals that accord with the policies in this plan will be approved without delay, unless material considerations indicate otherwise.

- 4.8** The National Planning Policy Framework (NPPF) has a presumption in favour of sustainable development at its heart. Therefore, the Council's plan is based upon this principle as demonstrated by the vision, objectives and policies of the plan.
- 4.9** The policies in the Minerals and Waste Local Plan should be read in conjunction with other documents that form part of the Statutory Development Plan for West Berkshire. In addition, the Minerals and Waste Local Plan must be read as a whole.

4 Strategic Policies

Landbank and Need

Policy 2

Landbank and Need

The need for aggregate minerals to supply the construction market in West Berkshire should be met, where possible, from recycled and secondary aggregates in preference to primary aggregates to minimise the need to extract primary aggregates. Provision will be made for a minimum of 350,000 tonnes of recycled and secondary aggregate capacity.

In order to ensure a steady and adequate supply of primary construction aggregates (sand and gravel), the Council will seek to maintain landbanks of permitted reserves of sharp sand and gravel and soft sand of at least 7 years based on the latest Local Aggregate Assessment (LAA), and take into account the need to maintain sufficient productive capacity to enable the rates in the LAA to be realised.

The West Berkshire Minerals and Waste Local Plan will aim to deliver 1,732,000 tonnes of construction aggregates from primary sources to meet the identified needs of West Berkshire over the plan period to 2036, comprised of 941,000 tonnes of sharp sand and gravel and 791,000 tonnes of soft sand. The level of need for primary construction aggregates and state of the landbank will be kept under review through the production of a LAA on an annual basis.

4.10 Minerals make a significant contribution to the nation's prosperity and quality of life, and aggregate minerals are needed to build new communities and maintain existing ones. The NPPF requires in the first instance, that as far as practicable, planning policies should take account of the contribution of recycled and secondary materials to the supply of minerals before considering the extraction of primary materials. In order to encourage the production of recycled and secondary materials, this policy includes a minimum requirement for capacity, based on the past three year average sales (rounded up), as recommended in the Local Aggregates Assessment. There are adequate processing facilities for this demand of recycled aggregates and the plan also seeks to safeguard these sites (Policy 10 'Waste Safeguarding') to ensure the level of contribution these sites provide can be maintained. There are no known sources of notable secondary aggregates within West Berkshire. While recycled aggregates locally have primarily been used in low grade construction, improvements in technology mean that there may be scope in the future for production of higher quality material which may be able to replace more and more primary minerals.

4.11 In addition, the NPPF requires that Minerals Planning Authorities should make provision for ensuring an adequate and steady supply of primary aggregates for the construction industry by means of maintaining a landbank.

4.12 A landbank is a stock of mineral planning permissions, which together allow sufficient aggregate minerals to be extracted to meet a defined period at a given rate of supply. Landbanks of aggregate minerals reserves are also used as the principal indicator of the future security of aggregate minerals supply, and to indicate the additional provision that needs to be made for new aggregate extraction and alternative supplies in mineral plans.

Strategic Policies 4

4.13 The NPPF requires Minerals Planning Authorities to plan for a steady and adequate supply of aggregates through preparing an annual Local Aggregates Assessment (LAA) from which future planned provision should be derived based on a rolling average of 10-years aggregates sales and an assessment of all supply options (including marine dredged, secondary and recycled sources), and other relevant local information.

4.14 The NPPF also confirms that Mineral Planning Authorities ensure that sufficient resources are identified to maintain a landbank of at least 7 years of supply for sand and gravel throughout the plan period.

4.15 The minerals evidence that supports the Minerals and Waste Local Plan confirms that the average level of primary construction aggregates that have been sold from sites in West Berkshire over the last 10 years (2008 – 2017) is 232,964 tonnes (comprised of 189,233 tonnes sharp sand and gravel; 43,730 tonnes soft sand).

4.16 In accordance with the NPPF this figure has been used to calculate the level of need over the plan period (to 2036). Assuming that West Berkshire continues to supply construction aggregates to the market at a rate of 232,964 tonnes per annum then approximately 4.4 million tonnes of construction aggregates will need to be supplied in the period 2018 - 2036.

4.17 The minerals evidence confirms that at the end of 2017 there was approximately 2.7 million tonnes of sand and gravel reserves permitted at sites in West Berkshire. Taking these permitted reserves into account means that the emerging Minerals and Waste Local Plan will need to meet a need for approximately 1.732 million tonnes of construction aggregates to 2036. This is comprised of approximately 941,000 tonnes of sharp sand and gravel, and 791,000 tonnes of soft sand.

4.18 It is noted that the Replacement Minerals Local Plan for Berkshire (RMLP) sets out a number of preferred areas, designed to meet the needs of that plan. There remain two sites identified in the adopted RMLP located in West Berkshire estimated to contain circa 1,700,000 tonnes of sharp sand and gravel that have not yet been worked, or been the subject of planning applications. There is no certainty over whether these sites will ever be worked (and indeed having been allocated for over 15 years and no application having been forthcoming it seems unlikely). Therefore, the West Berkshire MWLP does not take these reserves into account, and is proposing to provide for the complete requirement identified over the plan period.

4.19 The NPPF and planning practice guidance states that separate landbanks should be calculated and maintained for any aggregate materials of a specific type or quality which have a distinct and separate market. In West Berkshire there are principally two types of construction aggregates that have been worked: sharp sand and gravel (primarily used in the manufacture of concrete) and soft sand (primarily used in the manufacture of mortar). There are also deposits of hoggin found within West Berkshire (usually used as dug), however in recent years these deposits have been processed and sold as sharp sand and gravel.

4.20 With no hard rock reserves in West Berkshire, all hard rock requirements are met through imports, mainly by rail. Approximately 60% of total aggregates sales in West Berkshire is hard rock. It has been assumed that a large proportion of the imported aggregate sold from three rail depots in West Berkshire is then exported from the district by road. The plan seeks to safeguard the rail head sites (Policy 9 'Minerals Safeguarding') to ensure that this important mineral resource can be retained.

4 Strategic Policies

Net Self-Sufficiency in Waste Management

Policy 3

Net Self-Sufficiency in Waste Management

In order to ensure the appropriate management of waste arisings within West Berkshire the Council will seek to maintain net self sufficiency, where the total waste management capacity provided from sites in West Berkshire is greater than the total waste arisings within West Berkshire over the plan period to 2036.

The level of need for new waste management capacity to meet net self sufficiency will be kept under review through the production of Authority Monitoring Reports.

The Council will seek to drive waste up the waste hierarchy by requiring waste development proposals to demonstrate that the waste being managed cannot reasonably be managed higher up the waste hierarchy than that proposed.

4.21 Achieving net self-sufficiency in waste management and disposal capacity requires the provision of waste treatment and disposal capacity that is equal to or greater than the volume of waste arisings.

4.22 West Berkshire is too small an area to plan effectively for all waste streams. This is primarily due to the level of waste arisings and issues around economies of scale. Much of the specialist waste arisings in the district are too low to make a specific waste treatment or disposal method viable. This is probably true of all plan areas as all waste planning authorities will generate small volumes of very specialised waste, such as hazardous or radioactive waste, that would be uneconomical to manage locally.

4.23 Therefore there will always be a movement of waste across administrative boundaries, however it is considered that planning for net self-sufficiency should mean that the authority is in the position where the necessary level of waste movement is reduced. It is accepted that West Berkshire will always be reliant on other local authorities to manage some waste arising within West Berkshire. This is because there is no non-hazardous landfill capacity within the authority meaning that such wastes destined for landfill will have to be exported. Similarly there is only a small volume of waste recovery capacity in West Berkshire (there being a small number of facilities that use waste wood to generate electricity or produce heat and some on farm anaerobic digestion capacity).

4.24 However these potential shortfalls in capacity are at the lower end (or bottom in the case of landfill) of the waste hierarchy that is set out in National Planning Policy for Waste. As such the vast majority of existing operating and permitted waste management facilities in West Berkshire are at the upper end of the waste hierarchy. The 2019 Local Waste Assessment (LWA) that has been produced to inform the development of the Minerals and Waste Local Plan and has considered the volume of waste arisings in West Berkshire by waste stream and also uses various methods to project the volume of waste arisings anticipated to arise at the end of the plan period (2036). The full detail can be found in the LWA but in all cases the Council has sought to use the least conservative (but still reasonable) forecasting method identified when projecting future waste arisings. Such an approach has been adopted to ensure that the projections in the LWA are sufficiently robust to ensure that the policy approach adopted in the MWLP is the most appropriate.

Strategic Policies 4

4.25 The following table (from the LWA) illustrates the estimated volume of waste, by waste stream that is presently arising and the projected level of waste arisings at 2036 as well as a summary of the estimated waste management capacity available at existing sites in West Berkshire. This gives an estimation of the shortfall/surplus of capacity for each waste stream at the end of the Plan period.

Waste Stream	Chosen Baseline Arisings (t)	Projected arisings 2036 (t)	Capacity (t)	Shortfall/Surplus at 2036 (t)
LACW	76,758	92,000	118,000	+26,000
CDE	384,443	454,000	714,250 (+115,530m ³) ⁽¹⁾	+260,250
C&I	165,472	230,000	258,950	+28,950
Hazardous	21,514	30,000	15,000	-15,000
Sewage Sludge	3,916	4,114	7,300	+3,186
Radioactive	1,372m ³ ⁽²⁾	1,372m ³	20m ³	-
Equine	52,800	52,800	4,000	-
Other	-	-	400	-
Total ⁽³⁾	652,103	810,114	1,113,500 (+115,530m ³)	+303,386

1. Inert waste landfill capacity is temporary, and has been excluded from net self-sufficiency calculations)

2. Radioactive arisings based on lifetime total over Plan period (24,700/18)

3. Excluding Radioactive, Equine and Other Wastes

4.26 This table above shows that the operational permanently consented waste infrastructure in West Berkshire (see Tables 3.2 - 3.7 of the LWA), could manage over 1 million tonnes of waste arisings per year.

4.27 In addition it is understood that at the end of 2017 there was around 115,530m³ of inert waste landfill/recovery capacity in West Berkshire (with 1.25 million m³ having yet to be created through consented mineral extraction), see Table 3.7 of the LWA. It is estimated that somewhere in the region of 1.42 million m³ of additional landfill capacity (expected to be inert) could be generated over the life of the plan through the restoration of the allocated mineral extraction sites identified in this plan.

4.28 In addition, several of the existing consented waste management (recycling and transfer) sites in West Berkshire currently operate under temporary permissions (see Tables 3.2 - 3.7 of the LWA). The temporary facilities currently operating only provide around 110,000 tonnes of recycling and transfer capacity, illustrating that the vast majority of the consented capacity (approximately 1 million tonnes) is provided by sites with permanent planning permission.

4.29 As can be seen from the above table the total annual capacity of the existing permanent waste management sites in West Berkshire is understood to be 1,113,500 tonnes. When compared to the worst case projected total annual waste arisings for 2036 of 810,114 tonnes, it can be seen that there is headroom of 303,386 tonnes.

4 Strategic Policies

4.30 In addition, the LWA has shown that there is sufficient capacity for recycling targets to be met for Local Authority Collected Waste (LACW) and Commercial and Industrial (C&I) waste, with capacity to meet future targets as well. For both LACW and C&I waste, the circular economy target to recycle 65% with no more than 10% waste to landfill by 2035 has been applied⁽²³⁾. This results in the following requirements at the end of the Plan period (2036):

2036 ⁽¹⁾	Recycle (65%)	Implied Recovery (25%)	Landfill (10%)	Total
LACW	59,649	22,942	9,177	91,767
C&I	146,927	56,510	22,604	226,041

1. Source: LWA (2019) Tables 4.4 and 6.7 (worst case scenario)

4.31 The total current capacity for C&I waste to achieve the 65% recycling target is approximately 248,950 tonnes (LWA Table 3.3) which is more than the 146,927 tonnes required by 2035. For LACW, current capacity is 69,000 tonnes (LWA Table 4.3) which is also in excess of the relevant recycling target of 59,649 tonnes by 2035.

4.32 For CDE waste, which is not required to achieve the same circular economy targets as LACW and C&I waste, the Waste Framework Directive specifies that at least 70% should be prepared for reuse, recycled or recovered by 2020⁽²⁴⁾. Permanent operational capacity to manage the recyclable element of CDE waste equates to 714,250 tonnes per annum (LWA Table 3.4). This is in excess of the approximately 270,000 tonnes of CDE waste (70% of 384,443 tonnes total CDE arisings) required to be prepared for reuse, recycled or recovered by 2020 in line with the Waste Framework Directive.

4.33 The level of operational, permanently consented waste management capacity in West Berkshire is currently above the estimated levels of waste arisings (in 2017), the level of consented capacity currently also exceeds the projected level of waste arisings in 2036, and there is sufficient capacity to achieve the circular economy and Waste Framework Directive targets. It is therefore apparent, based on the evidence supporting the plan, that there is no need for the Minerals and Waste Local Plan to identify any new sites for the delivery of additional waste management capacity to meet the needs of the authority over the life of the plan.

4.34 The Council undertook several calls for sites as part of the preparation of the Minerals and Waste Local Plan (in 2014 and 2016) and a number of 'waste sites' were submitted for consideration as part of this process. However as the LWA has shown that there is no need for additional waste management capacity within the district the sites have not been considered for allocation. All but one of the sites were existing waste management sites operating under permanent, or temporary, planning permissions. In the case of the promoted site operating under a temporary consent the site submission only sought to allocate the site for a temporary period. In the case of the 'new' waste site promoted this was for an inert waste infilling operation of existing lakes in West Berkshire, and as detailed in Policy 7 'Location of Development - Landfill and Permanent Deposit of Waste to Land' it is considered that inert waste from which no more value can be obtained should be used in the restoration of permitted minerals sites to ensure that such sites can be restored to an acceptable landuse in a timely manner. As stated above the proposed minerals sites for allocation will result in the demand for around 1.42 million cubic metres of material to be used in the restoration of these sites.

23 Circular Economy Target: <https://ec.europa.eu/environment/circular-economy/>

24 The Waste Framework Directive: <https://ec.europa.eu/environment/waste/framework/targets.htm>

Strategic Policies 4

4.35 In addition, given the other policies that are proposed as part of the plan it is considered that there is no need to allocate existing permanent waste sites for waste development given that a presumption in favour of replacement or additional facilities at existing waste facilities is proposed under the policy on the location of waste facilities (Policy 5 'Location of Development - General Waste Management Facilities').

4.36 The proposed policy on the safeguarding of waste facilities (Policy 10 'Waste Safeguarding') is deliberately protective of the existing permanent waste management capacity in West Berkshire to ensure that existing consented capacity is not lost, to ensure the maintenance of a position of net self-sufficiency in terms of waste management capacity.

4.37 The monitoring of whether the authority remains in a position whereby it is achieving net self-sufficiency in waste management capacity will need to be kept under review once the plan has been adopted to ensure that this policy position remains an appropriate approach. Monitoring of waste management capacity on a regular basis will be undertaken as part of the monitoring of the plan, in the Authority Monitoring Report (AMR) and it is recommended that the local waste assessment be updated on a regular basis.

4 Strategic Policies

Location of Development

Policy 4

Location of Development - Construction Aggregates

Allocated Sites

The following sites are allocated to meet the need for primary aggregates:

Sharp Sand and Gravel

- Boot Farm, Brimpton Common (Policy 30 'Boot Farm')
- Tidney Bed, Ufton Nervet (Policy 31 'Tidney Bed')

Soft Sand

- Chieveley Services, Chieveley (Policy 32 'Chieveley Services')

A map showing the location of the allocated sites is given in Appendix 1 'Allocated Sites'.

There will be a presumption in favour of construction aggregate extraction proposals only in the following circumstances:

- The site is allocated for mineral extraction in this plan, provided that the identified site specific requirements are satisfied; or
- The extraction proposal relates to a proposal for a borrow pit, or
- The extraction proposal relates to the extraction of minerals prior to a planned non mineral development (prior extraction); or
- The extraction proposal relates to a proposal for another beneficial and acceptable use and mineral extraction is a necessary part of the proposed development; or
- The extraction proposal is required to maintain the requirement provisions in Policy 2 'Landbank and Need'.

In addition, for soft sand:

- The site is located within an area of search for soft sand; or
- The proposal satisfies the requirements of the exceptional circumstances test in the NPPF.

Although there is a presumption in favour of development in the areas identified in this policy, proposals must meet the requirements of all relevant policies in this plan.

4.38 For sharp sand and gravel, the plan identifies, through the allocation of two sites, sufficient resources to meet the landbank requirement for the plan period. Together these sites provide a supply of approximately 1.75 million tonnes of construction aggregates, providing a degree of flexibility. The outcomes of consultation, further assessment in terms of viability and changes to the landbank requirement have influenced the selection of the sites in the plan. The details of the sites proposed for allocation are set out in chapter 6 'Site Allocation Policies'.

Strategic Policies 4

4.39 This figure of 1.75 million tonnes of sharp sand and gravel that could be delivered from the allocated sites is above the arithmetic minimum level of 941,000 tonnes that the plan needs to provide in Policy 2 'Landbank and Need'. However, there are a variety of factors that can impact upon the actual yield of minerals from an extraction site so the proposal to deliver a greater level of minerals than could be considered the necessary minimum would allow for additional flexibility in the Plan. In addition, it will assist in maintaining sufficient production capacity as required by Policy 2 'Landbank and Need'.

4.40 For soft sand, the Council commissioned a specific Soft Sand Study to investigate all potential supply options for delivering West Berkshire's identified level of need for soft sand due to the fact that in recent years the only deposits of soft sand worked in West Berkshire have been located in the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The Soft Sand Study concluded that the only realistic alternative to providing for extraction within the AONB in West Berkshire would be to supply soft sand from quarries in the south of Oxfordshire. The Soft Sand Study identifies that part of the current soft sand sales pattern in Oxfordshire comprises supply to West Berkshire, so this would be a continuation of the current situation. Therefore, if Oxfordshire were to make provision to enable the current levels of sales to continue, then it could be inferred that the current movements of soft sand from Oxfordshire to West Berkshire will be able to continue. This would enable at least some of the identified need for soft sand in West Berkshire to be met by imports from Oxfordshire. However, this would rely on a formal agreement with Oxfordshire County Council to make provision for supplying West Berkshire as well as addressing its own requirements.

4.41 Therefore, liaison has been undertaken through the Duty to Cooperate regarding whether Oxfordshire County Council could make provision to enable current levels of soft sand supply to continue through their emerging Site Allocations Document. A Statement of Common Ground has been drafted regarding the arrangement of soft sand supply between the authorities and outlining agreement from Oxfordshire County Council to make provision to enable current levels of supply to continue which would enable at least some of the identified need for soft sand in West Berkshire to be met by imports from Oxfordshire, as is currently understood to be the case.

4.42 As imports from Oxfordshire cannot be relied upon to fully meet the need for soft sand identified in Policy 2, the Plan also identifies one soft sand site for allocation (Chieveley Services). As the site is within the North Wessex Downs AONB, the Council has carried out an exceptional circumstances test in line with the NPPF to determine that extraction within the AONB is justified (as set out in the Soft Sand Topic Paper ⁽²⁵⁾). This test has demonstrated that there is a pressing need for soft sand within West Berkshire, and has determined that the alternatives for extraction within the AONB are not sufficient to meet the identified need. It has also been determined that the allocated soft sand site is able to be developed without significant adverse effects on the environment, landscape or recreational opportunities.

4.43 The Council has also identified areas of search Figure 3 'Soft Sand Areas of Search' within which permission for soft sand extraction may be granted, provided that the criteria of this policy and all other relevant policies in the Plan are met.

4.44 It is acknowledged that the one allocated soft sand site is not sufficient to meet the identified requirement for soft sand in Policy 2 'Landbank and Need'. However, it is considered that the Council has undertaken all measures to identify potential soft sand supply options for the District as set out in the West Berkshire Soft Sand Study and Soft Sand Topic Paper. The shortfall in soft sand supply of 121,000 - 391,000 tonnes, (6,400 – 20,000 tpa) is expected to be made up from windfall sites and supply from Oxfordshire.

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4.45 It is anticipated that these measures combined will enable the requirement for soft sand identified in Policy 2 to be met. Monitoring indicators are included in the monitoring schedule to ensure that the supply of soft sand is able to be calculated over the Plan period. Where this is demonstrating that the requirement for soft sand is not being met, then this would trigger a review of the Plan, and consideration of the options for soft sand supply again.

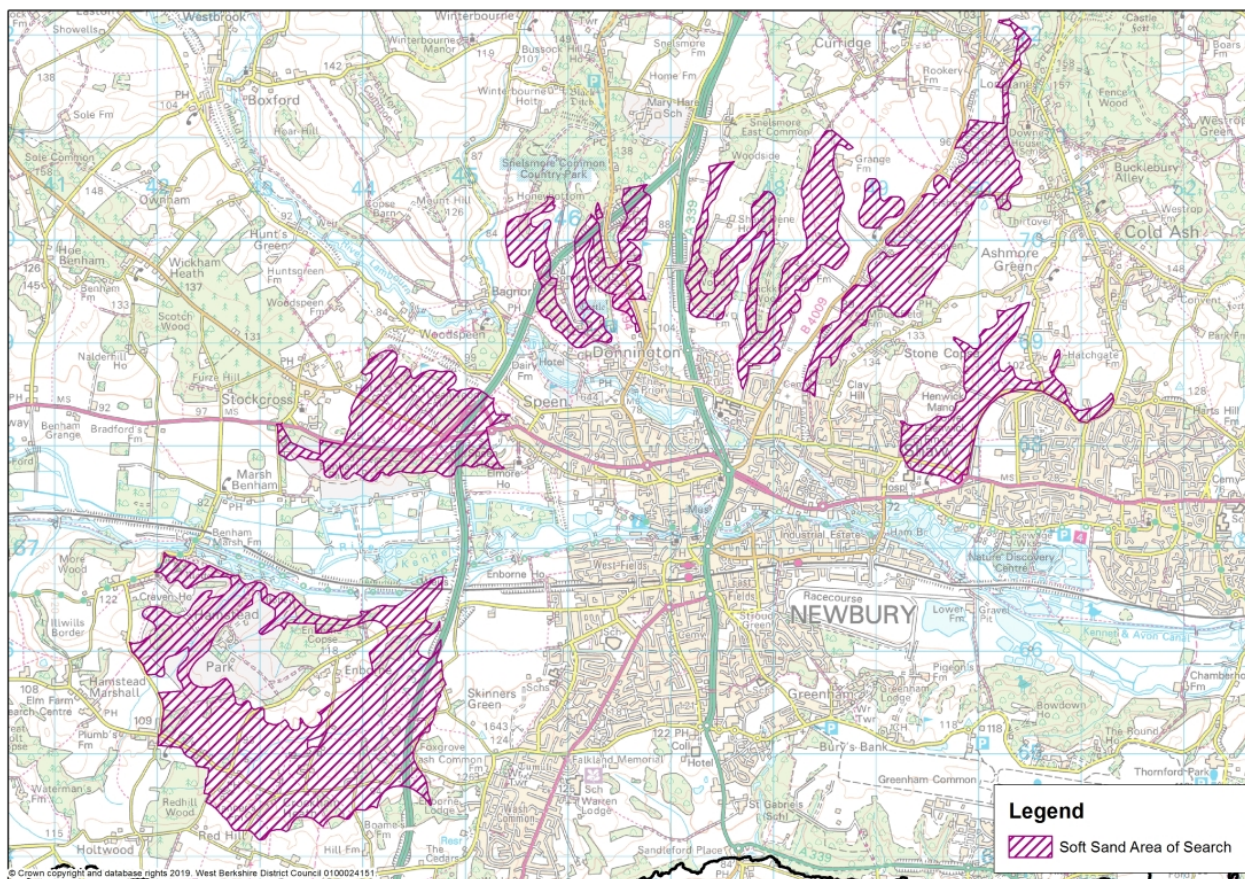


Figure 3 Soft Sand Areas of Search

4.46 Within identified allocated sites there will be a strong presumption in favour of development for the extraction of sand and gravel, subject to consideration of the detailed proposals against the site specific requirements. Consideration will also need to be given to all other policies in the plan that are relevant to the development proposal and any other material considerations.

4.47 Allocated sites identify areas where there will be a presumption in favour of development. The mineral allocations have been selected as the least damaging potential sites for extraction in terms of the effect on environmental and social sustainability. It therefore, follows as a general principle that outside the allocated sites there will be a general presumption against planning permission being granted unless the additional requirements of the policy are met.

4.48 The policy recognises that there could be other circumstances when mineral extraction proposals might be considered acceptable.

4.49 The first identified situation is the development of borrow pits that meet the specific needs of a construction project, such as a specific road development. This is detailed further in Policy 8 'Borrow Pits'.

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4.50 There is a presumption in favour of planning permission being granted for prior extraction proposals, where mineral extraction takes place in advance of significant development and where a viable mineral resource would otherwise be sterilised, as referred to in Policy 9 'Minerals Safeguarding'.

4.51 Other developments, such as the creation of marinas or agricultural reservoirs which have the potential to provide minerals as part of the extraction operations that would be required in the delivery of such developments, may also be considered acceptable.

4.52 Another general presumption in favour of mineral extraction, is where sites are needed in order to enable the requirement provisions in Policy 2 'Landbank and Need' to be met. This may be where, for example an allocated site has not come forward as anticipated.

4.53 Finally, in recognition that the allocated site for soft sand is not sufficient on its own to meet the requirement specified in Policy 2 'Landbank and Need', the additional criteria allow sites to be considered in soft sand areas of search, or in situations where they satisfy the requirements of the exceptional circumstances test in the NPPF.

4.54 All development proposals will be considered on their own individual merits and consideration will be given to the specific justifications provided for the proposals. All proposals will be considered against policies in the Minerals and Waste Local Plan.

Policy 5

Location of Development - General Waste Management Facilities

There will be a presumption in favour of waste management development proposals (excluding landfill) only in the following areas:

- Existing sites with permanent planning permission for waste management development; or
- Existing sites with permanent planning permission for industrial development (B2 and B8 land uses) or within suitable protected employment areas; or
- On previously developed land; or
- Agricultural or forestry buildings and their curtilages where they are demonstrated to be redundant; or
- In the case of inert waste management facilities, in aggregate quarries and inert landfill sites for the duration of the host facility.

Waste development outside these areas will only be permitted in exceptional circumstances and consideration will be given to the proximity of the proposed development to the source of waste arisings.

The co-location of waste management activities within existing permanent waste management sites will be supported, where it would not result in intensification of uses that would cause unacceptable harm to the environment or communities in a local area due to cumulative impacts.

Although there is a presumption in favour of development in the areas identified in this policy, proposals must meet the requirements of all relevant policies in this plan.

4.55 No waste sites are to be allocated through the plan as there is sufficient waste management capacity in existing sites which will be safeguarded over the plan period (Policy 10 'Waste Safeguarding'). However, this policy sets out where there will be a presumption in favour of waste

4 Strategic Policies

management development. This approach will enable flexibility for sites to cope with changes in waste practices and allow for new and emerging waste technologies to come forward on existing sites and ensure that old technology can be replaced with new and emerging technologies.

4.56 The policy seeks to steer waste development away from greenfield sites, giving priority to existing waste sites, industrial and employment areas, the re-use of previously developed land and redundant agricultural and forestry buildings in line with the National Planning Policy for Waste. In the case of inert waste recycling facilities, these often have functional linkages with the restoration of aggregate quarries and landfill facilities, and therefore, these are appropriate locations for this type of waste management. Policy 16 'Temporary Minerals and Waste Infrastructure' provides greater detail on this situation. Within the specified areas there will be a presumption in favour of waste management development. However, consideration will also need to be given to all other policies in the plan that are relevant to the development proposal and any other material considerations.

4.57 With respect to the co-location of new waste sites within existing permitted waste management sites particular consideration will need to be given to cumulative impacts. Proposed developments will need to demonstrate that they will not generate unacceptable impacts on their own, or in conjunction with existing waste facilities that will continue to operate at the site in question.

4.58 The main types of waste facility that could be developed in accordance with this policy include, waste transfer stations, materials recycling facilities, inert waste recycling facilities, energy from waste, Waste Electrical Electronic Equipment (WEEE) waste facilities and scrap metal facilities.

4.59 Waste developments may be acceptable outside the locations specified in the policy in exceptional circumstances, including where facilities are proposed in rural areas. Such facilities would only be acceptable where there is a good relationship between the location of the site and the source of the waste.

Policy 6

Location of Development - Specialist Waste Management Facilities

Planning permission will be granted for specialist waste management facilities, including facilities to manage agricultural and hazardous wastes and waste water where:

- Sites are proposed within the areas identified in the location of waste management facilities policy; or
- There is a clear proven and overriding need for the proposed facility to be sited in the proposed location; and
- The proposals and any associated equipment or operations do not have an unacceptable environmental impact or unacceptable impacts on communities.

In addition, proposals for specialist waste management facilities must meet the requirements of all relevant policies in this plan.

4.60 There are a number of waste streams that require specialist treatment that might need to be managed in specific locations. These can occur as part of municipal, C&I or C&D waste streams or as specialist waste streams themselves. Waste considered to require specialist waste management

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facilities can include (but is not limited to), hazardous waste including clinical and veterinary waste, equine and agricultural waste, waste water and sewage sludge. Anaerobic Digestion and composting facilities may also be considered under this policy.

4.61 Specialist waste management facilities are most sustainably located close to the sources of the waste product, therefore, there can be a need for these facilities within areas otherwise considered unsuitable for waste development. Proposals would need to demonstrate that there is an overriding proven need for a new facility to be developed at the location proposed taking into account matters such as the location of the waste arisings, the nature of the waste, the throughput of the site and the nature of the waste management development proposed.

4.62 Specialist waste facilities, such as those dealing with equine and agricultural waste, may need to be located in areas that would not otherwise be acceptable, such as rural locations or within the AONB, to be close to the source of the waste. For example on farm waste facilities that derive their feedstock from the farm itself. Appropriate mitigation measures would be required to ensure such proposals do not generate an unacceptable level of harm to the character of the area or the local community.

4.63 Consideration will also need to be given to all other policies in the plan that are relevant to the development proposal and any other material considerations.

Policy 7

Location of Development - Landfill and Permanent Deposit of Waste to Land

There will be a presumption in favour of land filling or permanent deposit of waste only in active or planned mineral extraction sites where the restoration of the mineral site requires the use of imported materials to achieve an acceptable restoration and afteruse.

Only waste from which no further value can reasonably be obtained shall be landfilled. Proposals for landraising will normally be refused.

In exceptional circumstances permanent deposit of inert material may be permitted where it is an essential element of another beneficial and necessary development proposal.

Although there is a presumption in favour of development in the areas identified in this policy proposals must meet the requirements of all relevant policies in this plan.

4.64 Due to a number of legislative and fiscal factors, including the landfill tax, the waste hierarchy, EU Directives and planning policies, the volume of waste landfilled in the UK has dramatically reduced in previous decades. As such there is only very limited demand for new landfill sites and existing sites are generally taking longer to complete.

4.65 The only landfill sites in West Berkshire that received waste in the last decade are those that accepted non-recyclable inert waste. This inert waste, that is usually derived from the construction, demolition and excavation waste stream is generally used in the restoration of former mineral workings, to achieve acceptable landforms.

4.66 This policy ensures that non-recyclable waste material is used for the restoration of mineral sites and not diverted to other sites / uses other than in exceptional circumstances. This is to ensure that there is sufficient material to enable the satisfactory restoration of mineral sites.

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4.67 Whilst this policy would apply to the deposit of inert waste as well as non-inert wastes, it is considered unlikely that any proposals for non-inert waste will come forward over the life of the plan. Whilst there does not appear to be a significant demand for non inert landfill within West Berkshire, a proposal may come forward during the plan period, and therefore, planning permission could be granted providing it complies with the policy.

4.68 Following completion of any landfill site, the site will need to be restored and there would be a period of after-care during which time the site would need to be managed to prevent unacceptable adverse impacts on the environment. As such Policy 17 'Restoration and After-use of Sites' is particularly relevant to such proposals.

4.69 It is recognised that there may occasionally be situations where the importation and placement of waste material from which no value can be obtained is deposited as part of another development, such as in the creation of flood defences or proposals for built development where a change in levels across a site is required. Whilst such proposals will generally be resisted (to ensure that there is sufficient material available to restore mineral sites), there may be exceptional benefits of such developments which override this general resistance. Due to the visual and landscape implications involved with land raising proposals, which create alien features in the landscape, landraising will normally be refused.

4.70 Activities which involve the permanent deposit of inert waste to land may be considered to be disposal⁽²⁶⁾ (landfill) or recovery⁽²⁷⁾ operations. Whether the deposit of inert waste to land constitutes disposal or recovery depends on the specific characteristics and true purpose of the development. It also depends on whether the activity is being considered from a planning or an environmental permitting perspective. This is due to the fact that the Environment Agency have requirements for determining whether an activity requires a permit as a landfill, or a recovery operation, which may differ from the Waste Planning Authority view where certain types of permanent deposit are considered to be of beneficial use, e.g. mineral site restoration.

4.71 A permit must be obtained from the Environment Agency for the disposal or recovery of waste, in addition to planning permission. It is best practice that these applications are progressed simultaneously to minimise the extent of additional work and ensure integrated and timely decisions⁽²⁸⁾

26 Disposal is the fifth and final stage of the waste hierarchy and includes the final fate of waste that is unable to be managed higher up the waste hierarchy (any operation which is not recovery)

27 Recovery is the fourth stage of the waste hierarchy, and includes any operation other than recycling where the principal result of which is waste serving a useful purpose by replacing other primary materials which would otherwise have been used.

28 National Planning Practice Guidance for Waste Paragraph 052 Reference ID: 28-052-20141016 <https://www.gov.uk/guidance/waste>

Policy 8

Borrow Pits

Planning permission will be granted for borrow pits to supply raw materials to serve major construction projects where:

- There is a need for minerals which cannot reasonably be supplied from existing aggregate producing sites, including primary aggregates and primary aggregate substitutes; or
- The transport of mineral from existing sites to the construction project would be detrimental to the environment and local amenities because of the scale, location and timing of the operations; and
- The site lies, on or in close proximity to the project; and
- The mineral can be transported to the point of use without leading to unacceptable impacts on the public highway network; and
- the site can be restored to a satisfactory after-use promptly following extraction without the need to import material other than that generated by the construction project itself or through the use of material that can be brought to the site without leading to unacceptable impacts on the public highway network.

Where planning permission is granted, conditions will be imposed to ensure that operations are time-limited and that all mineral extracted is used only for the specified project.

In addition, proposals must meet the requirements of all relevant policies in this plan.

4.72 Borrow pits are temporary mineral workings opened locally to supply material for a specific construction project. This is normally a large project where a substantial amount of aggregate needs to be supplied over a relatively short period. Examples include road building schemes, or the construction of a reservoir, although they can also be used in association with smaller projects.

4.73 It is recognised that, in some cases, it could be preferable to open up a borrow pit close to the project site to ensure the availability of the necessary supplies and to avoid the need to import material by lorry from further afield, reducing the impact on the road network. This also provides the opportunity to release otherwise unviable deposits.

4.74 The policy provides flexibility in the sourcing of aggregates for specific construction projects where there is a high level of demand for aggregates over a relatively short period. The developer will be required to demonstrate that the borrow pit represents the most suitable source of material to meet the demand, and that adequate environmental safeguards can be implemented effectively.

4.75 Consideration will also need to be given to all other policies in the plan that are relevant to the development proposal and any other material considerations.

4 Strategic Policies

Safeguarding

Policy 9

Minerals Safeguarding

'Minerals Safeguarding Areas' (MSAs) have been defined which safeguard the following from sterilisation by non-mineral development:

- Known construction aggregate mineral deposits⁽²⁹⁾;
- Existing (including those with planning permission yet to be implemented) and allocated mineral extraction sites;
- Potential, planned and existing minerals associated infrastructure, including rail sites and mineral processing plant sites.

Non-mineral development in Minerals Safeguarding Areas may be considered acceptable in the following circumstances:

- The proposal would not prejudice or detrimentally affect the extraction of underlying mineral resources, or the operation of a planned or existing mineral extraction site, or the operation of potential, planned or existing minerals associated infrastructure; or
- It can be demonstrated that the underlying mineral is of no economic, or potential economic value, or that the mineral could not be extracted from the site for other valid planning reasons; or
- Where a mineral resource underlies a prospective development site and prior extraction, or partial prior extraction of the mineral resources can be undertaken in advance of, or as part of, the proposed development; or
- It can be demonstrated that the need for the proposed development outweighs the need to conserve the mineral resources, or maintain the operational capability of the minerals associated infrastructure; or
- The proposed development is aligned with the specifications for a site allocated within an adopted local plan or neighbourhood plan, and the allocation was considered in light of this safeguarding policy.

4.76 Minerals are a valuable, but limited, natural resource that can only be won where they naturally occur. Safeguarding of viable or potentially viable mineral deposits from sterilisation by surface development is an important component of sustainable development. Safeguarding means taking a long-term view to ensure that sufficient resources will be available for future generations, and importantly choices remain open about where future mineral extraction might take place with the least environmental impact.

4.77 Safeguarding of minerals in MSAs will be achieved by ensuring that non-mineral development is steered elsewhere, or that extraction of the underlying minerals takes place prior to the non-mineral development proceeding (known as prior extraction).

4.78 The chalk and clay deposits in West Berkshire are not actively worked, and have not been commercially extracted for decades. Therefore these deposits are not considered of sufficient importance to warrant safeguarding. The key mineral deposits in West Berkshire are construction

29 Sharp sand and gravel together with soft sand

Strategic Policies 4

aggregates (soft sand and sharp sand and gravel). The deposits of these construction aggregates are relatively shallow, and their location often closely coincides with the existing pattern of settlement and development. Therefore, there is potential for new non-mineral surface development to be proposed on, or close to, these important mineral deposits.

4.79 The extent of the MSAs that have been identified (see below map and the policies map) are based on information about aggregate sand and gravel resources from the British Geological Survey and other sources of geological information, plus existing mineral working permissions and the nature and duration of the operations. In some instances the MSAs apply to sand and gravel deposits beneath existing urban areas. This is to ensure that the existence of the sand and gravel and the possibility for prior extraction is taken into account if and when proposals for large scale redevelopment are proposed and considered.

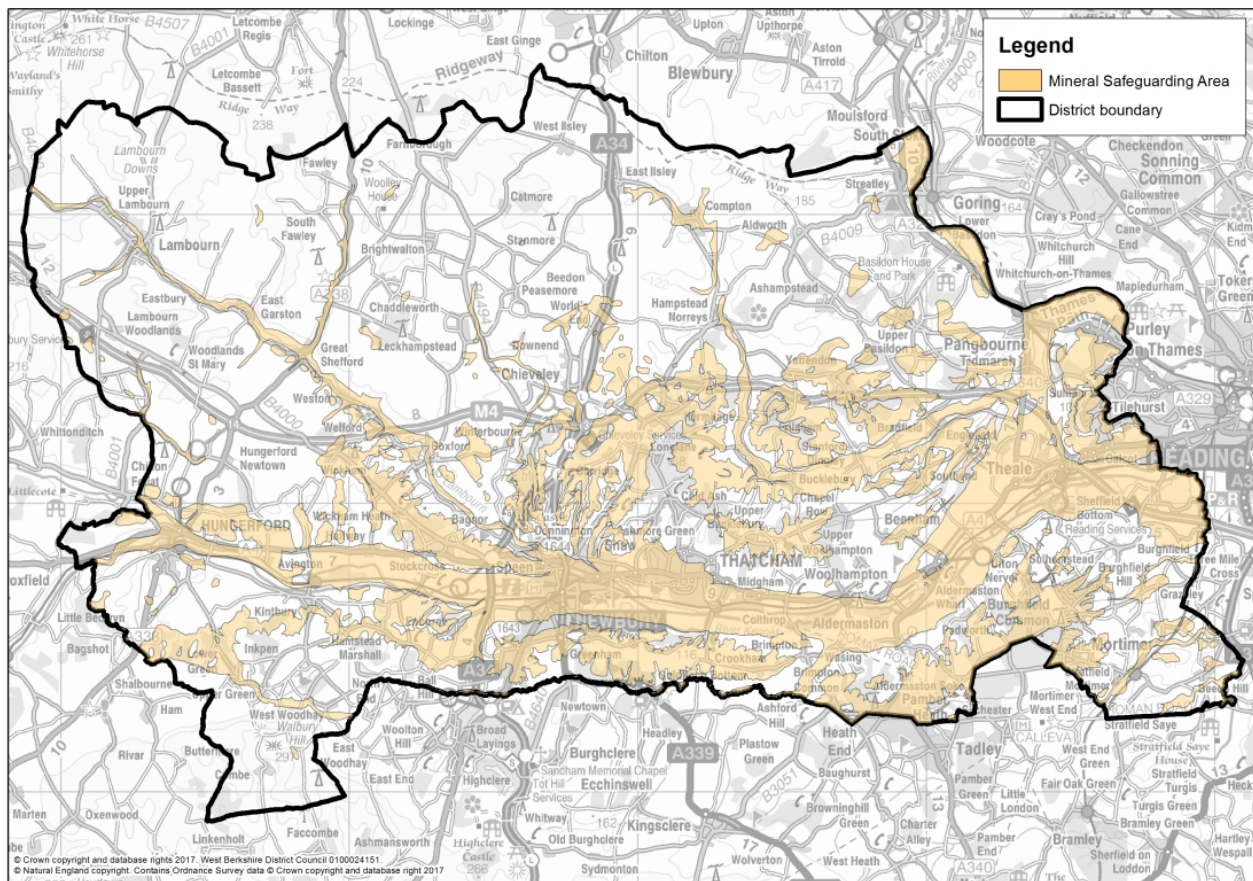


Figure 4 Mineral Safeguarding Areas

4.80 The policy does not mean that other forms of (non-mineral) development should not take place where sand and gravel deposits occur, but does mean that developers will need to show that they have fully explored the quality, extent and possibility for the extraction and use of the underlying sand and gravel when preparing their development proposals, through a Minerals Resource Assessment. The policy includes provision for projects of overriding importance to proceed where this can be demonstrated.

4.81 When assessing non-mineral development proposals within MSAs the Minerals Planning Authority will take into account the size and nature of the proposed development, the availability of alternative locations and the need for and urgency of the proposed development. Account will also be taken of the quality and quantity of the sand and gravel that could be recovered by prior extraction

4 Strategic Policies

and the practicality and environmental impacts of doing so. Where non-mineral development is proposed on or close to minerals associated infrastructure that is not operational at the time of the application, consideration will be given to whether there is a reasonable prospect that the relevant infrastructure will become operational again in the future.

4.82 Proposed non-mineral development should not operationally prejudice an existing or allocated minerals site. This could occur where a non-mineral development is considered adjacent to a minerals site, but once built the impact of the minerals site on the new development is so significant that the minerals site is unable to continue working. This could be as a result of dust, noise or a number of other factors that only become an issue when sensitive receptors are present in the vicinity of a minerals site.

4.83 The onus of assessing the case for the potential commercial value (actual or potential) of the underlying mineral deposit lies with the developer. It will be necessary for the developer to determine the depth and quality of sand and gravel deposits on the site and to undertake an assessment of the practicality of prior extraction, either for use in the development itself or elsewhere. Consideration should be made of whether extraction of part of the sand and gravel deposit within the site could be undertaken, even if removal of the whole deposit appears impractical.

4.84 It is important to ensure that the environmental impacts of the development are contained. Due to the predominantly shallow nature of the deposits, it is not considered likely that the actual extraction will give rise to sufficient additional environmental effects over and above those of the development operation itself to preclude prior extraction.

4.85 The following sites are safeguarded under this policy as those with planning permission (either implemented, or yet to be implemented). New sites that are developed in line with policies in the Minerals and Waste Local Plan will also be safeguarded⁽³⁰⁾.

Mineral Extraction Sites Safeguarded

Existing permitted mineral extraction sites
Wasing Lower Farm, Wasing
Kennetholme, Thatcham
Craven Keep, Hamstead Marshall
Harts Hill Quarry, Upper Bucklebury
Moore's Farm, Pingewood
Copyhold Farm, Curridge
Allocated mineral extraction sites
Boot Farm, Brimpton Common
Tidney Bed, Ufton Nervet
Chieveley Services, Chieveley

³⁰ The authority monitoring report will update this list on a regular basis, where appropriate

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4.86 It is also important that the infrastructure that supports the supply of minerals is safeguarded. Minerals infrastructure may be of a relatively low land value and could be vulnerable to pressures for redevelopment for other uses, however, they could be difficult or impossible to replace if lost to other uses. The continued operation of mineral infrastructure could also be prejudiced by other, non-compatible development being located on nearby land. Applications for non-mineral development would need to provide information as to how the operation of the mineral safeguarded infrastructure would not be prevented or prejudiced by the development.

4.87 The policy seeks to safeguard the following infrastructure:

- Existing and permitted mineral extraction sites and the processing and other ancillary plant and facilities associated with them
- Aggregate rail depots
- Industrial manufacturing plant using minerals, such as concrete batching and concrete product plants
- Processing and other plant and facilities for the production or supply of recycled and/or secondary aggregate materials

4.88 The following sites are safeguarded under this policy as providing minerals associated infrastructure. New sites that are developed as a result of the Minerals and Waste Local Plan will also be safeguarded⁽³¹⁾.

Minerals Infrastructure Sites Safeguarded

Railhead Sites
Wigmore Lane North, Theale
Wigmore Lane Central, Theale
Wigmore Lane South, Theale
Other
Colthrop Mineral Processing Plant, Thatcham
Concrete batching plants that benefits from permanent planning permission
Marley Tile Factory, Beenham

4.89 Details of all the minerals safeguarding sites are set out in Appendix 2 'Safeguarded Sites'.

31 The Authority Monitoring Report will update this list on an annual basis, where appropriate.

4 Strategic Policies

Policy 10

Waste Safeguarding

Sites for waste management development that provide waste management capacity shall be safeguarded from encroachment or loss to other forms of development for the duration of the relevant permission.

Non waste development that might result in a loss of permanent waste management capacity will be considered in the following circumstances:

- The waste management facility is no longer required and will not be required within the plan period; or
- An alternative site providing an equal or greater level of waste management capacity of the same type has been found, granted permission and shall be developed and operational prior to the loss of the existing site; or
- The proposed development is aligned with the specifications for a site allocated within an adopted Local Plan or Neighbourhood Plan, and the allocation was considered in light of this safeguarding policy.

In the case of encroaching development it will need to be demonstrated that there are adequate mitigation measures proposed as part of the encroaching development to ensure that the proposed development is adequately protected from any potential adverse impacts from the existing waste development.

4.90 Waste management sites are often perceived by the wider community as a bad neighbour use, which can make finding and developing new waste management sites challenging. In addition the demand for land in West Berkshire is generally very high and the availability of land is often constrained. These factors have the potential to inflate land values, meaning that only high value uses are viable. In addition there is a high level of demand for housing development, which further puts pressure on land. Safeguarding of waste facilities, where they are viable is important to ensure the existing permitted sites are retained and not lost or sterilised due to competing land uses.

4.91 Where non-waste development is proposed on or close to a waste facility that is not operational at the time of the application, consideration will be given to whether there is a reasonable prospect that the relevant facility will become operational again in the future.

4.92 The Council currently has adequate waste sites to meet net self-sufficiency for waste management capacity over the period to 2036, and therefore, no new facilities are proposed to be allocated in the Minerals and Waste Local Plan. However, this means that safeguarding of the existing permitted waste sites is even more important in order to ensure the maintenance of waste management capacity within West Berkshire.

4.93 The following sites are safeguarded under this policy. Any new waste sites that are permitted will also be safeguarded⁽³²⁾.

³² The authority monitoring report will update this list on a regular basis, where appropriate

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Existing waste sites safeguarded

<i>Safeguard Waste Sites</i>	<i>Use</i>
A4 Breakers, Beenham	Metal Recycling
AWE (Aldermaston & Burghfield)	Specialist Treatment, Transfer and Storage (VLLW, LLW, ILW)
Avon Site, Colthrop, Thatcham	Materials Recycling Facility
Beenham Industrial Estate (Composting), Beenham	Composting Facility
Beenham Industrial Estate (Materials Recycling), Beenham	Materials Recycling Facility
Colthrop Aggregate Processing Facility, Thatcham	Recycled aggregate
Computer Salvage Specialists, Newbury	WEEE
Computer Salvage Specialists, Thatcham	WEEE
Copyhold Farm, Chieveley	Inert Waste Materials Recovery Facility
Greenham Business Park Biomass Gasification Plant, Greenham	Biomass Gasification Plant
Hillfoot Farm, Chapel Row	Combined Heat and Power (CHP) Plant
Martins Collins Enterprises	Rubber Processing
Membury Airfield, Lambourn	Waste solvent disposal, disposal and recovery of oils and minerals
Newtown Road Household Waste Recycling Centre, Newbury	Household Waste Recycling Centre
Newbury Sewage Treatment Works, Thatcham	Sewage Treatment Works
Moore's Farm, Pingewood	Inert Waste Materials Recovery Facility
Old Stocks Farm Waste, Aldermaston	Waste, Recycling and Transfer Facility
Padworth Breakers, Padworth	Metal Recycling
Padworth Integrated Waste Management Facility, Padworth	Integrated Waste Management Facility
Park Farm, Upper Lambourn	Composting of equine waste
Reading Quarry, Pingewood	Construction & Demolition Recycling
Rookery Farm, Curridge Green	Plastic Processing
SSE Distribution Centre, Thatcham	Waste Transfer Facility

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<i>Safeguard Waste Sites</i>	<i>Use</i>
Thatcham Block Works, Thatcham	PFA Recycling Facility
Theale Quarry, Sheffield Bottom	Waste, Recycling and Transfer Facility
Wasing Lower Farm, Aldermaston	Inert Landfill
Weirside, Burghfield	Materials Recovery Facility
Whitehouse Farm, Tadley	Waste, Recycling and Transfer Facility
Woodside Recycling, Wokefield	Paper Waste Transfer Station

4.94 Sewage treatment works (other than those included above)

Aldermaston	Beenham	Bishops Green	Boxford
Bucklebury	Burghfield	Chapel Row	Chieveley
Compton	East Ilsley	East Shefford	Fawley
Hampstead Norreys	Hamstead Marshall	Hungerford	Kintbury
Lower Basildon	Leckhamstead	Midgham	Stratefield Mortimer
Pangbourne	Streatley	Ashampstead	Sulhamstead
Tylers Lane Bucklebury	Welford	Wickham	

4.95 Details of all the waste safeguarded sites are set out in Appendix 2 'Safeguarded Sites'.

4.96 Where proposals come forward that encroach on a waste site safeguarded under this policy the non-waste development will need to provide the necessary mitigation measures as part of the development that is proposed to ensure the proposed development is adequately protected from any potential adverse impacts from the existing waste development.

Other Minerals and Waste

Policy 11

Chalk and Clay

Proposals for the extraction of chalk and clay will be permitted provided that all of the following are demonstrated;

- That the minerals are required to meet a specific local need which cannot be met from existing permitted sites or by secondary and recycled aggregates;
- The development site and associated equipment will not have an unacceptable impact on the environment or community;
- That the proposals conserve and enhance landscape, biodiversity and amenity;
- Environmental impacts can be mitigated to an acceptable level; and
- The development proposals provide for timely and high quality restoration and aftercare of the site.

In addition, proposals for chalk and clay extraction must meet the requirements of all relevant policies in this plan.

4.97 The geological outcrops of chalk in West Berkshire are fairly extensive, with more limited clay deposits, however despite the extent of these deposits there are currently no active workings within West Berkshire.

4.98 Chalk deposits are located to the north of West Berkshire. Historically pulverised chalk has been used as a liming agent for agricultural land, and sometimes as ‘fill’ material in civil engineering projects. Much of the area where the chalk deposits exist are located within the North Wessex Downs AONB.

4.99 Clay deposits (London Clay) are located along the Kennet Valley to the east of Thatcham, with some more limited areas surrounding Newbury to the north, west and south and have historically been used for brick and tile making, and more latterly for lining landfill sites.

4.100 There are currently no active sites in West Berkshire for chalk or clay, and since the adoption of the Replacement Minerals Local Plan for Berkshire in 1995 there have been no planning applications received for the extraction of these minerals in West Berkshire. This lack of historic interest does not preclude sites from coming forward in the future, however, no sites for chalk or clay extraction were submitted to the Council for consideration through the “Call for Sites” that took place as part of the preparation of the Minerals and Waste Local Plan.

4.101 Whilst there is no apparent demand for new workings, and there is no requirement to maintain a landbank, proposals that may come forward would be considered under this policy.

4.102 Proposals for extraction of non-aggregate minerals will be judged on their merits at the time of the application, with particular regard to whether the material is needed to meet a specific local requirement.

4 Strategic Policies

Policy 12

Energy Minerals

Exploration and appraisal

Proposals for exploratory drilling for conventional and unconventional oil and gas will be permitted provided that all of the following are demonstrated:

- The development site and associated exploratory equipment is not in a location within or in the setting of the North Wessex Downs Area of Outstanding Natural Beauty, other than in exceptional circumstances;
- The development site and associated exploratory equipment will not have an unacceptable impact on the environment or community; and
- The development proposals provide for the timely and high quality restoration and aftercare of the site.

Commercial production

Proposals for the commercial production of conventional and unconventional oil and gas, or for the establishment of related plant, will be permitted provided that all of the following are demonstrated:

- The development site and associated exploratory equipment is not in a location within or in the setting of the North Wessex Downs AONB other than in exceptional circumstances and in the public interest;
- A full appraisal for the oil and gas field has been completed;
- The development site and associated exploratory equipment do not have an unacceptable impact on the environment or community; and
- The proposed location has been demonstrated as the most suitable taking into account all planning considerations.

Particular consideration will be given to the location of hydrocarbon development involving hydraulic fracturing regarding impacts on water resources, seismicity, local air quality, landscape, noise, traffic and lighting impacts. Development will only be permitted where it can be demonstrated that there would not be an unacceptable impact on groundwater Source Protection Zones (SPZ), Air Quality Management Areas (AQMA), or the local environment or community.

In addition, proposals for conventional and unconventional oil and gas development must meet the requirements of all relevant policies in this plan.

4.103 Energy minerals are broadly defined as those minerals that are used to produce electricity, fuels and heating. Hydrocarbons, comprising petroleum (oil and natural gas liquids) and gas, are fossil fuels which naturally occur in concentrations trapped in structures and reservoir rocks beneath the earth's surface. The UK is very dependent on oil and gas, the gas primarily being used to generate electricity, and the oil being used mainly to derive fuels for transportation purposes on land, at sea, and in the air. Oil and gas are also used to heat homes, in industrial processes, and (in the case of oil) in the manufacture of nearly all synthetic items.

Strategic Policies 4

4.104 Oil and gas resources, often referred to as 'hydrocarbons', can be broadly split into two categories, conventional and unconventional. Conventional oil and gas refers to reserves which are located in relatively porous rock formations (often limestone and sandstone). Conventional extraction methods usually involve drilling a borehole into the rock and then pumping out the resources.

4.105 Unconventional hydrocarbons require methods for extraction that are not normally necessary in conventional extraction. Resources are usually obtained from less porous rock, which historically was considered too impermeable for extraction to be economically viable. Recent technological advancements have made such extraction economically viable. Unconventional hydrocarbons include coal bed methane, shale oil and shale gas. Extraction of these unconventional hydrocarbons can include hydraulic fracturing (in particular in the extraction of shale gas).

4.106 There are no known commercial resources of oil and gas in West Berkshire, although viable resources have been identified and are being worked in some neighbouring counties. The proposed approach to the possible exploitation of oil and gas resources is to allow exploratory drilling under controlled conditions, and to require any commercial exploitation to be fully justified in terms of balancing need against environmental and other considerations, taking into account the specific arrangements for working, restoration, ancillary development and associated activities.

4.107 The northern part of the district is understood to be underlain by a significant coal seam. However, it is deep underground and is not currently considered viable for extraction. The depth of the deposit means that open cast mining would be impractical and any exploitation would need to be by underground mining, or possibly through unconventional methods, such as underground coal gasification ⁽³³⁾.

4.108 The regulatory process of obtaining consent to exploit energy minerals is the same for both conventional and unconventional hydrocarbons. The Department for Business, Energy and Industrial Strategy (DBEIS) are responsible for the issuing of Petroleum Exploration and Development Licences in competitive offerings (licence rounds) which grant exclusivity to operators who receive a licence in the area. The licence does not give consent for drilling or any other operations. Planning permission must also be sought, and can only be sought in areas covered by a licence. A permit must also be obtained from the Environment Agency, and this is usually after planning permission has been granted. The Health and Safety Executive can also be involved in regulating well design and operation. At present there are no Petroleum Exploration and Development Licences that cover the plan area. However this does not mean that licences will not be issued in the future or that proposals will not be forthcoming.

4.109 Exploration activities include drilling, which can be the most intrusive part of the development. Drilling can have visual, light and noise impacts as well as an impact on the local road network. Night time drilling is required to ensure boreholes do not close up during a break in the drilling meaning that lighting is required. The duration of the exploration stage is limited. Appraisal takes the form of longer-term testing of an exploratory well. Production phases involve additional facilities such as pipelines, storage facilities and export terminals.

4.110 Proposals will be assessed against the relevant part of the policy, and will need to comply with all relevant policies set out in the plan. At each stage following exploration, developers will be required to demonstrate that they have fulfilled the requirements of the previous stage sufficiently to justify progression to the next.

4.111 Following completion of the production phase sites should be restored in line with Policy 17 'Restoration and After-use of Sites'.

33 Underground coal gasification is the combustion of underground coal seams in situ in order to produce synthetic gas.

4 Strategic Policies

Policy 13

Radioactive Waste Treatment and Storage at AWE

Facilities for the storage and/or management of ILW, LLW and VLLW radioactive waste will be acceptable within the Nuclear Licensed area and/or Environmental Permitted areas at AWE Aldermaston and AWE Burghfield where:

- There is a proven need for the facility; and
- A notable proportion of the material to be managed arises from within West Berkshire

4.112 There are two MOD nuclear sites located in West Berkshire, the AWE Aldermaston site and the AWE Burghfield site. Together, these two sites are responsible for the design, manufacture and support of the UK's nuclear deterrent.

4.113 As a consequence of the work and activities carried out at the two AWE sites radioactive waste material is produced, meaning that small volumes of radioactive waste may require storage and treatment. It is acknowledged that radioactive waste can be generated from a variety of other sources, such as health facilities and industrial operations, and from both nuclear and non-nuclear activities.

4.114 The volume of radioactive waste projected to arise in West Berkshire over the life of the plan is relatively small. Radioactive waste is split into classifications depending on the level of radiation and heat produced as part of the radioactive decay process. These are:

- High level radioactive waste (HLW),
- Intermediate level radioactive waste (ILW) and
- Low level radioactive waste (LLW).
- A further subset of LLW is Very low level radioactive waste (VLLW)
- Higher Activity Radioactive Waste (HAW).

4.115 It is understood that the AWE sites generate ILW, LLW, VLLW and some HAW which includes ILW and some LLW that is unsuitable for disposal at the Low Level Waste Repository. There are already long term contracts in place for the management of these waste arisings.

4.116 Facilities to manage radioactive waste are highly specialised and expensive to develop and in West Berkshire the location of such facilities would be constrained to the AWE sites through this policy. It is not expected that development proposals for the management of radioactive waste will come forward on either of the AWE sites over the course of the plan, however this policy provides a framework for the consideration of proposals for treatment and storage of radioactive waste if such developments do come forward.

4.117 Proposals would need to demonstrate that there is a proven need for a new facility to be developed and also demonstrate that a notable volume of the waste to be managed has arisen from within West Berkshire.

4.118 Consideration will also need to be given to all other policies in the plan that are relevant to the development proposal and any other material considerations.

Policy 14

Reworking Old Inert Landfill Sites

Proposals for the re-working of old landfill sites will only be permitted where all of the following are demonstrated:

- The material that was landfilled and to be re-worked is demonstrated to be inert material;
- The proposals would produce replacement aggregate material;
- It is demonstrated that the proposals conserve and enhance landscape, biodiversity and amenity;
- The development site and associated equipment will not have an unacceptable impact on the environment or community; and
- The development proposals provide for the timely and high quality restoration and aftercare of the site.

In addition, proposals for re-working old inert landfill sites must meet the requirements of all relevant policies in this plan.

4.119 West Berkshire has a relatively large number of former landfill sites that have been infilled with waste materials and restored back to a variety of land uses. However, the material that has been deposited in the ground includes valuable materials and the re-working of landfill sites to recover such discarded material has been cited as a potential method to reclaim the value stored in old landfill sites.

4.120 The relative 'value' that can be obtained from re-working a landfill site will vary depending on the material deposited and the costs associated with obtaining the necessary permits and implementing the necessary controls to protect the locality within which the site is located. Generally it is expected that greater 'value' could be obtained from re-working non inert sites due to the presence of materials such as plastics, textiles and greater volumes of metals, however the costs associated with the necessary protective controls are such that these sites are unlikely to be viable for re-working.

4.121 Whilst inert landfill sites may not contain significant volumes of more 'valuable' materials it is likely that there would be less environmental or amenity issues as, by its very nature, the material being re-worked is inert.

4.122 The reworking of former landfill sites can result in the recovery and sale of excavated materials and the increase of landfill capacity through the creation of new void space by excavating the deposited waste. The potential for the landfill sites in West Berkshire to be re-worked is currently an unknown and it is likely that considerable work may need to be undertaken to ascertain the 'value' of the sites in West Berkshire by any potential developer.

4.123 However, despite the lack of clarity on this matter, there have been tentative approaches by potential developers and this policy would provide the necessary policy framework to facilitate the consideration of such proposals should they be forthcoming.

4 Strategic Policies

Infrastructure

Policy 15

Location of Permanent Construction Aggregate Infrastructure

There will be a presumption in favour of permanent construction aggregate infrastructure in the following areas:

- Existing sites with permanent planning permission for mineral processing or handling; or
- Existing sites with permanent planning permission for industrial development (B2 and B8).

The co-location of construction aggregate infrastructure with existing suitable operations will be supported, where appropriate where it would not result in intensification of uses that would cause unacceptable harm to the environment or communities in a local area due to cumulative impacts.

Although there is a presumption in favour of development in the areas identified in this policy all proposals must meet the requirements of all relevant policies in this plan.

4.124 There are known to be a number of existing permanent facilities in West Berkshire that are associated with the construction aggregates industry. These include, aggregate processing plants, asphalt production plants, a factory that manufactures concrete roofing tiles, a factory that manufactures concrete building blocks, a cement importation and distribution depot, rail depots for importing aggregate, numerous concrete batching plants as well as construction aggregate sales areas.

4.125 These facilities, some of which are strategic in nature due to the area they serve, are all necessary to support the construction industry within West Berkshire, and further afield. They also provide notable levels of local employment.

4.126 This policy sets out where there will be a presumption in favour of the development of new construction aggregate infrastructure to enable flexibility over the way that this industry develops over the plan period and allow sites to cope with changes in practise (such as mineral processing plants acquiring silt presses). This should allow for new and emerging waste technologies to come forward on existing sites so that old technology can be replaced.

4.127 The policy seeks to steer development towards existing industrial locations found in and around the urban areas in West Berkshire. Within these areas there will be a presumption in favour of these types of mineral development. However, consideration will also need to be given to all other policies in the plan that are relevant to the development proposal and any other material considerations.

4.128 With respect to the co-location of new minerals infrastructure on existing sites particular consideration will need to be given to cumulative impacts. Proposed developments will need to demonstrate that they will not generate unacceptable impacts on their own, or in conjunction with existing facilities that may continue to operate at the site in question.

Policy 16

Temporary Minerals and Waste Infrastructure

Proposals for the erection of temporary mineral processing plant and associated ancillary plant together with inert waste processing plant / facilities will be permitted at mineral extraction sites, where all of the following are demonstrated:

- It can be demonstrated that there are clear operational linkages between the temporary infrastructure proposed and the mineral extraction site;
- The temporary infrastructure is located within, or adjacent to, the boundary of the extraction site;
- The temporary infrastructure proposed will not have an unacceptable impact on the environment or local amenity;
- In the case of mineral processing plant, it is used solely to process minerals arising from within the extraction site in which it is located;
- In the case of associated ancillary plant, the plant is supplied by minerals arising from within the extraction site in which it is located;
- In the case of waste plant / facilities the waste produced is used in the restoration of the mineral site within which it is located; and
- The temporary infrastructure is removed at such time as fill operations are complete, and the site is subsequently restored.

4.129 Mineral extraction sites are, by their nature, temporary uses of land as once the underlying minerals have been extracted the site ceases operating and the site is restored.

4.130 However during the operational period it is common practice for temporary mineral processing plants to be located at the active mineral site. In the case of large sites other temporary infrastructure, such as concrete batching plants that use the minerals won from the site in the production of concrete, can also be considered acceptable. Such on site infrastructure can reduce the vehicle movements associated with mineral extraction sites as they reduce the need for minerals to be transported to a separate location for processing (with the silt being returned to the extraction site).

4.131 If a mineral site is to utilise waste material in its restoration it can also be more sustainable to locate a temporary waste processing facility at the extraction site so that imported waste can be adequately processed to remove any re-usable waste in order that only non-recyclable waste is deposited as part of the landfilling operations.

4.132 All proposals for temporary facilities will need to demonstrate their linkage to the mineral site in question and all such infrastructure will need to be removed upon the completion of the mineral extraction / infilling operations.

4.133 Consideration will also need to be given to all other policies in the plan that are relevant to the development proposal and any other material considerations.

5 Development Management Policies

5 Development Management Policies

These policies set out the broad framework against which all minerals and waste proposals will need to be assessed.

Restoration and After Use

Policy 17

Restoration and After-use of Sites

Mineral development proposals and temporary waste proposals will be permitted where they include provision for high quality restoration and aftercare of the site within a timescale appropriate to the development, together with the delivery of a beneficial after-use of the site, and provide at least 10% net gains for biodiversity measured using a biodiversity metric agreed with the Local Authority.

A Restoration Plan and outline Aftercare Scheme should accompany any application for temporary mineral and waste development proposals.

Proposals for restoration should take into account all of the following:

- Landscape character and quality that is in keeping with the character and setting of the local area;
- Air, soil and water quality, including the restoration of best and most versatile agricultural land;
- Flood risk management including provision for climate change resilience;
- Biodiversity conservation and enhancement, with a focus on restoration and enhancement of priority habitats and the habitats and species identified in the Berkshire Biodiversity Strategy ⁽³⁴⁾, habitat creation that contributes to ecological networks, wildlife corridors and stepping stones between habitats, contributing, where relevant, to the objectives of Biodiversity Opportunity Areas;
- Areas identified in the Berkshire Local Geodiversity Action Plan, where relevant;
- The promotion, provision or enhancement of recreational facilities and green infrastructure; and
- Options for after-use that are appropriate to the surrounding location including where necessary the means of securing this in the long-term.

Proposals for mineral development should be worked progressively and restored in a phased manner at the earliest opportunity.

In exceptional circumstances, the Council may seek bonds or financial guarantees from the applicant to secure the satisfactory restoration of the minerals site in a timescale appropriate to the development and to secure appropriate aftercare.

³⁴ Or future replacement for the Berkshire Biodiversity Strategy, or a biodiversity action plan recognised by the Local Authority covering the Plan area.

Development Management Policies 5

5.1 Mineral extraction is a temporary operation and therefore, sites must be restored following mineral workings to an agreed restoration scheme. Restoration of a mineral site can have major environmental and other benefits through providing for a range of after-uses. Restoration also provides an opportunity to provide net gains in biodiversity, as required by the NPPF.

5.2 Sand and gravel deposits in West Berkshire are relatively shallow (normally around 2-3m in depth), meaning sites are worked over a much shorter time span than hard rock deposits. This also means that the area of extraction is typically more extensive. This inevitably places increased emphasis on restoration issues, such as the phasing of restoration and the nature of the after-use. The after-uses include agriculture, forestry or amenity. Amenity can be widely interpreted to include a range of recreation uses and/or nature conservation. Restoration can provide local community benefits which may offset the impact of working.

5.3 While restoration back to the existing use is not necessarily precluded, restoration of mineral workings is regarded as an opportunity to achieve wider environmental and public benefits and the Council will work cooperatively with the landowner and mineral company to seek the provision of economic and environmental benefits, making a positive contribution to the vicinity through restoration.

5.4 This can include improvements to the long-term appearance of the landscape, creation of habitats for wildlife, the provision of new public access and recreation and flood alleviation measures. Multi use restoration strategies can be used to maximise the benefits after mineral working has ceased. Restoration should be to the highest standards consistent with the identified acceptable after-use. A number of factors need to be considered when determining the most appropriate restoration and after-use of a mineral site.

5.5 Restoration provides considerable potential both for linking existing areas of habitat and creating new areas of habitat for wildlife, contributing towards existing ecological networks and supporting priority habitats. Conservation organisations can provide invaluable advice when formulating restoration proposals, and applicants will be encouraged to contact relevant organisations at an early stage.

5.6 Hydrology is particularly important in West Berkshire as the majority of deposits are located along the river valleys, meaning there are potential effects on ground and surface water. However the restoration of mineral sites has the potential to deliver hydrological benefits including flood mitigation measures.

5.7 The policy also seeks to promote the prompt restoration of minerals sites following extraction, using progressive restoration of phased excavation where possible to ensure that the restored landscape is compatible with its context and intended after-use.

5.8 The restoration scheme for a development site will need to be informed by the Landscape Character Assessments (LCA) ⁽³⁵⁾ and the Historic Landscape Characterisation (HLC) ⁽³⁶⁾ for the District and individual sites⁽³⁷⁾. The after-care of a restored site will be required to take place for a minimum of 5 years, following completion of the restoration.

5.9 The NPPF (paragraph 204 (h)) confirms that local planning authorities should provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards, through the application of appropriate conditions, where necessary. However it goes on to state that bonds or other financial guarantees to underpin planning conditions should only be sought in exceptional circumstances.

35 Landscape Character Assessments: <https://info.westberks.gov.uk/lca>

36 Historic Landscape Characterisation: <https://info.westberks.gov.uk/historicenvironmentprojects>

37 Minerals and Waste Local Plan Proposed Submission documents and evidence: <https://info.westberks.gov.uk/mwevidencebase>

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5.10 The PPG clarifies that financial guarantees to cover restoration and aftercare costs will normally only be justified in exceptional cases. Such cases, include:

- *very long-term new projects where progressive reclamation is not practicable, such as an extremely large limestone quarry;*
- *where a novel approach or technique is to be used, but the minerals planning authority considers it is justifiable to give permission for the development;*
- *where there is reliable evidence of the likelihood of either financial or technical failure, but these concerns are not such as to justify refusal of permission.*

5.11 The PPG goes on to state that, where an operator is contributing to an established mutual funding scheme, such as the Mineral Products Association Restoration Guarantee Fund or the British Aggregates Association Restoration Guarantee Fund, it should not be necessary for a minerals planning authority to seek a guarantee against possible financial failure, even in such exceptional circumstances.

5.12 Whilst these comments are acknowledged, there have been a number of instances in West Berkshire where the restoration of minerals sites has been delayed for an extended period or a site has been restored to a less than satisfactory standard. There have been instances where a change in land ownership has taken place once mineral extraction has taken place and prior to restoration being concluded. There have also been instances where the approved landform has been provided in accordance with the approved plans, but the aftercare of the site has been less than satisfactory resulting in the full benefits of the approved restoration not being fully realised. In all these instances the restoration guarantee funds referred to in the PPG are not applicable as these funds can only be drawn upon in the exceptional circumstance where a mineral operator becomes financially insolvent, as such it provides no safeguards against the situations that have occurred in West Berkshire.

5.13 Such situations like this are problematic in that minerals sites are not restored at the earliest opportunity or to the high environmental standards envisaged when planning consent is granted. This generates resentment and dissatisfaction within the host communities and results in the delay of the delivery of the benefits that high quality restoration can deliver. It also results in opposition to new mineral extraction sites. The restoration of minerals site is a considered to be one of the key aspects of mineral development as, ultimately, the restoration of the mineral site is the legacy of the development. The consultations carried out in respect of the MWLP confirms that the restoration of mineral sites is clearly very important to the residents of West Berkshire.

5.14 The use of financial guarantees, bonds or legal agreements to secure funds to ensure that the Council can undertake restorative operations if a developer fails to comply with planning conditions relating to the provision of timely and high quality restoration will therefore be considered alongside all applications for mineral extraction. Clearly if such funds are not required they would be returned to the application upon the completion of the aftercare of the site.

Landscape

Policy 18

Landscape

Minerals and waste development proposals will be permitted where the proposals protect and enhance the character of the site and its surrounding landscape, townscape and cultural heritage of the local area.

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Policy 19**Protected Landscapes**

Major⁽³⁸⁾ mineral and waste development proposals within or in the setting of the North Wessex Downs AONB will only be considered acceptable in exceptional circumstances and where it can be demonstrated that it is in the public interest. Consideration will be given to whether:

- There is an overriding need for the development to take place in the proposed location;
- The need for the development can be met in some other way, or from a site outside the AONB; and
- Any detrimental impact of the development on the environment, landscape and recreation can be satisfactorily mitigated;

Other minerals and waste development proposals within or affecting the setting of the North Wessex Downs AONB will be considered acceptable only where:

- The proposal is for a small scale facility⁽³⁹⁾ to meet local needs that can be developed without an unacceptable impact on the environment and landscape of the area; and
- The proposals conserve and enhance the natural beauty of the AONB.

Restoration and aftercare proposals should seek to enhance the natural beauty of the AONB.

5.15 Conserving and enhancing the distinctive landscape character of the District is given considerable weight in line with national policy. As set out above West Berkshire is a very rural authority and the landscape varies across the district. As landscape character varies depending on location, a suitable approach to development in one part of the district may not be acceptable in another.

5.16 Approximately 74% of the District is part of the North Wessex Downs AONB⁽⁴⁰⁾ which adjoins the Chilterns AONB along the River Thames (the District boundary), before sweeping south, encircling Newbury to encompass the northern reaches of the rolling chalk hills of the Hampshire Downs. The AONB is characterised by the quality of its chalk landscape which ranges from remote open downland, dramatic skyline escarpments, contracting wooded downland, and the small intimate settled river valleys of the Lambourn and Pang.

5.17 Outside the AONB, the River Kennet, from Newbury to Reading, lies within a distinctive broad corridor of an open lowland landscape characterised by a variety of wetland habitats including wet meadow, reed bed and restored gravel workings.

5.18 Settlements also form a key component of the landscape. A variety of rural settlement forms can be seen from the nucleated patterns common on the chalk downs, to the more dispersed patterns found in the southern part of the District. The townscape of a settlement considers the relationship of exterior structures in a town and how they determine the distinctive character of the area.

38 *Major development in the context of the AONB is development that, by reason of its scale, character or nature, has the potential to have a significant adverse impact on the natural beauty, distinctive character, and remote and tranquil nature of the North Wessex Downs AONB. Whether a proposed development in these designated areas will be classed as major or minor development, will be a matter for the Planning Authority taking into account the proposal in question and the local context*

39 Development that is on a site having an area of less than 0.5 hectare or the erection of a building, or buildings where the floor space to be created is less than 500 square metres

40 AONB Management Plan <http://www.northwessexdowns.org.uk/about-us/management-plan-recent-reports.html>

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5.19 Within the AONB, the major mineral deposit is chalk, with small areas of sharp sand and gravel along the rivers Lambourn and Pang, and small areas of soft sand deposits. Policy 19 'Protected Landscapes' requires exceptional circumstances to be demonstrated for the extraction of minerals within the AONB, in line with national policy, due to the potential for serious impacts that mineral development may have on these areas of natural beauty, taking into account the recreational opportunities that they provide.

5.20 Major development in the AONB will need to demonstrate it is in the public interest before being allowed to proceed. Decisions on whether a proposal is in the public interest will be made on a case by case basis and consideration given to the need for the development (both locally and nationally), alternative sites or ways to meet the identified need and the effects of the proposal on the environment including on the landscape, taking account of any mitigation measures. As stated in the policy the differentiation between major and minor development is a matter for the planning authority taking into account the proposal in question and the local context.

5.21 Development which might be considered to be small scale in the context of this policy could be development that is on a site having an area of less than 0.5 hectare or the erection of a building, or buildings where the floor space to be created is less than 500 square metres.

5.22 Where there is a specific local need for small scale waste management facilities, (for example agricultural or equine waste facilities, or local sewage treatment facilities) these can form part of the rural landscape and the policy makes provisions for this.

5.23 It is envisaged that these policies will protect and enhance the diversity and local distinctiveness through the use of Landscape Character Assessment (LCA). This provides the framework for informed decisions to be made.

5.24 There are a number of relevant landscape assessments covering the District⁽⁴¹⁾, including the:

- North Wessex Downs Area of Outstanding Natural Beauty Landscape Character Assessment (2002)
- West Berkshire Landscape Character Assessment (2019)
- Site specific landscape and visual appraisals (2016)⁽⁴²⁾

5.25 LCA is particularly valuable when looking at landscape sensitivity, whether that be the inherent sensitivity of the landscape itself, or its sensitivity to a particular type of change. Landscape and Visual Impact Assessments (LVIA) will form an important part of any planning application coming forward for a minerals or waste site.

41 Landscape Character Assessments: <http://info.westberks.gov.uk/lca>

42 Minerals and Waste Local Plan Proposed Submission documents and evidence: <https://info.westberks.gov.uk/mwevidencebase>

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Biodiversity and Geodiversity**Policy 20****Biodiversity and Geodiversity**

Development proposals should conserve and enhance biodiversity and geodiversity, delivering at least 10% net gains for biodiversity measured using a biodiversity metric agreed with the Local Authority.

The degree of protection given will be appropriate to the status of the site or species in terms of its international, national or local importance.

In all cases, development should avoid significant harm to biodiversity. Where this is not possible, the harm should be adequately mitigated, or as a last resort, compensated for. In addition:

Development that is likely to result in a significant effect (either alone or in combination with other projects) on internationally designated sites including Special Protection Areas (SPA), Special Areas of Conservation (SAC), Ramsar sites, any sites identified to counteract adverse effects on internationally designated sites or species, and European Protected Species will need to satisfy the requirements of the Conservation of Species and Habitats Regulations.

Development should not normally have an adverse effect on nationally designated sites including Sites of Special Scientific Interest (SSSI), unless the benefits of the development in that location clearly outweigh the likely impact on the site concerned, and any broader impacts on the national network of sites.

Development resulting in the loss or deterioration of irreplaceable habitats, such as ancient woodland and ancient or veteran trees should be wholly exceptional, where the public benefit would clearly outweigh the loss or deterioration of habitat.

Development should normally avoid harm to local interest sites including Local Wildlife Sites, Local Geological Sites, Sites of Importance for Nature Conservation, and Local Nature Reserves unless the need for and benefits of the development in that location clearly outweigh the harm.

Proposals should seek to actively pursue the conservation, restoration and enhancement of priority habitats, and the habitats and species identified in the Berkshire Biodiversity Strategy⁽⁴³⁾, areas identified in the Berkshire Local Geodiversity Action Plan, and habitat that contributes to ecological networks, wildlife corridors and stepping stones between habitats, including Biodiversity Opportunity Areas.

5.26 West Berkshire supports a rich and diverse range of biodiversity and geodiversity assets which reflect both the underlying geology and soils and the traditional management practices that have been carried out over many years. The policy aims to provide a framework for conserving and enhancing richness and diversity for its own sake, and also for the positive contribution that biodiversity and geodiversity make to the overall quality of life and sense of place for communities.

43 Or future replacement for the Berkshire Biodiversity Strategy, or a biodiversity action plan recognised by the Local Authority covering the Plan area.

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5.27 The most important sites for biodiversity and individual wildlife species have received statutory protection under international and national legislation. Special Protection Areas (SPA) and Special Areas of Conservation (SAC) are internationally important. Candidate SACs and proposed SPAs are afforded the same level of protection as those already designated.

5.28 There are currently three SACs within West Berkshire:

- Kennet and Lambourn Floodplain
- River Lambourn
- Kennet Valley Alderwoods.

5.29 There are no SPAs within the District, although a small part of the east of the District (approximately 256 hectares) around Beech Hill is within 5km of the Thames Basin Heaths SPA. The 5km boundary has been determined by Natural England as a buffer area to regulate development near the SPA. It is possible that certain types of development could impact on the SPA up to 7km from the boundary of the site. Development proposals within the 5km and 7km will require screening to assess whether they will have a likely significant effect on the SPA. Where a significant effect exists or cannot be excluded, an Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017 would need to be undertaken. Proposals will only be permitted if they do not adversely affect the integrity of the SPA. The Thames Basin Heaths SPA Delivery Framework will be used to guide assessment and any avoidance or mitigation measures that may be needed. It is not anticipated that any development will come forward within the 5km or 7km buffer. No sites have been proposed for allocation within these areas and there are no existing minerals or waste sites to be safeguarded within this area. Any future proposals will need to be assessed against this policy.

5.30 Screening for HRA has been carried out on the Plan⁽⁴⁴⁾. It was concluded that the plan, alone or in combination with other plans and projects, will not adversely affect the integrity of any of the European sites within the District or those within 5km of the District boundary.

5.31 Sites of Special Scientific Interest (SSSI) are nationally designated sites which have important wildlife or geological value. There are currently 51 SSSIs within West Berkshire covering 1480 hectares.

5.32 The District contains a range of habitats and geological features of local significance designated as Local Wildlife Sites (LWS) and Local Geological Sites (LGS). There are currently 493 LWSs covering 6,325 hectares and five LGSs covering 15 hectares. LWSs are non-statutory sites of significant biodiversity value. These sites represent local character and distinctiveness, and have an important role to play in meeting local and national targets for biodiversity conservation. The criteria for LWSs have been devised and agreed across the three counties of Berkshire, Buckinghamshire and Oxfordshire. LWS and LGS designations will continue to be assessed by the Council throughout the lifetime of the plan, following recommendations by the Berkshire Nature Conservation Forum (for LWSs) and the Berkshire Geoconservation Group (for LGSs), in order to keep them up to date.

5.33 Ancient Woodland is also identified as important in national policy and is the most extensive natural habitat remaining in West Berkshire. Ancient semi-natural woodland currently covers 2,894 hectares of the district.

5.34 The district contains important watercourses such as the Rivers Kennet, Lambourn and Pang. The rivers Lambourn and Kennet are also designated as SSSIs. Mineral working in West Berkshire has historically been concentrated along the Kennet Valley where sharp sand and gravel is

44 Minerals and Waste Local Plan Proposed Submission documents and evidence: <https://info.westberks.gov.uk/mwevidencebase>

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predominantly found. Riparian corridors create important linkages for biodiversity and therefore, mineral working and restoration in these areas have the potential to contribute towards relevant biodiversity enhancements.

5.35 The Berkshire Biodiversity Strategy⁽⁴⁵⁾ builds upon national and regional targets for biodiversity enhancement. Therefore, the Council will seek opportunities to support the delivery of the Berkshire Biodiversity Strategy. There are many opportunities for biodiversity and geological enhancement across the District.

5.36 Biodiversity Opportunity Areas (BOA) have been identified by the Berkshire Nature Conservation Forum and agreed by the South East England Biodiversity Forum (SEEBF). There are 17 areas which have currently been identified, either whole or in part, across the District. BOAs are not a statutory designation or a constraint upon development, rather they are areas where biodiversity improvements are likely to have the most beneficial results at a strategic scale. The Council will pursue net gains for biodiversity in and around BOAs.

5.37 Regulation 41 of the Habitats Regulations 2017 Habitats⁽⁴⁶⁾ requires the encouragement of the management of features in the landscape that are of major importance for wild flora and fauna. These features are defined as linear features, or stepping stones, which are essential for the migration, dispersal and genetic exchange of wild species. The protection of these natural habitats and networks across the District will avoid or repair fragmentation and isolation of natural habitats and ultimately conserve and enhance priority natural areas and the connections between them. Watercourses and their associated riparian corridors are prime examples of these connecting features.

5.38 West Berkshire has a rich geological resource. Some nationally important geological sites are designated as Sites of Special Scientific Interest (SSSI). Local Geology Sites (LGS) (formerly known as Regionally Important Geological and Geomorphological Sites – RIGS) are sites within the district that are considered worthy of protection for their Earth Science or geodiverse importance, but are not already protected as SSSIs. At present there are 8 Local Geological Sites within West Berkshire identified in the The Berkshire Local Geodiversity Action Plan⁽⁴⁷⁾

5.39 Previously unknown geological features and remains of importance may be discovered as part of mineral workings. Where such finds are discovered it is important that every effort is made to protect those of potential international or national importance. Where it is not possible to afford the same protection to finds of more local importance, they should be appropriately recorded. Where possible, access to all significant geological finds should be provided for educational purposes.

45 Berkshire Biodiversity Strategy: <http://berkshirelnp.org/images/Biodiversity%20Strategy%20Small.pdf>

46 Regulations 2017 Reg 41: <http://www.legislation.gov.uk/uksi/2017/1012/regulation/41/made>

47 Berkshire Local Geodiversity Action Plan: https://berksgeoconservation.org.uk/docs/Berkshire_LGAP.pdf

5 Development Management Policies

Agricultural Land

Policy 21

Agricultural Land and Soils

Minerals and waste development proposals that involve significant development of best and most versatile agricultural land will be permitted where it can be demonstrated that there are no reasonable alternatives for the development proposals.

Development proposals should make provision for the management and use of soils in order to maintain soil quality.

Restoration of mineral extraction sites to agricultural land will be permitted where the restoration proposals demonstrate that the quality of the agricultural land will be conserved or enhanced as part of the restoration and that there will be no net loss in best and most versatile agricultural land.

5.40 The quality of agricultural land varies across the District. Agricultural Land Classification (ALC) provides a national method for assessing the quality of farmland to ensure that the best and most versatile agricultural land is protected for agricultural use.

5.41 There are five grades of agricultural land, 1 - 4 with grade 3 subdivided into 3a and 3b. The best and most versatile land is defined as grade 1, 2 and 3a. This land is considered to be the most flexible, productive and efficient for producing future crops for food and non-food uses (eg. Biomass, fibres and pharmaceuticals). Therefore National policy indicates that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land, and where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

5.42 Minerals development will only be considered on the best and most versatile agriculture land, where it can be demonstrated that the long term potential of the agricultural land can be safeguarded and where the restoration and aftercare proposals preserve the long-term potential for the agricultural land to be restored back to the same or higher grade.

5.43 Where appropriate, agricultural land classification survey information should be provided alongside any application made. Proposals for waste development should be capable of avoiding best and most versatile agricultural land and permanent development involving the loss of such land will not normally be permitted.

5.44 Soils removed from mineral extraction sites will need to be handled in accordance with best practice guidance and the soils stored on site for use in the restoration of the site. Due to the importance of the restoration of mineral sites, the Council will need to be satisfied that the restoration of a site to agriculture will conserve, or ideally enhance the quality of the agricultural land through appropriate restoration techniques before permission is granted.

Development Management Policies 5

Transport**Policy 22****Transport**

Minerals and waste development proposals will be permitted where the transport activities associated with the proposal will not result in unacceptable impact to the efficient and effective operation of the relevant transport network, road safety, local amenity or the environment.

Sustainable modes of transport will be encouraged, in particular the use of rail and/or water where this is practicable and aligned to the other policies in the plan.

Using an appropriate assessment method, proposals will be required to demonstrate all of the following:

- Safe and appropriate access arrangements, considering the scale and nature of the movements associated with the development;
- That the highway network is able to accommodate the traffic flows that would be generated;
- That there would be no unacceptable adverse impact on the environment or the local community;
- That the proposal will seek to make use of the strategic highway network and the West Berkshire Freight Route Network (FRN);
- That appropriate emission control and reduction measures are in place; and
- Consideration of sustainable travel to the site for staff and visitors and facilities to support this where appropriate.

5.45 All development generates transport impacts and National Policy encourages the use of sustainable transport, including the transportation of both minerals and waste.

5.46 Within West Berkshire the majority of minerals and waste transportation takes place via the road network, with some material, mainly hard rock and a limited amount of marine sand and gravel imported to the district by rail. While the Kennet and Avon canal runs through the centre of the District it is not currently used for the transportation of minerals or waste.

5.47 The Council published its Freight Strategy in 2014 as part of the Local Transport Plan 3 (2011 - 2026) (LTP3)⁽⁴⁸⁾. The strategy recognises that the movement of freight and how it is routed has implications for national and strategic road networks, but also for local communities. The extensive network of secondary and tertiary roads in the District generally act as distributor roads from the main highways to locations within the District. The Freight strategy sets out the West Berkshire Freight Route Network (FRN).

Road

5.48 The West Berkshire FRN was devised in 2009. The FRN consists of a series of preferred freight routes that show the most appropriate routes in the district for HGV movements. District Access Routes have been identified as the main access routes from the Strategic Road Network (A34/M4) to key freight destinations. Local Access routes, are local roads that are not intended for HGV

5 Development Management Policies

movements, although it is recognised that, due to the location of minerals sites specifically, some local access routes may have to be used to reach the District Access Routes and the Strategic Road Network. The FRN will need to be taken into account by any proposals coming forward.

5.49 Road Safety is a key consideration for developments, especially where freight movements are involved. Particular focus should be given to the safety of pedestrians, cyclists, equestrians and other vulnerable road users.

5.50 In West Berkshire air quality is strongly linked to transport, and therefore, where air quality is, or could become a cause for concern, the Council will seek to manage it through transport related measures.

Rail

5.51 Rail transport is already used for moving aggregates from the West Country to markets in London and the South East, including within West Berkshire itself. While there may be some scope for growth, the level of growth is partly constrained by the capacity on the rail network itself and providing new siding sites can be very costly. The rail head sites within the district that import aggregates are of strategic importance and will be safeguarded through the plan (Policy 9 'Minerals Safeguarding').

Waterways

5.52 There are two sections of navigable waterways in the District. Firstly the Kennet and Avon Canal running east/west from Reading through Newbury and Hungerford before going on towards Bristol. The second is the River Thames around Purley-on-Thames, Pangbourne and Streatley. While the canal could provide opportunities for waterborne transport, the River Thames is removed from the majority of mineral resources and waste sites in the district therefore, it is unlikely that it would provide a viable alternative to road transport.

5.53 The canal is almost exclusively used by leisure and tourism activities and therefore, the movement of minerals and waste could impact on the recreational opportunities offered by the waterway.

5.54 All development proposals will be required to demonstrate how they minimise the impact of travel on the environment and help to tackle climate change.

5.55 Sufficient assessment of the transport impacts of the development need to take place, this may be through a technical note, Transport Statement or Transport Assessment depending on the size and potential impact of the proposed site. Where appropriate Travel Plans will be encouraged to support the use of sustainable modes of travel for staff and visitors to the proposed site.

Development Management Policies 5

Public Rights of Way**Policy 23****Public Rights of Way**

Minerals and waste development proposals will be permitted where the proposals do not adversely affect the Public Right of Way (PROW) network. When considering the adverse impacts consideration will be given to whether:

- Satisfactory diversions to Public Rights of Way can be provided that are both convenient and safe for users of the Public Rights of Way;
- In the case of temporary minerals and waste development, the proposals include the creation of an acceptable alternative route both during operations and following restoration of the site;
- Where Public Rights of Way are to be reinstated this should be done as soon as is practicable; and
- Opportunities are proposed that would secure appropriate, improved access, to the countryside.

5.56 There are 1183 km (735 miles) of public rights of way in West Berkshire, compared to a Council road network of 1272 km (790 miles). Public rights of way are made up of the following:

- 61% public footpaths, over which the right of way is on foot only.
- 17% public bridleways, for use by the public on foot, bicycle and on horseback or leading a horse.
- 8% restricted byways, used as bridleways but with the addition of non mechanically propelled vehicles, thereby giving a right of access for horse-drawn carriages.
- 14% byways open to all traffic, for use by all the above plus vehicular traffic, with the main use being by walkers and horse-riders.

5.57 Public Rights of Way play an important role in enabling access to the countryside and the consequential benefits on health and wellbeing. Given the extent of the public rights of way in West Berkshire, proposed minerals and waste sites will often be located close to rights of way and mineral deposits are often close to, or crossed by rights of way.

5.58 It is important that rights of way remain accessible to users throughout the lifetime of minerals and waste operations and that users' safety is not compromised by the activity on site. In some circumstances it will be necessary for a right of way to be diverted during the operation of the site. Temporary diversions will only be acceptable if the restoration scheme provides routes to the same standard as the original right of way and reinstated as soon as practicable. Where this is not possible it may be preferable to divert the route permanently.

5.59 When determining planning applications consideration will be given to both the impacts of a proposal on the public rights of way network together with the impact on the amenity value of the public right of way.

5 Development Management Policies

5.60 The restoration of minerals sites has the potential to enhance the public rights of way network and proposals will be expected to enhance and improve rights of way as well as increase permissive access as part of restoration schemes. Regard should be given to the Councils Rights of Way Improvement Plan⁽⁴⁹⁾ as part of this process.

Flooding

Policy 24

Flooding

Minerals and waste development proposals should seek to avoid areas at highest risk of flooding through the application of the Sequential Test, Exception Test and the sequential approach as appropriate.

Minerals and waste development proposals will be permitted where:

- It can be demonstrated that the development would not increase the risk of flooding (from any source), both to the site itself and the surrounding area and proposals shall seek to reduce flooding;
- Flood protection, resilience and resistance measures are provided as part of the development proposals;
- Sustainable Drainage Systems are incorporated into the scheme;
- There would be no net increase in surface water run-off; and proposals shall seek to reduce surface water run-off; and
- The impact of the development in terms of flood risk can be managed through robust flood compensation and mitigation measures and proposals shall seek to reduce flood risk.

All sources of flood risk need to be taken into account in addition to how flood risk could be impacted upon by climate change.

5.61 The risk of flooding in West Berkshire is widespread, arising not only from rivers, but also from surface water and groundwater. The policy aims to achieve flood risk management wherever possible, steering vulnerable development away from areas affected by flooding.

5.62 It is recognised that minerals working and processing (except for sand and gravel working) are classified as “less vulnerable”, with sand and gravel workings classified as “water-compatible development”. Therefore, minerals development can take place within the flood zone. Water-compatible development can take place within flood zone 3b (the functional flood plain), with “less vulnerable” development considered acceptable in flood zone 3a. The presence of flood zones can impact on the restoration and after-use proposed for a minerals site, as landfilling is considered to be a “more vulnerable” use and therefore, should not be permitted in flood zone 3, without the 'exceptions test' being carried out.

5.63 The Department for Environment, Food and Rural Affairs (DEFRA) and the Environment Agency have produced guidance on carrying out the Sequential and Exceptions Tests⁽⁵⁰⁾. The sequential test requires the comparison of sites being proposed with other available sites to find out which has the lowest flood risk. The sequential test is required if the site is in flood zone 2 or 3 and

49 Rights of Way Improvement Plan <https://info.westberks.gov.uk/article/29147>

50 Sequential and Exception Tests: <https://www.gov.uk/guidance/flood-risk-assessment-the-sequential-test-for-applicants>

Development Management Policies 5

a sequential test has not already been carried out for the development type on the proposed site. The sequential test directs development to areas of lowest flood risk. The sequential approach should be used at a site level to locate facilities such as processing plant and offices in areas of lowest flood risk. The Exception Test only applies where development may need to be carried out in situations where suitable sites at lower risk of flooding are not available.

5.64 The Council's Strategic Flood Risk Assessment (SFRA) (2019)⁽⁵¹⁾ sets out details of flood risk for the the District taking into account the most up to date climate change figures. The SFRA provides information for carrying out the sequential and were required, the exception tests.

5.65 The policy seeks to ensure that development provides appropriate measures for the management of rainfall (surface water) as an essential element of reducing flood risk to both sites and their surroundings. Where appropriate the policies in the Minerals and Waste Local Plan seek to look for opportunities to increase flood resilience through the restoration of mineral sites.

5.66 Sustainable drainage methods (SuDs) should be incorporated into proposals for both minerals and waste development. A range of methods can be used taking into account the topography, geology and soil conditions of a site and its surrounding areas. Further information on SuDs can be found in the SFRA and the Quality Design West Berkshire SPD (2006). A specific SuDs SPD has been developed⁽⁵²⁾. While these relate more to the development of housing or commercial/retail development the principles are relevant to minerals and waste sites.

5.67 The Environment Agency will be consulted where it has indicated that it wishes to be involved in the planning process and in line with their Flood Risk Standing Advice.

Climate Change

Policy 25

Climate Change

Minerals and waste development proposals will be permitted where the proposals demonstrate how they will minimise their impact on the causes of climate change. Development proposals should reduce vulnerability and provide resilience to the impacts of climate change by:

- Minimising greenhouse gas emissions and encouraging more sustainable use of resources, through the location and design of the site and transport arrangements;
- Provision of on-site renewable and low carbon energy technologies;
- Avoiding areas vulnerable to climate change and flood risk through application of the Sequential Test, Exception Test and Sequential Approach where appropriate;
- Provision of adaptation and mitigation measures as required; and
- Provision of potential benefits through site restoration and after use.

5.68 Local Plans are required by the NPPF to take account of climate change over the longer term, including factors such as flood risk, water supply and changes to biodiversity and landscape. New development should avoid increasing vulnerability to the range of impacts that arise from climate

51 SFRA 2019 www.westberks.gov.uk/sfra

52 Sustainable Drainage Systems SPD: <https://info.westberks.gov.uk/spd>

5 Development Management Policies

change. Where new development is proposed in areas which are considered vulnerable, care needs to be taken to ensure that the risks are managed through suitable adaptation measures such as green infrastructure and habitat connectivity.

5.69 Carbon emissions from transport associated with HGVs involved in the minerals and waste industry is a key source of greenhouse gas emissions in the district. Therefore the Council will seek to reduce the impact of transport as well as reducing the need to travel where possible. This can be done by promoting the use of alternatives to road transport as well as seeking to encourage the location of development near to the markets that it serves.

5.70 Although mineral extraction and waste management are energy intensive businesses there are a number of ways quarry sites and waste management facilities could reduce their energy use. Practices should be adopted to help reduce the energy use of individual quarries and waste management sites. In addition the use of recycled and secondary aggregates is encouraged to reduce the need for extraction of primary aggregates.

5.71 Carbon sinks will be encouraged as part of habitat creation (e.g. through wetland or woodland creation) during the restoration of sites. Well-designed and planned restoration can assist in establishing ecological networks which are more resilient and enable the movement of wildlife as it adapts to a changing climate.

5.72 Former mineral extraction sites can also play a role in increasing resilience to flooding by providing additional flood storage capacity as part of the site restoration and after-care.

5.73 Methane emissions from biodegradable waste in landfill account for approximately 40% of all UK methane emissions, equating to approximately 3% of UK greenhouse gas emissions. Waste management, therefore, can play an important role in mitigating levels of greenhouse gas emissions.

5.74 The waste hierarchy plays a key role in mitigating the impacts of climate change by focusing on reducing the amount of waste produced and increasing the amount of waste reused, recovered or recycled. This helps to divert biodegradable waste away from landfill, reducing methane emissions, as well as minimising the demand for new resources which generate greenhouse gases in their production.

Development Management Policies 5

Public Health, Environment and Amenity**Policy 26****Public Health, Environment and Amenity**

Minerals and Waste development proposals will be permitted where all of the following are demonstrated:

- The development would not result in unacceptable impacts on air quality including any adverse impacts on Air Quality Management Areas (AQMAs);
- The development would not result in unacceptable impacts on the intrinsic quality and quantity of water resources (including ground and surface waters) including any adverse impacts on Source Protection Zones (SPZ)⁽⁵³⁾;
- The development would not result in unacceptable impacts from lighting, noise, dust, odour, emissions, pollution, vibration and litter, including impacts that are generated by traffic associated with the site;
- The development would not result in unacceptable impacts on land stability; and
- Consideration has been given to public health and safety, amenity, quality of life of local communities and the natural, built and historic environment;

Appropriate mitigation measures relating to all these matters shall be included within the proposals and all reasonable opportunities must be taken to conserve and enhance the environment and amenity of the area.

5.75 Minerals extraction and waste management facilities by their nature have the potential to generate adverse amenity impacts that could impact upon local communities. However minerals extraction and waste management facilities are critical to support the needs of local communities.

5.76 National policy states that when granting planning permission for mineral development there should be no unacceptable adverse impacts on human health, and that for waste sites there should be consideration of the likely impacts on the local environment and amenity. Therefore, it is important that an acceptable balance is maintained between meeting the identified need for minerals and waste sites and protecting the local environment and amenity of residents who are likely to be affected by the operations.

5.77 Proposals which are likely to give rise to pollution and/or health issues, should be submitted with the full details of these issues together with any proposed or integral mitigation measures. Where applicable the relevant health and pollution control authorities will be consulted.

5.78 The Environment Agency and the Council's Environmental Health Service both implement controls that can potentially overlap with the planning process. The Planning process focuses on the acceptable use of land and the impact of the use proposed. The NPPW confirms that planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced, so it can be assumed that the pollution control regimes will operate effectively

53 The Environment Agency's 'Approach to groundwater protection' (February 18) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/692989/EnvironmentAgency-approach-to-groundwater-protection.pdf includes guidance on acceptable development in relevant Source Protection Zones

5 Development Management Policies

to control emissions to air and discharges to water, etc. Planning conditions therefore should not normally be used to control matters that are the subject of an environmental permit, or other legislative control.

5.79 This does not mean that these issues are not considered as part of the planning process, but that the planning process needs to complement, not duplicate, the pollution control regimes. Possible impacts include noise and vibrations from traffic accessing sites, processing plants and on site activities; visual intrusion; dust; debris on the road; run off from sites to protected waters and the impact of HGVs / traffic associated with a development site. These impacts understandably cause concerns for communities living near to sites, and therefore need to be satisfactorily controlled. However, there are various measures that can be implemented to ensure that the impacts of a development proposal on the locality are reduced to an acceptable level.

5.80 Development proposals coming forward will be expected to include appropriate mitigation measures such as, but not limited to: the use of natural vegetation for screening that can reduce the visual impact and potential noise nuisance of a site to an acceptable level. It is acknowledged that some noisy, short term activities which are considered unacceptable may be unavoidable to facilitate development. Various controls can be used to manage dust, litter and odour problems, and wheel washing and sheeting of lorries can prevent debris from being deposited on the road network. The phasing of mineral working, the choice of routes, as well as the location and suitability of access arrangements for vehicles can all influence the acceptability of the site.

5.81 Local liaison groups between an operator and the local community have traditionally been a useful way of ensuring that all parties potentially impacted upon by the development are able to discuss issues and solutions. These will continue to be encouraged to provide an open forum for discussions to take place around the issues that can arise from an active site that can impact upon local communities.

Development Management Policies 5

Historic Environment**Policy 27****Historic Environment**

Minerals and waste development proposals will be permitted where the proposals conserve and enhance the historic environment and heritage assets of the district, both designated and non-designated, including the setting where relevant. The degree of protection given will be appropriate to the status of the Heritage Asset.

Where proposals are likely to affect the significance of a heritage asset and/or the historic environment consideration will be given to:

- The scale of harm or loss of significance
- Whether there is an overriding need for and public benefit of the development that outweighs any harm or loss of significance;
- Whether there are any reasonable alternative ways to meet the need for the development; and
- whether the impact of the development on the historic environment and/or heritage assets can be satisfactorily mitigated.

Where the loss (wholly or in part) of a heritage asset is considered acceptable in principle, the applicant will be required to record and advance understanding of the significance of that asset in a manner proportionate to its importance and to disseminate the findings.

5.82 A heritage asset is defined in the NPPF as a building, monument, site, place, or area of landscape, which because of its heritage interest is identified as having a degree of significance meriting consideration in planning decisions. Heritage assets are irreplaceable, and therefore, should be conserved in a manner appropriate to their significance. They can include both designated and non-designated assets. The significance of a heritage asset derives not only from its physical presence, but also from its setting. Designated assets are assessed at the highest significance and some are afforded statutory protection. West Berkshire has the following designated heritage assets:

Designated Heritage Asset	Number in West Berkshire	Comment
Scheduled Monument	Approx. 90	
Battlefields	1	
Listed buildings (grade I and II*)	Approx 1900	
Registered parks and gardens (grade I and II*)	12	Aldermaston Court, Sandleford Primary and Shaw House are on the Heritage at Risk register

5.83 Non-designated assets are usually recorded in the local Historic Environmental Record (HER). These are generally of regional or local importance and may have an equal significance to the designated assets. In West Berkshire there are over 5000 assets listed on the HER.

5 Development Management Policies

5.84 Conservation Areas are areas of architectural or historic interest with a distinctive character or appearance that it is desirable to preserve or enhance. There currently are 53 Conservation Areas in West Berkshire.

5.85 The significance of assets can be harmed or lost through alteration or destruction of the asset itself, or its setting. Proposals for minerals and waste development need to include appropriate measures to minimise the impact of development on West Berkshire's heritage, historic environment and archaeology. In November 2013 an Assessment of the Archaeological Resource in Aggregate areas of West Berkshire⁽⁵⁴⁾ was published. The primary aim of the project was to improve the quality and quantity of available archaeological data in respect of potential aggregate producing areas within West Berkshire, and to facilitate more informed advice concerning the impacts and mitigation of aggregates extraction.

5.86 As part of the application process the application will need to describe the significance of any heritage assets affected by the proposals as well as detail the contribution made by the setting of the asset, as required by paragraph 189 of the NPPF. The level of detail should be proportionate to the asset's importance but sufficient to understand the potential impact of the proposal on their significance.

5.87 Where development is proposed at a site which includes, or has the potential to include, heritage assets with archaeological interest, the application will need to be accompanied by an initial desk-based archaeological assessment to determine the nature and significance of any archaeological assets, the contribution of the setting to that significance, as well as any potential impacts on the assets or their setting.

5.88 Depending on the outcome of this desk based assessment it is possible that an archaeological field evaluation of the site, together with potential mitigation measures will be required to facilitate the determination of the proposal against this policy.

5.89 Addressing heritage considerations early on in the planning process, before planning applications are submitted, means that there is greater scope to avoid or minimise any potential adverse impacts. Where development proposals have the potential to affect heritage assets, they should be accompanied by an assessment of the significance and setting of the assets and the potential impact the development will have. Such assessment should be proportionate to the significance of the asset, taking into account the HER and setting out, where appropriate, the results of field evaluation. Details of proposed mitigation measures should also be provided along with the provision for recording and archiving of information in relation to any heritage assets to be lost. Where there is potential for heritage assets, but these have not been identified, provision will need to be made for monitoring and recording.

54 Archaeological Resource in Aggregates areas of West Berkshire: http://archaeologydataservice.ac.uk/archives/view/wberks_eh_2013/

Development Management Policies 5

Design**Policy 28****Design**

Minerals and waste development proposals will be permitted where the proposals respect and enhance the character and appearance of the area. Minerals and waste development proposals will be expected to demonstrate high quality design throughout all stages of the development, including restoration and aftercare where appropriate.

The design of built facilities should be of a high quality and contribute to achieving sustainable development. Good design relates not only to the appearance of a development but to the way it functions. Development shall contribute positively to local distinctiveness and sense of place.

5.90 The NPPF places great importance on the design of the built environment and its role in achieving sustainable development. Planning has the potential to drive up design standards across all types of development and the Council will seek to secure high quality design in all development proposals.

5.91 In order to demonstrate that high quality design is achieved all proposals for minerals and waste development should be demonstrated to be appropriate in scale and character to the location and surrounding area. This should take into account any planned new development or regeneration opportunities.

5.92 Development proposals, where appropriate, should use high-quality building materials made from recycled or secondary sources. All potential opportunities to minimise the use of primary aggregates should be considered.

5.93 It will need to be demonstrated that the proposals reduce the need for transport and provide enhancements to the local amenity, considering the potential impacts development may have on the local community.

5.94 Applications will be expected to be supported by high-quality proposals for restoration and after-care (where appropriate). Full consideration needs to be given to design throughout the entire life of the development proposed.

Cumulative Impacts**Policy 29****Cumulative Impacts**

Minerals and waste development proposals will be permitted where the proposed development would not result in an unacceptable cumulative adverse impact on the environment or amenity of an area, either in relation to the collective effect of different impacts, or as a result of the effects of a number of developments occurring concurrently or successively.

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5.95 National policy requires that cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality are taken into account as part of the planning decision process.

5.96 Cumulative impacts that are relevant to the determination process can occur in a number of ways:

- cumulative impacts of a number of separate effects from a single site.
- cumulative impacts of a single (or more) effects generated from two or more developments.

5.97 Adverse cumulative impacts could include a variety of issues such as levels of noise, dust, vibration and artificial light. Impacts on the highway network could also occur with increased HGV movements and the road safety impacts associated with higher traffic levels. Similarly visual and landscape impacts could be generated by multiple sites operating at the same time in the same locality.

5.98 As part of the application process consideration will need to be given to cumulative impacts of proposed minerals and waste development proposals on the receiving environment, and the capacity of the locality to accept the impacts that are proposed.

6 Site Allocation Policies

Sharp Sand and Gravel

Policy 30

Boot Farm

Site Address:	Brimpton Road, Brimpton Common
Centre Grid Ref:	SU 5678 6371
Parish:	Brimpton
Extraction:	Extraction of approximately 750,000 tonnes of sand and gravel
Restoration:	Restoration proposed as lower level agriculture, with potential for some infill to improve the landform.
Site Area:	30ha

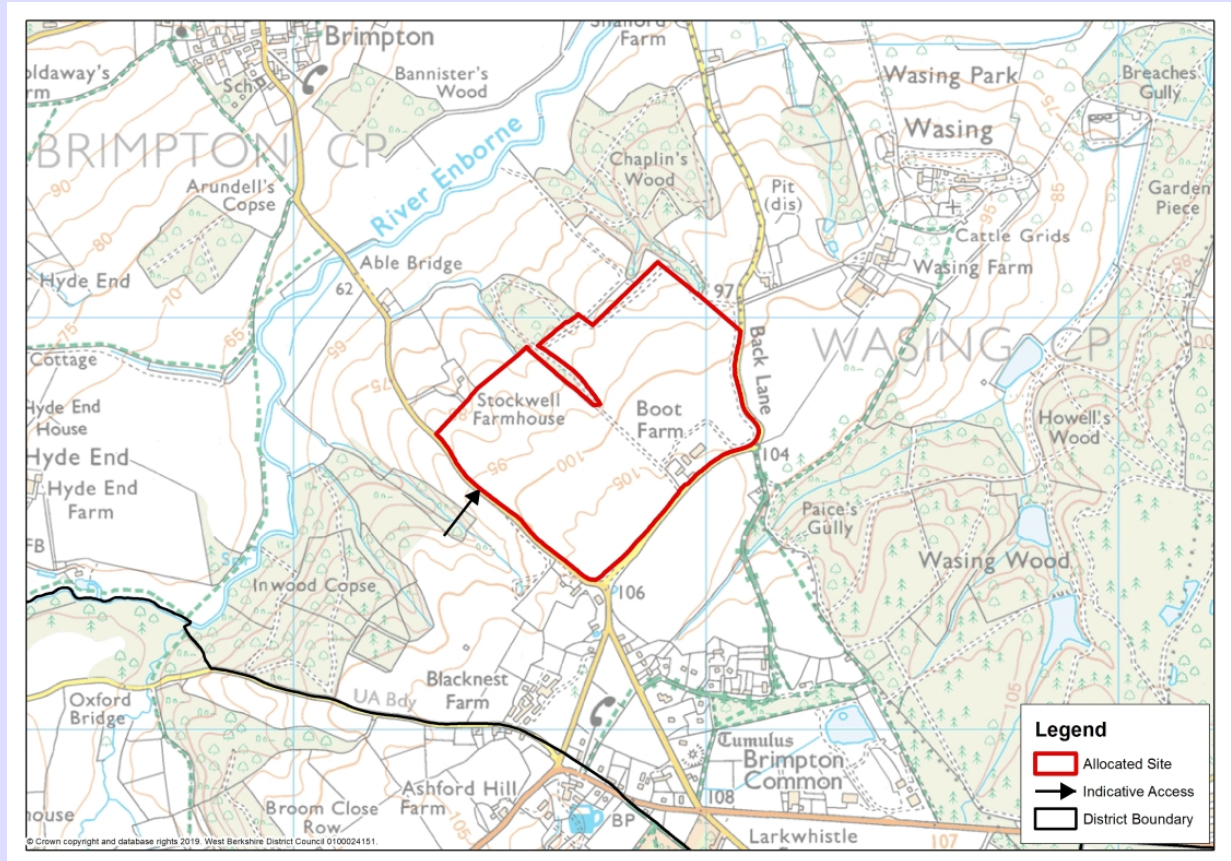


Figure 5 Boot Farm Location Map

6 Site Allocation Policies

Site Context

The site at Boot Farm, is located to the north of the village of Brimpton Common, north-west of Back Lane.

The site comprises two fields, one field of arable land and one field of improved (sown) grassland. The fields are bounded by hedgerows and woodland, with the buildings of Boot Farm to the south side of the site (currently a children's nursery).

Planning Requirements / Considerations

Landscape: Development of the site will need to be subject to a detailed *Landscape and Visual Impact Assessment* to determine the exact area of the site suitable for extraction in landscape terms. Extraction of the site would need to be phased with progressive restoration to minimise the impact on the landscape. During extraction the roadside hedges and adjacent woodlands to the north of the site should be protected by appropriate buffer zones. Grass seeded bunds should be used to protect users of Boot Farm Farmhouse and screen views from Back Lane. Stockpiles should be located as far away as possible from the road network to limit visual intrusion. Development of the site should be carried out in line with the recommendations set out in the Council's "Landscape and Visual Assessment of Potential Mineral and Waste Sites, (October 2016)⁽⁵⁵⁾

Rights of Way: Consideration of the impact on the rights of way to the south of the site would be required, and appropriate mitigation provided.

Highways/Transport: A *Transport Statement* will be required to support development of the site. This will need to include consideration of the access to the site and details of haul routes to and from the site. Access and routing from the site should use the B3051 to the south of the site. Improvements to the junction of the B3051 are likely to be required to ensure adequate sight lines can be achieved.

Ecology: *Habitat and Ecological assessments* will be required to support any planning application setting out any mitigation measures needed to ensure there are no unacceptable impacts on West Berkshire's biodiversity assets. In addition, a baseline assessment of the biodiversity of the site using a biodiversity metric agreed with the Local Authority should be undertaken.

Surveys to be completed in support of a planning application must include

- Badger Survey;
- Breeding Bird Survey
- An assessment of ponds within a 250m radius of the site to determine their potential to offer breeding habitat for great crested newts
- Any buildings affected by the proposals should be assessed for their potential to support roosting bats.

Development of the site should be carried out in line with the recommendations set out in the Council's "Preliminary Ecological Appraisal (February 2019)⁽⁵⁶⁾

In addition, retention and protection of trees and hedgerows in line with BS5837: 2012 is required.

55 Landscape and Visual Impact Assessment: <https://info.westberks.gov.uk/mwevidencebase>

56 Minerals and Waste Local Plan Proposed Submission documents and evidence: <https://info.westberks.gov.uk/mwevidencebase>

Site Allocation Policies 6

Agricultural Land and Soils: An *Agricultural Land Classification Report* should be submitted with any planning application to determine whether any Best and Most Versatile (BMV) agricultural land is present. A soil handling and management plan should be submitted, including proposals to safeguard BMV land where applicable.

Heritage: A *Heritage Impact Assessment* and *archaeological desk based assessment* and *field evaluation*, taking into account the potential impacts on the significance of heritage and archarological assets will be required to support any planning application.

Flooding/Hydrology: A *Flood Risk Assessment* would be required taking into account all sources of flooding. The requirements outlined in section 6.2.2 of the Council's Level 1 SFRA must be adhered to.⁽⁵⁷⁾

Amenity: Detailed *noise and dust surveys* should be carried out and a lighting, noise, dust and vibration *management plan* should be submitted, setting out any mitigation measures needed to ensure there are no unacceptable impacts on local amenity. The site is adjacent to a children's nursery at Boot Farm, therefore, appropriate mitigation, including a wide buffer is required to ensure no unacceptable impacts on the nursery would result from works on the site.

Restoration/After-care: A *Restoration Plan* and *outline Aftercare Scheme* should accompany any planning application for the site. The site should be restored to a sympathetic landform in keeping with the local topography with all bunds removed. Restoration should provide at least 10% net gains for biodiversity in line with the strategic aims of the Burghfield to Tadley Plateau Biodiversity Opportunity Area and measured using a biodiversity metric agreed with the Local Authority. Views over the site to the Kennet Valley and AONB should be restored. Restoration of the site should take into account the recommendations set out in the Council's Preliminary Ecological Appraisal (February 2019) and Landscape and Visual Assessment (October 2016)⁽⁵⁸⁾

57 Minerals and Waste Local Plan Proposed Submission documents and evidence: <https://info.westberks.gov.uk/mwevidencebase>

58 Minerals and Waste Local Plan Proposed Submission documents and evidence: <https://info.westberks.gov.uk/mwevidencebase>

6 Site Allocation Policies

Policy 31

Tidney Bed

Site Address:	Bath Raod, Sulhamstead / Ufton Nervet
Centre Grid Ref:	SU 6169 9721
Parish:	Ufton Nervet
Extraction:	Extraction of approximately 1,000,000 tonnes of sand and gravel
Restoration:	Restoration proposed as agriculture using inert infill and biodiversity enhancements
Site Area:	34ha

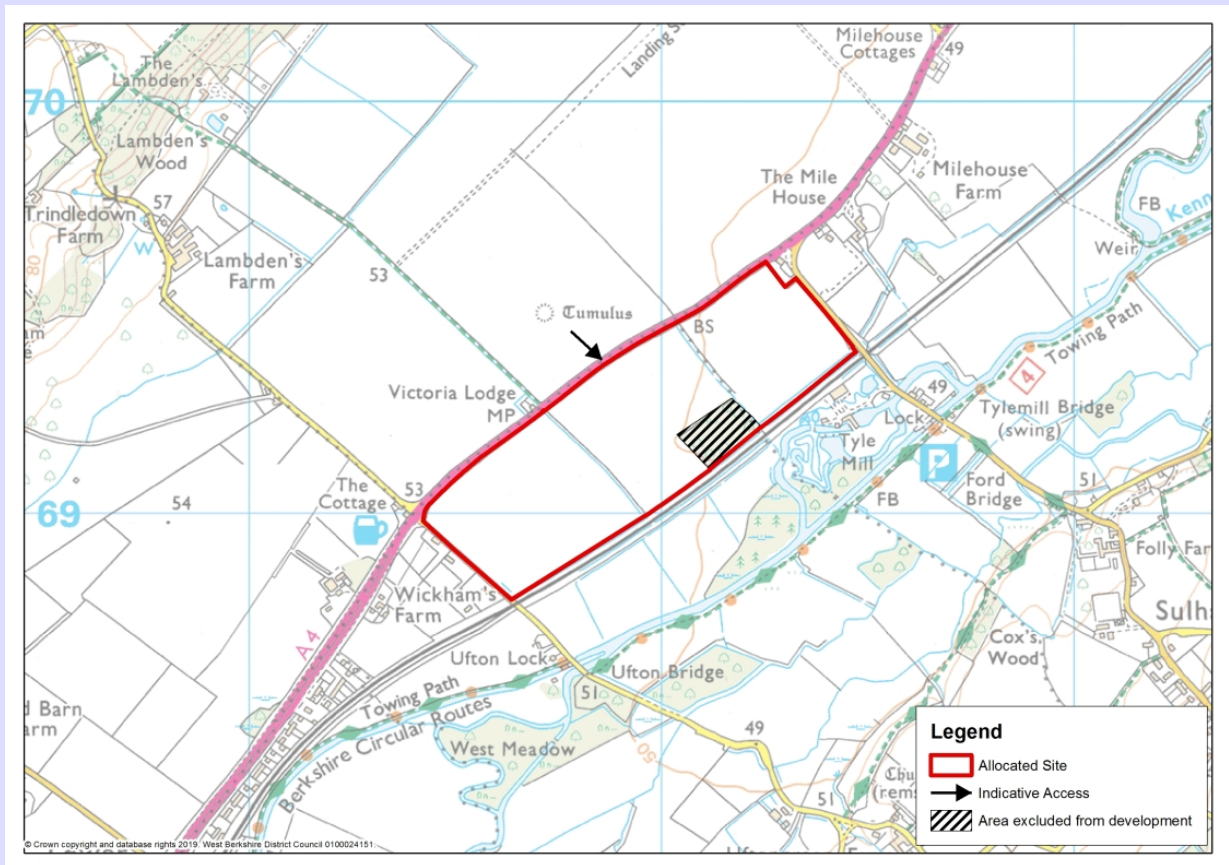


Figure 6 Tidney Bed Location Map

Site Allocation Policies 6

Site Context

The site at Tidney Bed is located to the south of Bath Road (A4), between Ufton Lane and Sulhamstead Hill, approximately 0.75km to the north-west of the village of Sulhamstead in West Berkshire.

The site is currently in agricultural use and comprises three fields of arable land, a copse of broadleaved woodland and an area of marshy grassland. The Berkshire & Hampshire railway line runs along the southern boundary of the site.

Planning Requirements / Considerations

Landscape: Development of the site will need to be subject to a detailed *Landscape and Visual Impact Assessment* to determine the exact area of the site suitable for extraction in landscape terms. Extraction of the site would need to be phased with progressive restoration to minimise the impact on the landscape. Permanent planting in advance of any works being carried out should be placed along the northern edge of area 21.2 as defined in the Council's Landscape and Visual Assessment of Potential Mineral and Waste Sites (October 2016)⁽⁵⁹⁾. Temporary bunding should be used to screen views from the River Kennet and the canal and from the A4. Development of the site should be carried out in line with the recommendations set out in the Council's Landscape and Visual Assessment of Potential Mineral and Waste Sites (October 2016).

Highways/Transport: A *Transport Assessment* will be required to support development of the site. This will need to include a Road Safety Audit, consider access to the site and include details of haul routes to and from the site. Access would be either via a new junction on to the A4, or onto Ufton Lane and then onto the A4. Any access onto Ufton Lane would need to involve widening Ufton Lane from the site access to the A4.

Ecology: *Habitat and Ecological assessments* will be required to support any planning application setting out any mitigation measures needed to ensure there are no unacceptable impacts on West Berkshire's biodiversity assets. In addition, a baseline assessment of the biodiversity of the site using a biodiversity metric agreed with the Local Authority should be undertaken.

Surveys to be completed in support of a planning application must include:

- Protected species surveys including:
 - a breeding bird survey
 - a badger survey
 - bat activity surveys
- All ponds within a 250m radius of the site should be assessed for their suitability as breeding habitat for great crested newts.

The woodland within the site should be retained and protected; in addition, retention and protection of trees and hedgerows in line with BS5837:2012 is required. Development of the site should be carried out in line with the ecological requirements set out in the Council's "Preliminary Ecological Appraisal (February 2019)"⁽⁶⁰⁾.

59 Landscape and Visual Assessment of Potential Mineral and Waste Sites: <https://info.westberks.gov.uk/mwevidencebase>

60 Minerals and Waste Local Plan Proposed Submission documents and evidence: <https://info.westberks.gov.uk/mwevidencebase>

6 Site Allocation Policies

Agricultural Land and Soils: An *Agricultural Land Classification Report* should be submitted with any planning application to determine whether any Best and Most Versatile (BMV) agricultural land is present. A soil handling and management plan should be submitted, including proposals to safeguard BMV land where applicable.

Heritage: A *Heritage Impact Assessment*, and *archaeological desk based assessment and field evaluation*, taking into account the potential impacts on the significance of heritage and archaeological assets, will be required to support any planning application.

Flooding/Hydrology: A *Flood Risk Assessment* would be required taking into account all sources of flooding. The requirements outlined in section 6.2.2 of the Council's Level 1 SFRA must be adhered to⁽⁶¹⁾. Impacts on flooding and hydrology from the proposed restoration with inert fill will also need to be assessed.

Amenity: Detailed *noise and dust surveys* should be carried out and a *lighting, noise, dust, and vibration management plan* should be submitted, setting out any mitigation needed to ensure there are no unacceptable impacts on local amenity.

Restoration/Aftercare: A *Restoration Plan and outline Aftercare Scheme* should accompany any planning application for the site. The site should be restored, with the removal of all bunds, reinstatement of internal hedgerow boundaries and providing at least 10% net gains for biodiversity measured using a biodiversity metric agreed with the Local Authority. Restoration of the site should take into account the requirements set out in the Council's Preliminary Ecological Appraisal (February 2019) and Landscape and Visual Assessment of Potential Mineral and Waste Sites (October 2016)⁽⁶²⁾.

61 Minerals and Waste Local Plan Proposed Submission documents and evidence: <https://info.westberks.gov.uk/mwevidencebase>

62 Minerals and Waste Local Plan Proposed Submission documents and evidence: <https://info.westberks.gov.uk/mwevidencebase>

Site Allocation Policies 6

Soft Sand

Policy 32

Chieveley Services

Site Address:	Land adjacent to M4/A34 Chieveley Services, Oxford Road, Newbury
Centre Grid Ref:	SU4827 7232
Parish:	Chieveley
Extraction:	Extraction of between 400,000 and 670,000 tonnes of soft sand
Restoration:	Restoration proposed as agriculture to existing levels using inert infill.
Site Area:	22.3ha

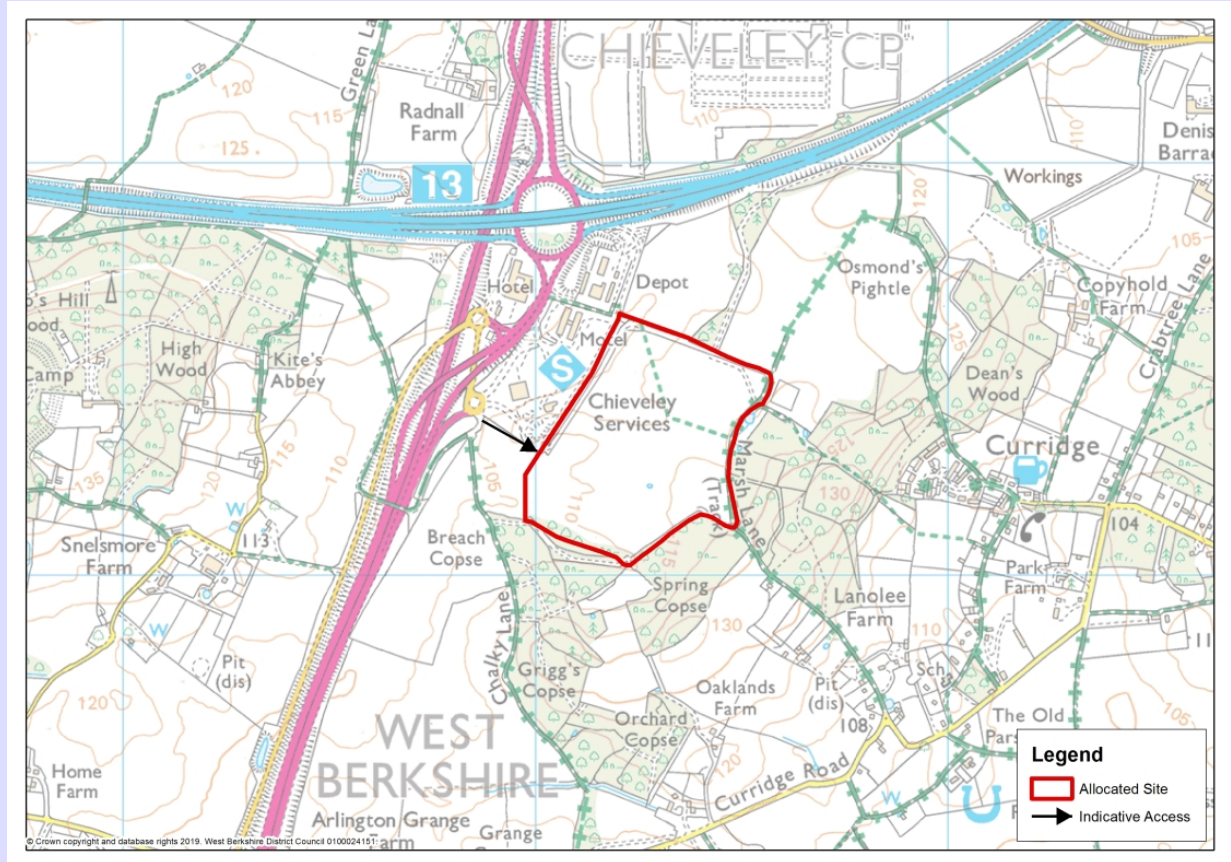


Figure 7 Chieveley Services Location Map

6 Site Allocation Policies

Site Context

The site at Chieveley Services, is located to the south-east of Chieveley Services (of the M4), and approximately 1.1km to the south-east of Chieveley village.

The site comprises a field of mainly arable land, with a hedgerow and tree line separating the arable land from an area of semi-improved grassland to the south. There are two mature oak trees located within the arable land, and the site boundaries are marked by adjacent woodland and hedgerows.

Planning Requirements / Considerations:

Landscape: Development of the site will need to be subject to a detailed *Landscape and Visual Impact Assessment* to determine the exact area of the site suitable for extraction in landscape terms. Extraction of the site would need to be phased with progressive restoration to minimise the impact on the landscape. Development of the site should be carried out in line with the requirements set out in the Council's Landscape and Visual Assessment of Potential Mineral and Waste Sites (October 2016)⁽⁶³⁾.

Rights of Way: The Right of Way crossing the site should be retained or diverted during the working of the site, and reinstated as part of the restoration of the site. Appropriate buffers should be provided to the other rights of way adjacent to the site.

Highways/Transport: A *Transport Assessment* and *Site Management Plan* will be required to support development of the site given the proximity of the site to the Strategic Road Network. This will need to clearly set out how the site would operate, the predicted number of vehicle movements (hourly/daily), demonstrate the site's viability and likely impact on the SRN and include consideration of the access to the site and details of haul routes to and from the site.

Ecology: *Habitat and Ecological assessments* will be required to support any planning application setting out any mitigation measures needed to ensure there are no unacceptable impacts on West Berkshire's biodiversity assets. The following surveys should be submitted in support of any planning application:

- Botanical survey
- Invertebrate survey
- Bat survey
- Reptile surveys
- Amphibian surveys of nearby ponds
- Bird surveys
- Survey for badger setts and badger activity

The mature trees and linear woodland subject to Tree Preservation Order 201/21/0861 to the south of the site should be retained and protected in line with BS5837:2012. Development of the site should be carried out in line with the ecological requirements set out in the Council's Preliminary Ecological Appraisal (February 2019)⁽⁶⁴⁾

63 Landscape and Visual Assessment of Potential Mineral and Waste Sites: <https://info.westberks.gov.uk/mwevidencebase>

64 Minerals and Waste Local Plan Proposed Submission documents and evidence: <https://info.westberks.gov.uk/mwevidencebase>

Site Allocation Policies 6

Agricultural Land and Soils: An *Agricultural Land Classification Report* should be submitted with any planning application to determine whether any Best and Most Versatile (BMV) agricultural land is present. A soil handling and management plan should be submitted, including proposals to safeguard BMV land where applicable.

Heritage: A *Heritage Impact Assessment*, and *archaeological desk based assessment and field evaluation*, taking into account the potential impacts on the significance of heritage and archaeological assets will be required to support any planning application.

Flooding/Hydrology: A *Flood Risk Assessment* would be required taking into account all sources of flooding. The requirements outlined in section 6.2.2 of the Council's Level 1 SFRA⁽⁶⁵⁾ must be adhered to.

Amenity: Detailed *noise and dust surveys* should be carried out and a *lighting, noise, dust, and vibration management plan* should be submitted setting out any mitigation needed to ensure there are no unacceptable impacts on local amenity.

Restoration/Aftercare: Any application must be accompanied by a *comprehensive Restoration Plan and outline Aftercare Scheme*. The site should be restored to arable and pasture fields with all bunding removed and levels seamlessly restored to blend with the surrounding topography, providing at least 10% net gains for biodiversity. The PRoW crossing the site should be restored and opportunities for further public access/creation of new access links should be explored. Restoration of the site should take into account the requirements set out in the Council's Preliminary Ecological Appraisal (February 2019) and Landscape and Visual Assessment of Potential Mineral and Waste Sites (October 2016)⁽⁶⁶⁾.

65 SFRA 2019: www.westberks.gov.uk/sfra

66 Minerals and Waste Local Plan Proposed Submission documents and evidence: <https://info.westberks.gov.uk/mwevidencebase>

7 Monitoring Framework

7 Monitoring Framework

Implementation and Monitoring Plan

7.1 The overarching delivery of minerals and waste development will be carried out through Development Management and associated activities. This would typically include:

- Assessing planning applications;
- Compliance monitoring of permitted minerals and waste developments; and
- Monitoring and enforcement relating to unauthorised development.

7.2 It may also be that planning decisions made by other planning authorities including provisions within other local development plans. Compulsory Purchase Orders (CPO), other associated developments and major infrastructure projects may impact on the ability of the Plan to deliver.

7.3 Applicants considering minerals and waste development will be required to submit planning applications for consideration before any development takes place. All proposals will need to meet other environmental, amenity and economic policies as set out within the Plan.

7.4 The key delivery partners in this respect will be the statutory bodies (the Environment Agency, Natural England and Historic England) in conjunction with mineral and waste operators and other interested bodies.

7.5 The Implementation and Monitoring Plan is intended to deliver the aims of the Minerals and Waste Local Plan. The following table shows the links between the implementation and monitoring of the Minerals and Waste Plan policies. The terms used in the header of the table shown below are:

- **Plan Policy and link to objectives:** This is the Policy number and name in the Plan and the link that the policy has to the SA/SEA and Plan objectives.
- **Indicator:** Proposed outcome (or limitation) - this is the intended outcome of the Policy
- **Target:** Proposed target to illustrate whether the policies are operating as intended.
- **Trigger (threshold) for policy review:** Proposed threshold, where applicable, which if breached a review of the policy/plan may be required, depending on the circumstances.

Monitoring Framework 7

Strategic Policies

Local Plan Policy and link to objectives	Indicator	Target	Trigger
<p>Policy 1: Sustainable Development</p> <p><i>Contributes towards plan objectives M2, M5 and SA/SEA objectives 1 - 14</i></p>	<ul style="list-style-type: none"> Number of appeals allowed Minerals and waste applications determined within nationally set time periods 	<ul style="list-style-type: none"> No more than one appeal allowed per year 100% applications determined within the target / agreed timescale 	<ul style="list-style-type: none"> One application decided outside of agreed timescales More than three appeals allowed per year
<p>Policy 2: Landbank / Need</p> <p><i>Contributes towards plan objective M4 and SA/SEA objective 11</i></p>	<ul style="list-style-type: none"> Permitted reserves for sharp sand and gravel and soft sand. Landbanks for sharp sand and gravel and soft sand. Allocated sites with planning permission Annual sales of sharp sand and gravel and soft sand. Recycled / Secondary aggregate production capacity. Production capacity for sharp sand and gravel and soft sand. 	<ul style="list-style-type: none"> Production capacity maintained at annual requirement rates. Landbanks maintained for at least: <ul style="list-style-type: none"> 7 years for sharp sand and gravel 7 years for soft sand Recycled and Secondary capacity maintained at specified rate. 	<ul style="list-style-type: none"> Landbank equivalent to less than seven years of need based on the calculations in the latest LAA. Production capacity falls below annual requirement rates for more than one year. Recycled and Secondary capacity falls below specified rate.
<p>Policy 3: Net self-sufficiency in Waste Management</p> <p><i>Contributes towards plan objectives M7, W1, W2, W3, W4 and SA/SEA objectives 9, 10, 11</i></p>	<ul style="list-style-type: none"> Total amount of waste managed within West Berkshire for the specified waste streams. 	<ul style="list-style-type: none"> Retention of adequate sites to maintain net self-sufficiency of waste management facilities. 	<ul style="list-style-type: none"> Permitted waste management capacity in West Berkshire below the volume of waste arising such that net self-sufficiency cannot be achieved.

7 Monitoring Framework

Local Plan Policy and link to objectives	Indicator	Target	Trigger
	<ul style="list-style-type: none"> Waste management capacity in West Berkshire for the specified waste streams. Waste imports and exports. 		
Policy 4: Location of Development - Construction Aggregates <i>Contributes towards plan objective M1, M5 and SA/SEA objectives 6, 11, 12, 13, 14</i>	<ul style="list-style-type: none"> Number of applications approved on land given priority by the policy. Number of applications approved on land outside areas given priority by the policy. Location of permissions granted under the policy. 	<ul style="list-style-type: none"> 100% applications determined in accordance with policy. 	<ul style="list-style-type: none"> More than one proposal approved (within the plan period) that is not in line with the policy.
Policy 5: Location of Development - General Waste Management Facilities <i>Contributes towards plan objectives W1, W6 and SA/SEA objectives 6, 9, 12, 13</i>	<ul style="list-style-type: none"> Location of permissions granted under the policy. Number of facilities approved on land given priority by the policy. Number of facilities approved on greenfield land. 	<ul style="list-style-type: none"> 100% applications determined in accordance with policy. 	<ul style="list-style-type: none"> More than one proposal approved (within the plan period) that is not in line with the policy.
Policy 6: Location of Development - Specialist Waste Management Facilities <i>Contributes towards plan objective W4, W5 and SA/SEA objectives 9, 10</i>	<ul style="list-style-type: none"> Number of applications associated with specialist waste management facilities granted permission in accordance with the policy. Location of permissions granted under the policy. 	<ul style="list-style-type: none"> 100% applications determined in accordance with policy. 	<ul style="list-style-type: none"> More than one proposal approved (within the plan period) that is not in line with the policy.

Monitoring Framework 7

Local Plan Policy and link to objectives	Indicator	Target	Trigger
<p>Policy 7: Location of Development - Landfill and Permanent Deposit of Waste to Land</p> <p><i>Contributes towards plan objectives W2, W3, W4 and SA/SEA objective 9</i></p>	<ul style="list-style-type: none"> • Number of facilities approved on land given priority by the policy. • Number of applications approved on land outside areas given priority by the policy. • Number of applications permitted for permanent deposit of inert waste for restoration purposes and beneficial use. • New landfill capacity approved. 	<ul style="list-style-type: none"> • 100% applications determined in accordance with policy. 	<ul style="list-style-type: none"> • More than one proposal approved (within the plan period) that is not in line with the policy.
<p>Policy 8: Borrow Pits</p> <p><i>Contributes towards plan objectives M1, M2 and SA/SEA objectives 10, 11</i></p>	<ul style="list-style-type: none"> • Number of applications for borrow pits. • Number of applications for borrow pits permitted on land given priority by the policy/ in accordance with the policy. • Permissions granted in accordance with the policy. 	<ul style="list-style-type: none"> • 100% applications determined in accordance with policy. 	<ul style="list-style-type: none"> • More than one proposal approved (within the plan period) that is not in line with the policy.

7 Monitoring Framework

Local Plan Policy and link to objectives	Indicator	Target	Trigger
Policy 9: Safeguarding – Minerals <i>Contributes towards plan objective M6 and SA/SEA objective 11</i>	<ul style="list-style-type: none"> • Number of non-minerals applications responded to with mineral safeguarding advice. • Number and type of safeguarded mineral infrastructure sites. • Number of safeguarded aggregates rail depots • Applications approved contrary to mineral safeguarding advice. 	<ul style="list-style-type: none"> • No loss of mineral safeguarded sites / infrastructure to non-minerals development. • No applications approved contrary to mineral safeguarding advice. 	<ul style="list-style-type: none"> • More than one proposal approved (within the plan period) against mineral safeguarding advice. • Loss of safeguarded minerals sites and infrastructure.
Policy 10: Safeguarding Waste <i>Contributes towards plan objective W6 and SA/SEA objective 9</i>	<ul style="list-style-type: none"> • Number of non-waste applications responded to with waste safeguarding advice. • Number and type of waste safeguarded sites/areas. • Applications approved contrary to waste safeguarding advice. 	<ul style="list-style-type: none"> • No net loss of waste safeguarded sites / infrastructure to non-waste development. • No applications approved contrary to waste safeguarding advice. 	<ul style="list-style-type: none"> • Permitted waste management capacity below the volume of waste arisings, such that net self-sufficiency can no longer be achieved. • More than one proposal approved (within the plan period) against waste safeguarding advice. • Loss of waste safeguarded sites / infrastructure.
Policy 11: Chalk and Clay <i>Contributes towards plan objectives M1, M2 and SA/SEA objective 11</i>	<ul style="list-style-type: none"> • Number of applications associated with chalk and clay extraction. • Number of permissions granted contrary to the policy (departure). 	<ul style="list-style-type: none"> • 100% applications determined in accordance with policy. 	<ul style="list-style-type: none"> • More than one proposal approved (within the plan period) that is not in line with the policy.

Monitoring Framework 7

Local Plan Policy and link to objectives	Indicator	Target	Trigger
<p>Policy 12: Energy Minerals</p> <p><i>Contributes towards plan objectives M1, M2 and SA/SEA objective 11</i></p>	<ul style="list-style-type: none"> Number of applications associated with exploration, appraisal and development of oil, gas and unconventional hydrocarbons. Number of permissions granted contrary to the policy (departure). 	<ul style="list-style-type: none"> 100% applications determined in accordance with Policy. 	<ul style="list-style-type: none"> More than one proposal approved (within the plan period) that is not in line with the policy.
<p>Policy 13: Radioactive Waste Treatment and Storage at AWE</p> <p><i>Contributes towards plan objective W4 and SA/SEA objective 9</i></p>	<ul style="list-style-type: none"> Number of applications associated with storage and / or management of radioactive waste at AWE. Number of permissions granted contrary to the policy (departure). 	<ul style="list-style-type: none"> 100% applications determined in accordance with policy. 	<ul style="list-style-type: none"> More than one proposal approved (within the plan period) that is not in line with the policy.
<p>Policy 14: Reworking old inert landfill sites</p> <p><i>Contributes towards plan objective M7 and SA/SEA objective 9</i></p>	<ul style="list-style-type: none"> Number of applications associated with reworking old inert landfill sites Number of permissions granted contrary to the policy (departure). 	<ul style="list-style-type: none"> 100% applications determined in accordance with policy. 	<ul style="list-style-type: none"> More than one proposal approved (within the plan period) that are not in line with the policy.
<p>Policy 15: Permanent Aggregate Infrastructure</p> <p><i>Contributes towards plan objective M1, M4 and SA/SEA objectives 10, 11, 12</i></p>	<ul style="list-style-type: none"> Number of applications for permanent construction aggregates infrastructure. 	<ul style="list-style-type: none"> 100% applications determined in accordance with policy. 	<ul style="list-style-type: none"> More than one proposal approved (within the plan period) that is not in line with the policy.

7 Monitoring Framework

Local Plan Policy and link to objectives	Indicator	Target	Trigger
	<ul style="list-style-type: none"> No. applications on land given priority by the policy. Number of permissions granted contrary to the policy (departure). 		
Policy 16: Temporary minerals and waste Infrastructure <i>Contributes towards plan objectives M1, M7, W3 and SA/SEA objectives 8, 9, 10, 13</i>	<ul style="list-style-type: none"> Number of applications for temporary minerals and waste infrastructure. Number of applications on land given priority by the policy. Number of permissions granted contrary to the policy (departure). 	<ul style="list-style-type: none"> 100% applications determined in accordance with policy. 	<ul style="list-style-type: none"> More than one proposal approved (within the plan period) that are not in line with the policy.

Development Management Policies

Local Plan Policy and link to objectives	Indicator	Target	Trigger
Policy 17: Restoration and After-use of Sites <i>Contributes towards plan objective M8 and SA/SEA objectives 4, 6, 12</i>	<ul style="list-style-type: none"> Permissions granted contrary to the policy (departure) Number of schemes delivering 10% net gains in biodiversity or above Number of sites being restored or in aftercare 	<ul style="list-style-type: none"> All applications approved providing satisfactory restoration and aftercare proposals All applications approved with restoration leading to at least 10% net gain in biodiversity 100% applications determined in accordance with policy 	<ul style="list-style-type: none"> More than one proposal approved (within the plan period) that is not in line with policy

Monitoring Framework 7

Local Plan Policy and link to objectives	Indicator	Target	Trigger
<p>Policy 18: Landscape</p> <p><i>Contributes towards plan objectives M2, W8 and SA/SEA objective 6</i></p>	<ul style="list-style-type: none"> Number of permissions granted contrary to the policy (departure) 	<ul style="list-style-type: none"> No permissions granted contrary to landscape advice 100% applications determined in accordance with policy 	<ul style="list-style-type: none"> More than one proposal approved (within the plan period) that is not in line with the policy
<p>Policy 19: Protected Landscapes</p> <p><i>Contributes towards plan objectives M2, M4, W8 and SA/SEA objective 6</i></p>	<ul style="list-style-type: none"> Number of permissions granted contrary to the policy (departure). Number of planning permissions granted within / impacting on a protected landscape. 	<ul style="list-style-type: none"> All applications approved seeking to protect and enhance the AONB. No permissions granted contrary to landscape / Natural England advice within protected landscape areas. 100% applications determined in accordance with policy. 	<ul style="list-style-type: none"> More than one proposal approved (within the plan period) that is not in line with the policy.
<p>Policy 20: Biodiversity and Geodiversity</p> <p><i>Contributes towards plan objectives M2, M8, W8 and SA/SEA objective 1</i></p>	<ul style="list-style-type: none"> Number of permissions within or impacting on specified biodiversity areas. Number of permissions granted contrary to the policy (departure). Number of applications delivering 10% net gains in biodiversity or above. 	<ul style="list-style-type: none"> No permissions granted contrary to ecology / Natural England advice. All relevant applications seeking to provide at least a 10% net gain in biodiversity. 100% applications determined in accordance with policy. 	<ul style="list-style-type: none"> More than one proposal approved (within the plan period) that is not in line with the policy.
<p>Policy 21: Agricultural Land and Soils</p>	<ul style="list-style-type: none"> Number of applications involving significant development of BMV agricultural land. 	<ul style="list-style-type: none"> Minimise loss of best and most versatile agricultural land as a result of minerals and waste development. 	<ul style="list-style-type: none"> More than one proposal approved (within the plan period) that is not in line with the policy.

7 Monitoring Framework

Local Plan Policy and link to objectives	Indicator	Target	Trigger
<p><i>Contributes towards plan objectives M2, W8 and SA/SEA objective 4</i></p>	<ul style="list-style-type: none"> Area of BMV land lost to minerals and waste development. Permissions granted contrary to the policy (departure). Number of applications with proposed restoration to agricultural land and area of BMV land affected. 	<ul style="list-style-type: none"> No permissions granted contrary to Natural England advice 100% applications determined in accordance with policy. 	
<p>Policy 22: Transport <i>Contributes towards plan objectives M6, W5 and SA/SEA objectives 10, 13</i></p>	<ul style="list-style-type: none"> Number of permissions granted contrary to the policy (departure). Number of permissions granted contrary to Local Highway Authority / Highways England advice. 	<ul style="list-style-type: none"> No permission granted contrary to Local Highway Authority / Highways England advice. 100% applications determined in accordance with policy. 	<ul style="list-style-type: none"> More than one proposal approved (within the plan period) that is not in line with the policy.
<p>Policy 23: Public Rights of Way <i>Contributes towards plan objectives M2, W7 and SA/SEA objective 12</i></p>	<ul style="list-style-type: none"> Number of permissions granted resulting in diversion or closure of PROW. Number of permissions granted contrary to the policy (departure). 	<ul style="list-style-type: none"> No permissions granted contrary to rights of way advice. 100% applications determined in accordance with policy. 	<ul style="list-style-type: none"> More than one proposal approved (within the plan period) that is not in line with the policy.
<p>Policy 24: Flooding <i>Contributes towards plan objectives M3, W9 and SA/SEA objective 3</i></p>	<ul style="list-style-type: none"> Number of permissions granted contrary to EA advice. 	<ul style="list-style-type: none"> No permissions granted contrary to flooding advice. No permission granted contrary to the sequential, and where appropriate, the exception tests. 	<ul style="list-style-type: none"> More than one proposal approved (within the plan period) that is not in line with the policy.

Monitoring Framework 7

Local Plan Policy and link to objectives	Indicator	Target	Trigger
	<ul style="list-style-type: none"> Number of permissions granted contrary to the policy (departure). Number of schemes including flood risk mitigation / benefits. 	<ul style="list-style-type: none"> Flood risk reduced as a result of applications where relevant. 100% applications determined in accordance with policy. 	
<p>Policy 25: Climate Change <i>Contributes towards plan objectives M3, W9 and SA/SEA objectives 2, 8</i></p>	<ul style="list-style-type: none"> Number of permissions granted contrary to the policy (departure). 	<ul style="list-style-type: none"> No permission granted contrary to the sequential, and where appropriate, the exception tests. 100% applications determined in accordance with policy. 	<ul style="list-style-type: none"> More than one proposal approved (within the plan period) that is not in line with the policy.
<p>Policy 26: Public Health, Environment and Amenity <i>Contributes towards plan objectives M2, W7 and SA/SEA objectives 2, 7, 12, 13</i></p>	<ul style="list-style-type: none"> Number of permissions granted contrary to Environment Agency / Public Health / Environmental Health advice. Number of permissions granted contrary to the policy (departure). 	<ul style="list-style-type: none"> No permissions granted contrary to Environment Agency and Environmental Health Officer advice. 100% applications determined in accordance with policy. 	<ul style="list-style-type: none"> More than one proposal approved (within the plan period) that is not in line with the policy.
<p>Policy 27: Historic Environment <i>Contributes towards plan objectives M5, W8 and SA/SEA objective 5</i></p>	<ul style="list-style-type: none"> Number of permissions granted contrary to Historic England advice. Number of permissions granted contrary to the policy (departure). 	<ul style="list-style-type: none"> No permissions granted contrary to Historic England / Conservation Officer advice. 100% applications determined in accordance with policy. 	<ul style="list-style-type: none"> More than one proposal approved (within the plan period) that is not in line with the policy.

7 Monitoring Framework

Local Plan Policy and link to objectives	Indicator	Target	Trigger
<p>Policy 28: Design</p> <p><i>Contributes towards plan objectives M2, W7 and SA/SEA objective 6</i></p>	<ul style="list-style-type: none"> Number of permissions granted contrary to the policy (departure). 	<ul style="list-style-type: none"> No permissions granted contrary to advice. 100% applications determined in accordance with policy. 	<ul style="list-style-type: none"> More than one proposal approved (within the plan period) that is not in line with the policy.
<p>Policy 29: Cumulative Impacts</p> <p><i>Contributes towards plan objectives M1, M2, M4, M5, M7, M8 and SA/SEA objectives 6, 7, 11, 12, 13, 14</i></p>	<ul style="list-style-type: none"> Number of permissions granted contrary to the policy (departure). 	<ul style="list-style-type: none"> Permissions are satisfactory when considering all relevant cumulative factors in view of minerals and waste planning. 100% applications determined in accordance with policy. 	<ul style="list-style-type: none"> More than one proposal approved (within the plan period) that is not in line with the policy.

Site Policies

Local Plan Policy and link to objectives	Indicator	Target	Trigger
<p>Site policies</p> <ul style="list-style-type: none"> Policy 30: Boot Farm Policy 31: Tidney Bed Policy 32: Chieveley Services <p><i>Contributes towards plan objective M1, M2, M4, M5, M8 and SA/SEA objectives 1 - 14</i></p>	<ul style="list-style-type: none"> Number of permissions granted 	<ul style="list-style-type: none"> Adequate permissions granted to meet landbank requirements. 	<ul style="list-style-type: none"> Permitted reserves equivalent to less than seven years of need based on the need calculations in the latest LAA.

Allocated Sites 1

Appendix 1 Allocated Sites
Allocated Sites

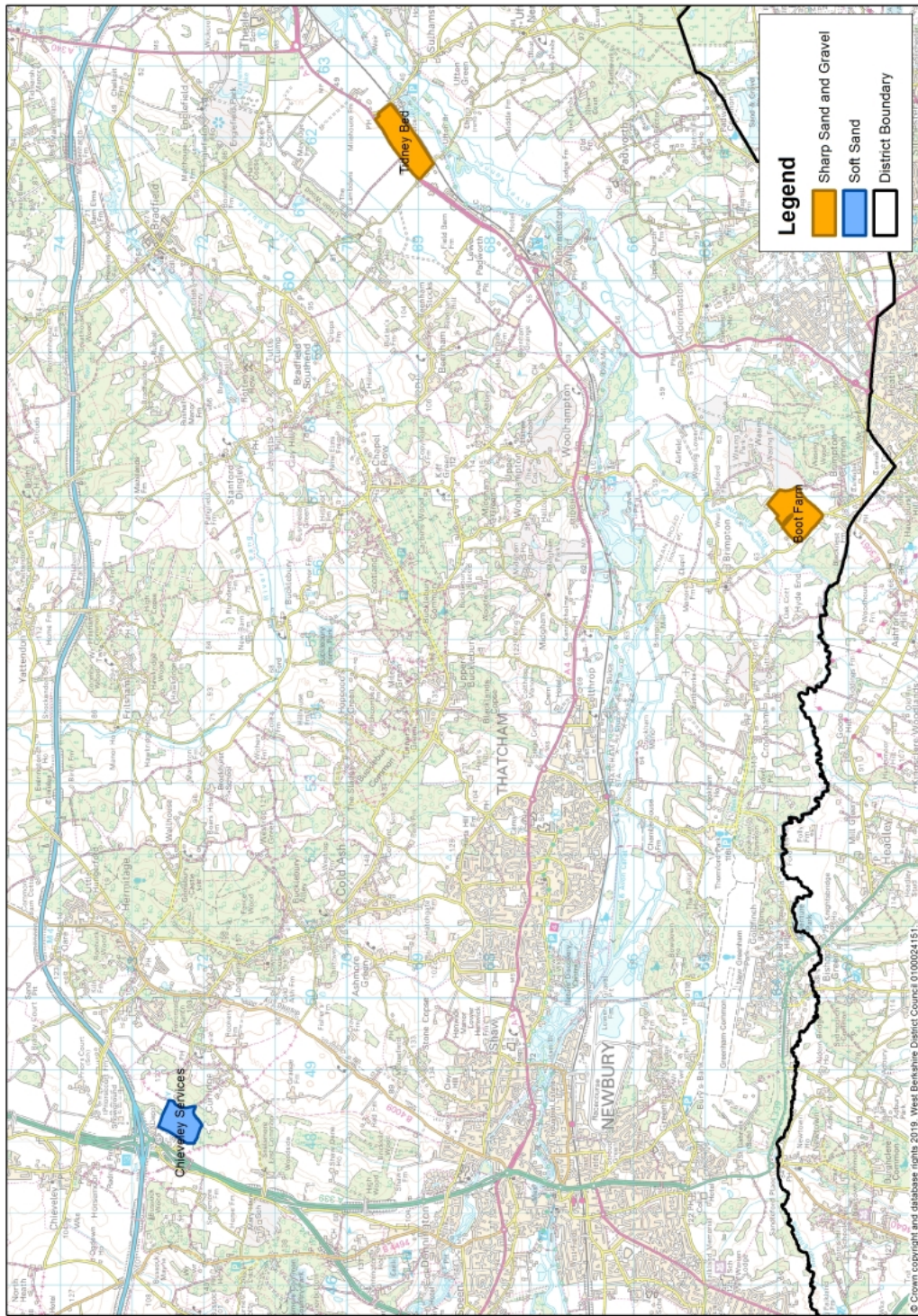


Figure 8 Allocated Sites Location Map

2 Safeguarded Sites

Appendix 2 Safeguarded Sites

Safeguarded Sites

2.1 The details of the sites safeguarded by the Safeguarding Policies (Policy 9 and 10) are set out below. The details are correct as of August 2019, and the list of safeguarded sites will be kept up to date by the AMR.

Mineral Safeguarded Sites

Existing Permitted Sites

Map Ref. ⁽¹⁾	Site Name	Address	Notes
A	Craven Keep	Park Lane, Hamstead Marshall	Inactive (planning permission implemented)
B	Harts Hill Quarry	Harts Hill Road, Upper Bucklebury	
C	Kennetholme	Brimpton Road, Midgham	Extraction complete. Restoration underway. Application for extension of time for restoration submitted
D	Moore's Farm	Pingewood	
E	Wasing Lower Farm	Wasing, Aldermaston	Inactive (planning permission implemented)
F	Copyhold Quarry	Copyhold Farm, Curridge	Extraction complete. Restoration underway.

1. letter refers to location shown on safeguarding map

Allocated Sites

Map Ref. ⁽¹⁾	Site	Address
G	Boot Farm	Brimpton Road, Brimpton Common
H	Tidney Bed	Bath Road, Sulhamstead / Ufton Nervet
I	Chieveley Services	Chieveley

1. letter refers to location shown on safeguarding map

Safeguarded Sites 2

Railhead Sites

Map Ref. ⁽¹⁾	Site	Address
J	Wigmore Lane (North)	Theale
K	Wigmore Lane (Central)	Theale
L	Wigmore Lane (South)	Theale

1. letter refers to location shown on safeguarding map

Minerals Infrastructure Sites

Map ref. ⁽¹⁾	Site	Address
M	Colthrop Mineral Processing Plant	Colthrop Industrial Estate, Colthrop Lane, Thatcham
N	Maley Tile Factory	Grange Lane, Beenham
	Concrete Batching Plants <i>Not shown on map</i>	<ul style="list-style-type: none"> • Enterprise Way, Thatcham • Boundary Road, Newbury • Grange Lane, Beenham • Bone Lane, Newbury • Youngs Industrial Estate, Aldermaston • Hambridge Lane, Newbury • Berrys Lane, Burghfield • Wigmore Lane, Theale • Colthrop Mineral Processing Plant, Thatcham • Theale Quarry, Theale

1. letter refers to location shown on safeguarding map

2 Safeguarded Sites

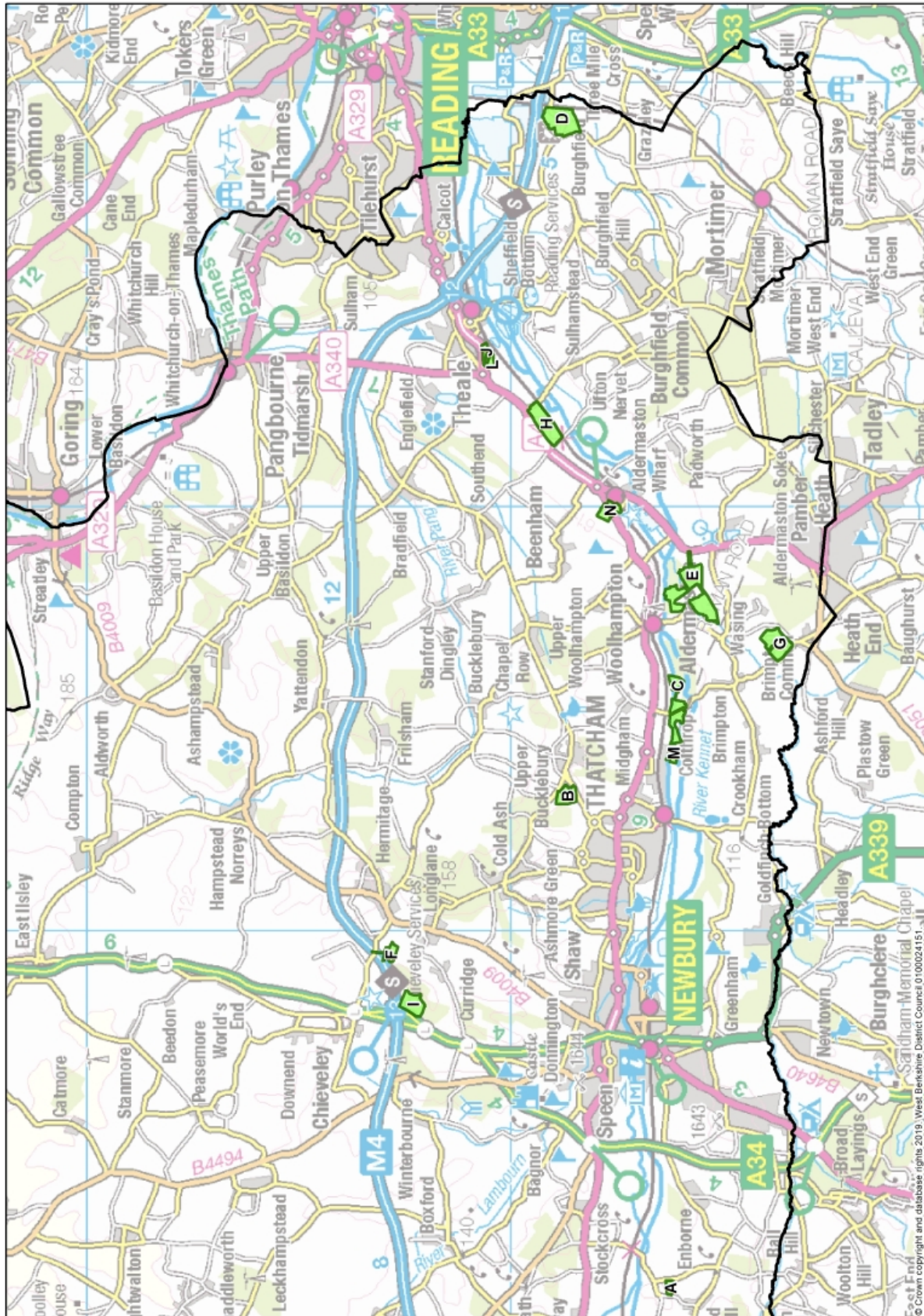


Figure 9 Mineral Safeguarded Sites

Safeguarded Sites 2

Waste Safeguarded Sites**Existing Waste Sites**

Map Ref. ⁽¹⁾	Site	Address	Use
1	A4 Breakers	Sevenacre Copse, Grange Lane, Beenham, RG7 5PT	Metal Recycling
2	AWE (Aldermaston & Burghfield)	Aldermaston & Burghfield	Specialist treatment, transfer and storage (VLLW, LLW, ILW)
3	Avon Site, Colthrop	Colthrop Business Park, Colthrop Lane, Thatcham	Materials Recycling Facility
4	Beenham Industrial Estate (Composting)	Grange Lane, Beenham, RG7 5PY	Composting Facility
5	Beenham Industrial Estate (Materials Recycling)	Grange Lane, Beenham, RG7 5PY	Materials Recycling Facility
6	Colthrop Aggregate Processing Facility	Colthrop Industrial Estate, Colthrop Lane, Thatcham, RG19 4NT	Recycled aggregate
7	Computer Salvage Specialists (Newbury)	5 Abex Road, Newbury, RG14 5EY	WEEE
8	Computer Salvage Specialists (Thatcham)	Aylesford Way, Thatcham	WEEE
9	Copyhold Quarry	Copyhold Farm, Curridge	Materials Recycling Facility; inert landfill
10	Greenham Business Park Biomass Gasification Plant	Buckner-Croke Way, Greenham Business Park,, Greenham, RG19 6HW	Biomass Gasification Plant
11	Hillfoot Farm	Hillfoot, Chapel Row, RG7 6PG	Combined Heat and Power (CHP) Plant
12	Martin Collins Enterprises	Cuckoo Copse, Lambourn Woodlands, Membury Airfield	Reprocessing Tyre and Plastic
13	Membury Airfield	Rambury Road, Lambourn, RG17 7TY	Waste solvent disposal, disposal and recovery of oils and minerals
14	Moores Farm	Pingewood, Reading	Inert Waste Recycling Facility; inert landfill

2 Safeguarded Sites

Map Ref. ⁽¹⁾	Site	Address	Use
15	Newbury Sewage Treatment Works	Lower Way, Thatcham, RG19 3TL	Sewage Treatment Works
16	Newtown Road Household Waste Recycling Centre	Newtown Road, Newbury, RG20 9BB	Household Waste Recycling Centre
17	Old Stocks Farm Waste	Paices Hill, Aldermaston, RG7 4PG	Waste, Recycling and Transfer Facility
18	Padworth Breakers	Wrays Farm, Rag Hill, Aldermaston, RG7 4NY	Metal Recycling
19	Padworth Integrated Waste Management Facility	Padworth Lane, Lower Padworth, Reading, RG7 4JF	Integrated Waste Management Facility
20	Park Farm	Upper Lambourn, Hungerford, RG17 8RD	Composting of equine waste
21	Reading Quarry	Berrys Lane, Burghfield.	Skip Waste Recycling & Transfer Station, Biomass Boiler and material drying, Construction and Demolition Recycling Facility
22	Rookery Farm	Curridge Green, Thatcham	Reprocessing for scrap plastic chipping
23	SSE Distribution Centre	Enterprise Way, Thatcham	Waste Transfer Facility
24	Thatcham Block Works	Enterprise Way, thatcham	PFA Recycling Facility
25	Theale Quarry	Deans Copse Road, Theale	Waste, Recycling and Transfer Facility, RDF Processing, Wood & Plastic processing, Inert Aggregates Recycling Facility
26	Wasing Lower Farm	Wasing Lane, Aldermaston	Inert Landfill
27	Weirside	Burghfield Bridge, Reading, RG30 3XN	Materials Recovery Facility
28	Whitehouse Farm	Silchester Road, Tadley, RG26 2PZ	Skip waste Recycling and Transfer Station, Hazardous Waste Transfer Station
29	Woodside Recycling	Woodside Farm, Goodboys Lane, Reading, RG7 1ND	Paper Waste Transfer Station

Safeguarded Sites 2

1. Numbers refers to location shown on safeguarding map

Sewage Treatment Works (*not shown on map*)

Aldermaston	Beenham	Bishops Green	Boxford
Bucklebury	Burghfield	Chapel Row	Chieveley
Compton	East Ilsley	East Shefford	Fawley
Hampstead Norreys	Hamstead Marshall	Hungerford	Kintbury
Lower Basildon	Leckhamstead	Midgham	Stratfield Mortimer
Pangbourne	Streatley	Ashampstead	Sulhampstead
Tylers Lane Bucklebury	Welford	Wickham	

2 Safeguarded Sites

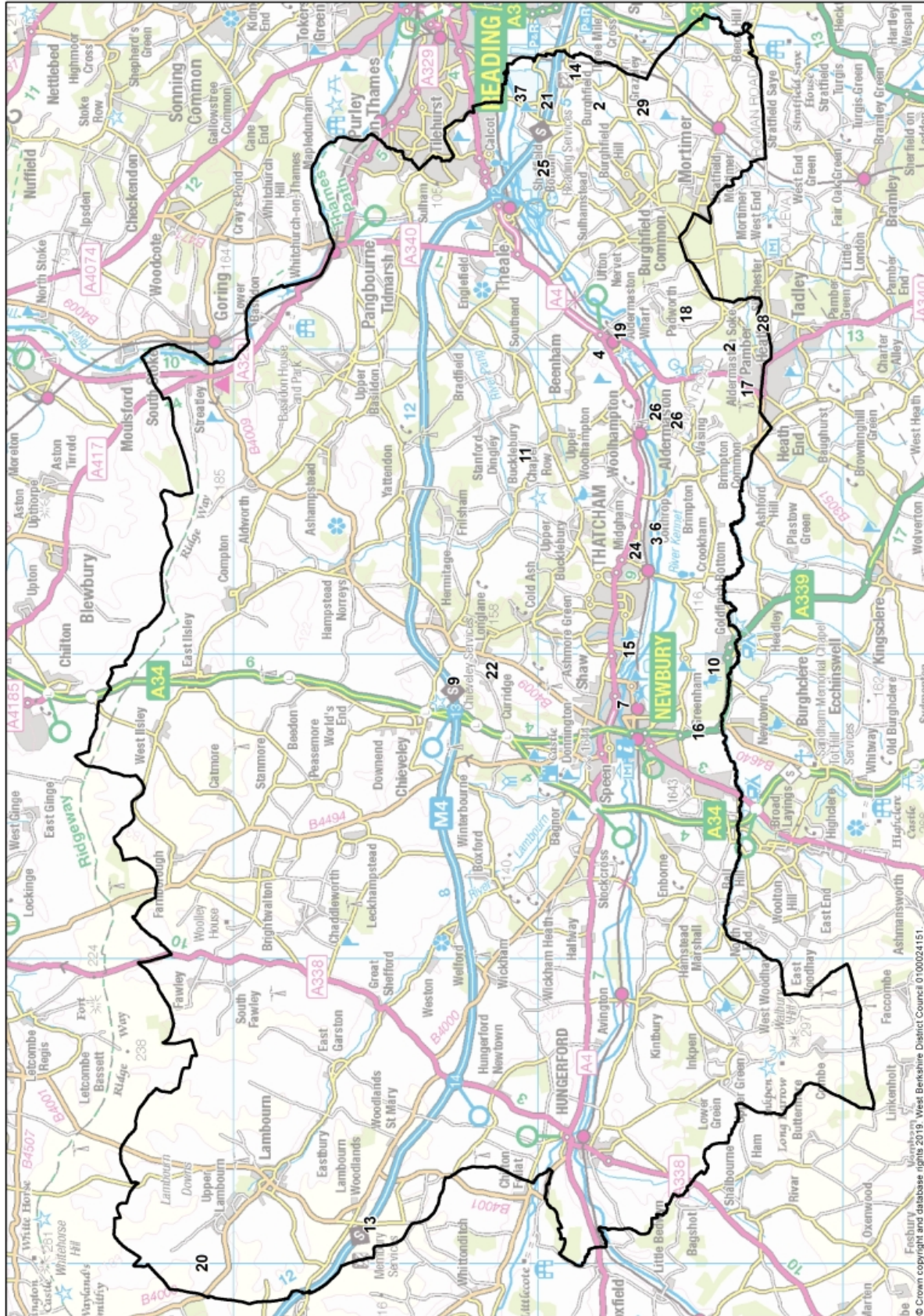


Figure 10 Waste Safeguarded Sites

backCover

If you require this information in an alternative format or translation, please call 01635 42400 and ask for the Minerals and Waste Planning Policy Team.

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WBC/P&C/CP/1213

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Revised Statement of Community Involvement (2019) - Summary Report

Committee considering report:	Council
Date of Committee:	9 January 2020
Portfolio Member:	Councillor Hilary Cole
Date Portfolio Member agreed report:	07 October 2019
Report Author:	Rachael Lancaster
Forward Plan Ref:	C3751

1. Purpose of the Report

- 1.1 To ask members to agree to adopt the Revised Statement of Community Involvement (SCI)

2. Recommendation

- 2.1 Members are asked to agree to adopt the Revised Statement of Community Involvement (SCI) following the public consultation on the draft Revised SCI carried out in July/August 2019.

3. Implications

- 3.1 **Financial:** N/A
- 3.2 **Policy:** The SCI was introduced by legislation through the Planning and Compulsory Purchase Act 2004. A five year review period was introduced by the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017.
- 3.3 **Personnel:** N/A
- 3.4 **Legal:** N/A
- 3.5 **Risk Management:** N/A
- 3.6 **Property:** N/A
- 3.7 **Other:** N/A

4. Other options considered

- 4.1 No other options were considered as the current SCI is required to be reviewed under the five year review period introduced by the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017.

Executive Summary

5. Introduction / Background

- 5.1 The Statement of Community Involvement (SCI) sets out the policy for involving the community in the plan making and the consideration of planning applications within the district.
- 5.2 The current SCI was published in September 2014, and therefore, under the five year review requirement of the Town and Country Planning Regulations 2017 now needs to be reviewed.
- 5.3 The SCI has been reviewed and a public consultation on the draft revised SCI was carried out in July/August 2019.
- 5.4 Following the consultation minor changes have been made to the SCI (as set out in Appendix D). The SCI is now brought to members for adoption.

6. Proposal

- 6.1 Members are asked to agree to adopt the Revised Statement of Community Involvement (SCI) following the public consultation in July/August 2019.

7. Conclusion

- 7.1 The SCI sets out how the Council will involve the community in plan making and the consideration of planning applications. The SCI has been reviewed and updates made where they are required to take into account current legislation and national planning policy requirements. Consultation on the revised SCI took place in July/August 2019 and the comments made have been taken into account in the final Revised SCI (given at appendix D).

8. Appendices

- 8.1 Appendix A – Data Protection Impact Assessment
- 8.2 Appendix B – Equalities Impact Assessment
- 8.3 Appendix C – Supporting Information
- 8.4 Appendix D – Statement of Community Involvement – revised December 2019
- 8.5 Appendix E – Summary of Responses to the Public Consultation on the SCI (July/August 2019)

Appendix A

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	Environment
Service:	Development and Planning
Team:	Minerals and Waste
Lead Officer:	Rachael Lancaster
Title of Project/System:	Review of the Statement of Community Involvement
Date of Assessment:	12 September 2019

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p>Note – sensitive personal data is described as “<i>data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation</i>”</p>		<input type="checkbox"/>
<p>Will you be processing data on a large scale?</p> <p>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</p>		<input type="checkbox"/>
<p>Will your project or system have a “social media” dimension?</p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>		<input type="checkbox"/>
<p>Will any decisions be automated?</p> <p>Note – does your system or process involve circumstances where an individual’s input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</p>		<input type="checkbox"/>
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>		<input type="checkbox"/>
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>		<input type="checkbox"/>
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>		<input type="checkbox"/>

If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

Appendix B

Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

What is the proposed decision that you are asking the Executive to make:	Approval of the draft updated Statement of Community Involvement (SCI) for public consultation
Summary of relevant legislation:	Planning and Compulsory Purchase Act 2004 brought in the requirement for Local Planning Authorities to produce an SCI. The Town and Country Planning (Local Planning (England) (Amendment) Regulations 2017 formerly requires the SCI to be updated at least every five years.
Does the proposed decision conflict with any of the Council's key strategy priorities?	No
Name of assessor:	Rachael Lancaster / Paula Amorelli
Date of assessment:	12 September 2019

Is this a:		Is this:	
Policy	Yes	New or proposed	No
Strategy	No	Already exists and is being reviewed	Yes
Function	No	Is changing	Yes
Service	No		

1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	To set out how the Local Planning Authority will involve the community in plan making and in the consideration of planning applications in West Berkshire.
Objectives:	As above
Outcomes:	The community are engaged in the planning process.
Benefits:	The community are engaged in the planning process from the beginning, starting with the plan making stage.

2 Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this. (Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)
--

Group Affected	What might be the effect?	Information to support this
Age	<p>There is no evidence to indicate that there will be a greater impact on this group than on any other.</p> <p>The SCI contains a number of actions designed to increase the involvement of people of all ages in the planning process.</p>	<p>The SCI has been informed by the key principles contained in the Council's Consultation Policy.</p>
Disability	<p>There is no evidence to indicate that there will be a greater impact on this group than on any other.</p> <p>Information regarding the plan making process is available in a number of formats and help and support is available to all to ensure members of the public are able to fully engage in the planning process if they wish to.</p>	<p>The SCI has been informed by the key principles contained in the Council's Consultation Policy.</p>
Gender Reassignment	<p>There is no evidence to indicate that there will be a greater impact on this group than on any other.</p>	<p>The SCI has been informed by the key principles contained in the Council's Consultation Policy.</p>
Marriage and Civil Partnership	<p>There is no evidence to indicate that there will be a greater impact on this group than on any other.</p>	<p>The SCI has been informed by the key principles contained in the Council's Consultation Policy.</p>
Pregnancy and Maternity	<p>There is no evidence to indicate that there will be a greater impact on this group than on any other.</p>	<p>The SCI has been informed by the key principles contained in the Council's Consultation Policy.</p>
Race	<p>There is no evidence to indicate that there will be a greater impact on this group than on any other.</p>	<p>The SCI has been informed by the key principles contained in the Council's Consultation Policy.</p>
Religion or Belief	<p>There is no evidence to indicate that there will be a greater impact on this group than on any other.</p>	<p>The SCI has been informed by the key principles contained in the Council's Consultation Policy.</p>
Sex	<p>There is no evidence to indicate that there will be a greater impact on this group</p>	<p>The SCI has been informed by the key principles contained in the Council's Consultation</p>

	than on any other.	Policy.
Sexual Orientation	There is no evidence to indicate that there will be a greater impact on this group than on any other.	The SCI has been informed by the key principles contained in the Council's Consultation Policy.
Further Comments relating to the item:		
It is not considered that the impacts of the SCI on persons with the nine protected characteristics will differ in any way from any other interested party, therefore, there will be no adverse impacts on equalities or discrimination with regard to the protected characteristics.		

3 Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer: The SCI has been informed by the key principles contained in the Council's Consultation Policy. It is not considered that the impacts of the SCI on persons with the nine protected characteristics will differ in any way from any other interested party.	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	No
Please provide an explanation for your answer: The SCI has been informed by the key principles contained in the Council's Consultation Policy. It is not considered that adoption of the SCI will have an adverse impact upon the lives of people, including employees and service users.	

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

4 Identify next steps as appropriate:	
Stage Two required	No
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name: Rachael Lancaster

Date: 12/09/2019

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.

Revised Statement of Community Involvement (2019) – Supporting Information

1. Introduction/Background

- 1.1 The principle of ‘continuous community involvement’ underpins the planning system. This means that people and communities who will be affected by the Council’s planning policies should be directly involved in the plan making process and consideration of planning applications. The Government considers that this approach is essential in order to achieve local ownership and legitimacy of the policies that will shape the future distribution of land uses and development within the District. The aim is to produce a consensus at an early stage and therefore, minimise the need for a lengthy and controversial examination process.
- 1.2 Under the Planning and Compulsory Purchase Act 2004 the Council is required to produce a Statement of Community Involvement (SCI) which sets out how it intends to achieve the principle of continuous community involvement. The Council is expected to tailor its SCI to the specific needs and characteristics of the District and involve representative of all those interested in the planning of the area.
- 1.3 The SCI has been reviewed and updated to take into account current legislation and national planning policy requirements and consultation on the revised SCI took place in July/August 2019.

2. Supporting Information

- 2.1 The Council adopted its first SCI in July 2006, this was reviewed and updated in 2014 following changes to the planning process. The Town and Country Planning (Local Planning) Regulations 2017 and the 2019 National Planning Policy Framework require that the SCI is reviewed at least every five years and as a result the SCI has been reviewed and updated to reflect the most up to date processes and procedures that we will use.

3. Revised Statement of Community Involvement

- 3.1 The revised SCI is attached at appendix D. It clearly sets out our policy for involving the community (including local people – those who live in, work or visit West Berkshire, parish and town councils and other organisations which represent key community interests, such as the North Wessex Downs AONB) in:
 - (1) The plan making process such as Development Plan Documents, Supplementary Planning Documents, the Community Infrastructure Levy and Neighbourhood Plans
 - (2) In the consideration of planning applications within the District.
- 3.2 It has been informed by the key principles in the Council’s Consultation Policy and Equality Policy.

4. Consultation on the draft Revised SCI

- 4.1 The draft Revised SCI was subject to public consultation in July/August 2019 and 19 responses were received to the consultation. A copy of all the comments received and the Council’s response to each comment is attached in Appendix E.
- 4.2 The comments received have been taken into account and minor changes made to the SCI where appropriate. The Revised SCI is attached at appendix D and includes tracked changes showing where changes have been made to the text following the consultation.

5. Proposals

- 5.1 The SCI is adopted by the Council and used to guide how the Community are involved in planning making and planning decisions.

6. Conclusion

- 6.1 The SCI sets out how the Council will engage with the community throughout the planning process. The SCI has been reviewed and updated as required by the current planning legislation. Members are asked to approve adoption of the Revised SCI.

7. Consultation and Engagement

- 7.1 Bryan Lyttle, Garry Rayner, Paula Amorelli, Laila Bassett and Sarah Ball have been consulted on the revised SCI. Local stakeholders, Statutory Consultees and all those on the Planning Policy consultation database were consulted as part of the public consultation which took place in July/August 2019.

Background Papers:

None

Subject to Call-In:

Yes: No:

- The item is due to be referred to Council for final approval
- Delays in implementation could have serious financial implications for the Council
- Delays in implementation could compromise the Council’s position
- Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months
- Item is Urgent Key Decision
- Report is to note only

Wards affected:

All

Officer details:

Name: Rachael Lancaster
Job Title: Senior Minerals and Waste Officer
Tel No: 01635 519971
E-mail Address: Rachael.lancaster@westberks.gov.uk

West Berkshire Council

Draft Revised Statement of Community Involvement

June December 2019

Contents

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2	Community Involvement in the Plan Making Process	5
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	Appendix A: Organisations & other bodies to be consulted when preparing DPDs..	21
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Changes made to the SCI since the consultation in July/August 2019 are shown as:

- Additions – underlined
- Deletions – ~~striketrough~~

1 Introduction

- 1.1 West Berkshire Council already has strong and valued links with many of its local communities. Greater involvement by the community in shaping the way the planning system operates locally is essential if the decisions we take are to more closely reflect local needs and wishes.
- 1.2 Our Statement of Community Involvement (SCI) for West Berkshire clearly sets out our policy for involving the community in:
- the plan making process such as Development Plan Documents (including the Local Plan and Minerals and Waste Plans), Supplementary Planning Documents, Neighbourhood Development Plans and the Community Infrastructure Levy; and
 - ~~in~~ the consideration of planning applications within the District.
- 1.3 The requirement to prepare an SCI was introduced in the Planning and Compulsory Purchase Act 2004 and we adopted our first SCI in July 2006. The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017, brought into force on 6 April 2018, formally require the SCI to be reviewed at least every five years. We adopted our last SCI in September 2014 and as the planning process has gone through some changes since then the SCI is being reviewed and updated to reflect the most up to date processes and procedures that we will use.
- 1.4 ~~This~~ The draft revised SCI ~~was~~ is subject to formal consultation for six weeks from Friday 12th July to Friday 23rd August 2019. Comments made have been taken into account and where appropriate, changes have been made to the SCI.

Our approach to community involvement

- 1.5 Our SCI has been informed by the key principles contained in the Council's Consultation Policy which are to ensure that:
- We make it clear the purpose of an exercise and how it feeds into the decision-making process
 - Sufficient information is provided and accessible to participants to inform their response
 - Everyone has the opportunity to contribute and have their views heard
 - Appropriate methods are used
 - Sufficient time is provided to respond, and for consideration of key findings
 - The results are used to inform the decision-making process
 - Key findings are fed back to participants
- 1.6 It is important that our SCI is built on the fundamental principles of inclusiveness and equality for all. People suffer from exclusion and can be hard to reach for a variety of reasons. In addition, we recognise that although some ~~types of~~ people or groups may be small in actual numbers, they could

be disproportionately affected by planning policies and decisions. The council's Equality Objectives and Guidance on Equality Impact Assessments explain our approach to community inclusion.

Future reviews of this document

- 1.7 This SCI will be kept under regular review (through our Annual Monitoring Reports and Minerals and Waste Annual Monitoring Reports) and will be changed when necessary to correct factual changes not material to its content. If the review of this document leads to significant changes then this is likely to trigger a formal review of the document as appropriate.

2 Community Involvement in the Plan Making Process

Influencing the plan making process in West Berkshire

- 2.1 As a local planning authority West Berkshire Council has a duty to put in place planning policies which can be used to guide development proposals and determine planning applications. These local planning policies are set out in the West Berkshire Local Plan which is the overall Development Plan for the District. Applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 2.2 As part of the continued preparation of the West Berkshire Local Plan and its supporting documents we acknowledge the importance of involving the public and stakeholders at the earliest possible stage and recognise that their involvement should be a continuous process rather than one discrete exercise.

What types of documents can you influence?

- 2.3 As part of the plan making process we will be preparing and consulting on the following types of documents that will be subject to the principles contained in this SCI.

Development Plan Documents (DPDs)

- 2.4 These are the core of our Local Plan and contain the key policies that guide future development in the District. The statutory requirements for their preparation are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 2.5 We adopted our first DPD, the West Berkshire Core Strategy (2006 – 2026) in July 2012 and then the Housing Site Allocations DPD in May 2017.
- 2.6 We are currently reviewing our Local Plan to cover the period up to 2036 and the timetable for the preparation of further DPDs is set out in our Local Development Scheme (LDS)¹. This includes the preparation of the Minerals and Waste Local Plan.

Supplementary Planning Documents (SPDs)

- 2.7 SPDs provide further information and additional detail to support policies contained in DPDs. As with DPDs the statutory requirements for their preparation are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 2.8 We have adopted the following SPDs to date:
- Delivering Investment from Sustainable Development

¹ Local Development Scheme: <https://info.westberks.gov.uk/lds>

- Market Street, Newbury Planning and Design Brief
- Pirbright Institute site, Compton
- Sandford Park
- Quality Design West Berkshire
- Planning Obligations
- Sustainable Drainage Systems

Neighbourhood Plans or Neighbourhood Development Orders

- 2.9 Introduced under the Localism Act (2011), these are community led documents prepared by a town or parish council which, when adopted by us, also form part of the Development Plan². The Neighbourhood Planning (General) Regulations (as amended) and the Neighbourhood Planning Act (2017) set out the statutory requirements for their preparation. Although as a Council we do not prepare Neighbourhood Plans, we do have a duty to provide advice and technical assistance to parish and town councils during the process and so our involvement at the relevant stages will follow the principles set out in this SCI.
- 2.10 We have a duty at the start of their production to advertise an application to designate a neighbourhood area, but then consultation during the preparation stage of these plans is undertaken by the town or parish council. Although there is no statutory requirement for parish and town councils to comply with this SCI it may provide useful guidance for them when undertaking consultation and engagement on their draft plans. Once a draft plan has been submitted to us we have a duty to publish it for comments before an independent examination, referendum and subsequent adoption (subject to the outcome of the referendum).
- 2.11 More details and guidance on Neighbourhood Planning can be found at www.westberks.gov.uk/neighbourhoodplanning

Community Infrastructure Levy (CIL) Charging Schedule

- 2.12 A CIL charging schedule sets out the 'levy rates' for a charging authority area. It specifies what types of development are liable for the levy and the relevant rates (£/square metre) for these development types.
- 2.13 The Community Infrastructure Levy Regulations 2010 (as amended) set out the statutory requirements for the preparation of a CIL charging schedule. We are also required to consider relevant national planning policy when drafting a CIL charging schedule, including the National Planning Policy Framework. From the 1st September 2019, we have a duty, under the CIL Regulations to consult on a draft charging schedule, seeking representations on the published draft, before taking such representations into account before

² Although not covered by this SCI, the Council recognises that there are other non-statutory documents produced by parish/town councils and other community bodies such as; parish plans and town, village and parish design statements. The Council fully supports these in accordance with West Berkshire Core Strategy policy CS19, which is supported by paragraph 5.140 of the same document.

submitting it for examination by an independent person (the ‘examiner’). The procedure for preparing a CIL charging schedule is set out in Figure 4 below.

2.14 As of 1st September 2019, under the Regulations, consultation on a draft charging schedule is optional but substantive proposed changes to the existing West Berkshire CIL Charging Schedule (adopted in March 2014 and implemented as of 1st April 2015) or a replacement charging schedule will require a minimum four week consultation with the bodies set out in the regulations. We will consider the option to advertise locally.

2.15 More details regarding Developer Contributions can be found at www.westberks.gov.uk/cil

Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA)

2.16 As part of the plan preparation process, we will assess the social, environmental and economic impacts of each DPD and relevant SPD. The key purpose of Sustainability Appraisal is to identify and enhance the positive effects whilst minimising any potentially adverse impacts of our planning policies. This process will also involve the assessment of any health and equality impacts. Where necessary, we will also carry out a Habitat Regulations Assessment of our emerging planning documents. Consultation is undertaken alongside the related plan, with the exception of the Scoping Report stage which is focused on three consultation bodies – Environment Agency, Natural England and Historic England.

Who will we involve when we prepare documents?

2.17 We want everyone to have the chance to get involved in the decisions we take and are committed to doing everything we reasonably can to make our community involvement inclusive.

2.18 We have set up a Register of Consultees through ~~our~~ (the [Local Plan Consultation Portal](#)). This is a database of individuals, groups and organisations who we regularly contact on plan making matters that are of interest to them. This database is reviewed and updated on a continuous basis. Anyone making comments on DPDs or SPDs will be included on our database and will automatically be kept informed of plan making matters as appropriate.

2.19 Government regulations also require us to ensure that particular organisations are involved at key stages in the plan making process. These include the Environment Agency, Natural England, Historic England and the Highways England. Full lists of required consultees are is set out contained in Appendices A and B.

2.20 If you would like to be added to our Register of Consultees at any time please contact the Planning Policy Team or Minerals and Waste Planning Policy Team by either:

- e-mail: planningpolicy@westberks.gov.uk or mwdpd@westberks.gov.uk
- registering as a consultee: <http://consult.westberks.gov.uk/portal>
- phoning us: 01635 551111
- or writing to us at: Planning Policy Team / Minerals and Waste Planning Team, Development & Planning, West Berkshire Council. Council Offices, Market Street, Newbury, RG14 5LD

How will we involve you?

- 2.21 The exact nature of our consultation will depend on the nature of the document being produced and the ways in which we involve the community will depend on the stage we are at in the preparation of that document. At the preliminary stages, for instance, as part of our informal consultation, we may organise public consultation events, hold smaller group workshops or have individual meetings with specific stakeholders whenever this is appropriate and helpful to the planning process. Alternatively, for example, you may be invited to submit written representations online, by e-mail or letter, or provide comments by feedback forms or questionnaires. ~~We may also publish notices in a suitable local newspaper, organise public consultation events, hold smaller group workshops or have individual meetings with specific stakeholders whenever this is appropriate and helpful to the planning process.~~
- 2.22 As a minimum, we will meet our statutory requirements with regard to consultation for all new DPDs, and SPDs, Neighbourhood Plans and the CIL Charging Schedule.

We will:

- Make all relevant documentation available during formal consultation periods at the Council's offices in Market Street, Newbury
- Place all relevant documentation on the Council's website www.westberks.gov.uk
- Send all relevant consultation documentation (either electronic or paper) to statutory/specific consultees
- Make formal consultation documentations available (either electronic or paper) through all public libraries across the District
- Notify all those registered on our electronic database as and when appropriate.

The figures below show the process of community involvement in the plan making process.

Figure 1 Community Involvement in Development Plan Documents (DPDs)

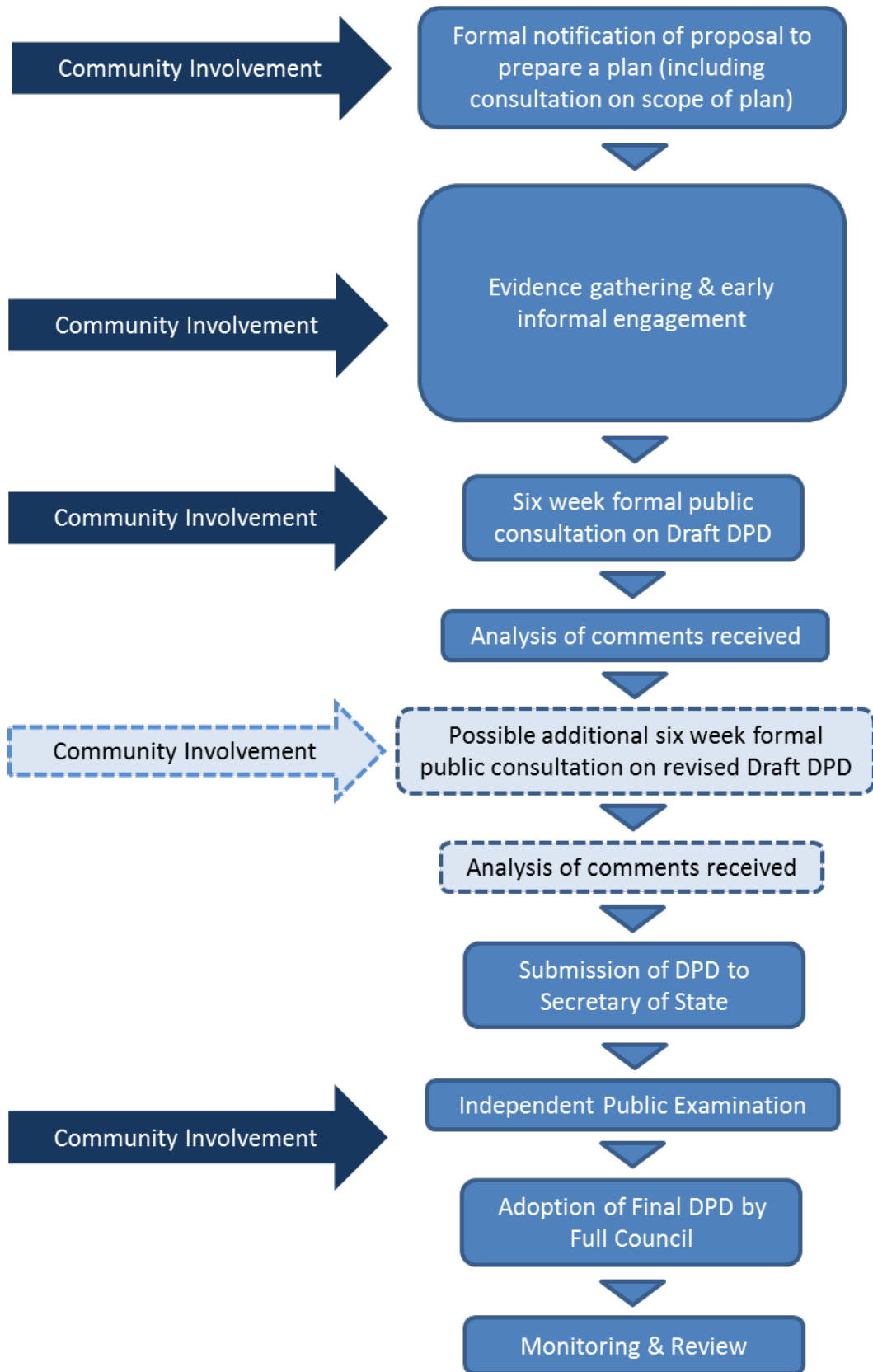


Figure 2 Community Involvement in Supplementary Planning Documents (SPDs)

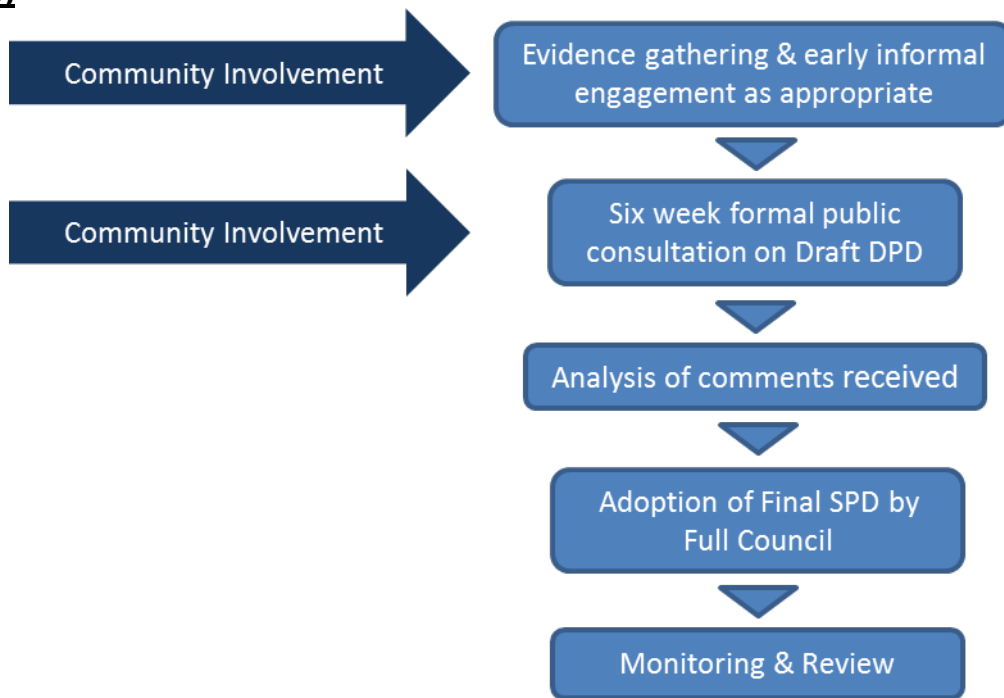


Figure 3 Community Involvement in Neighbourhood Planning

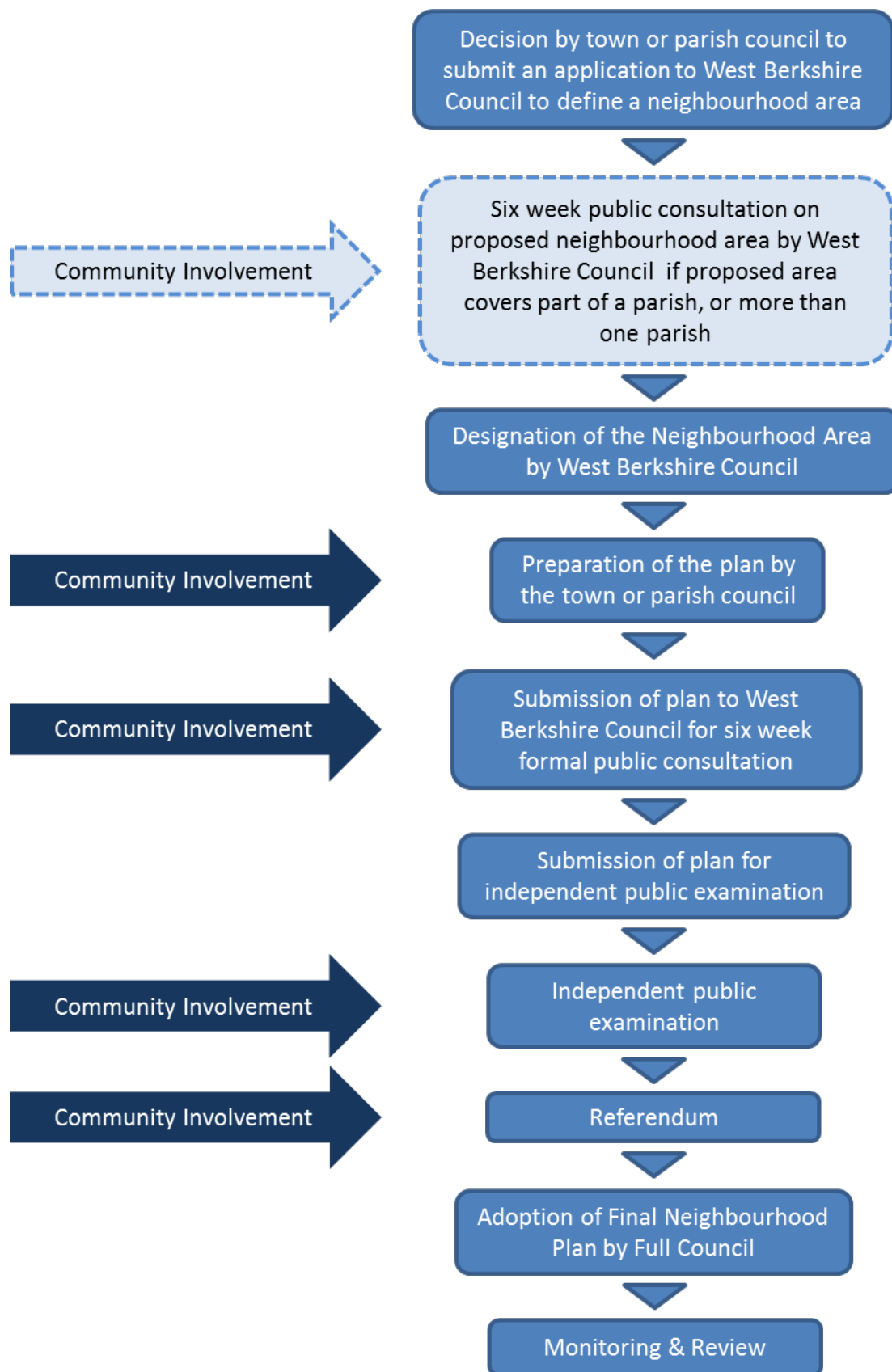
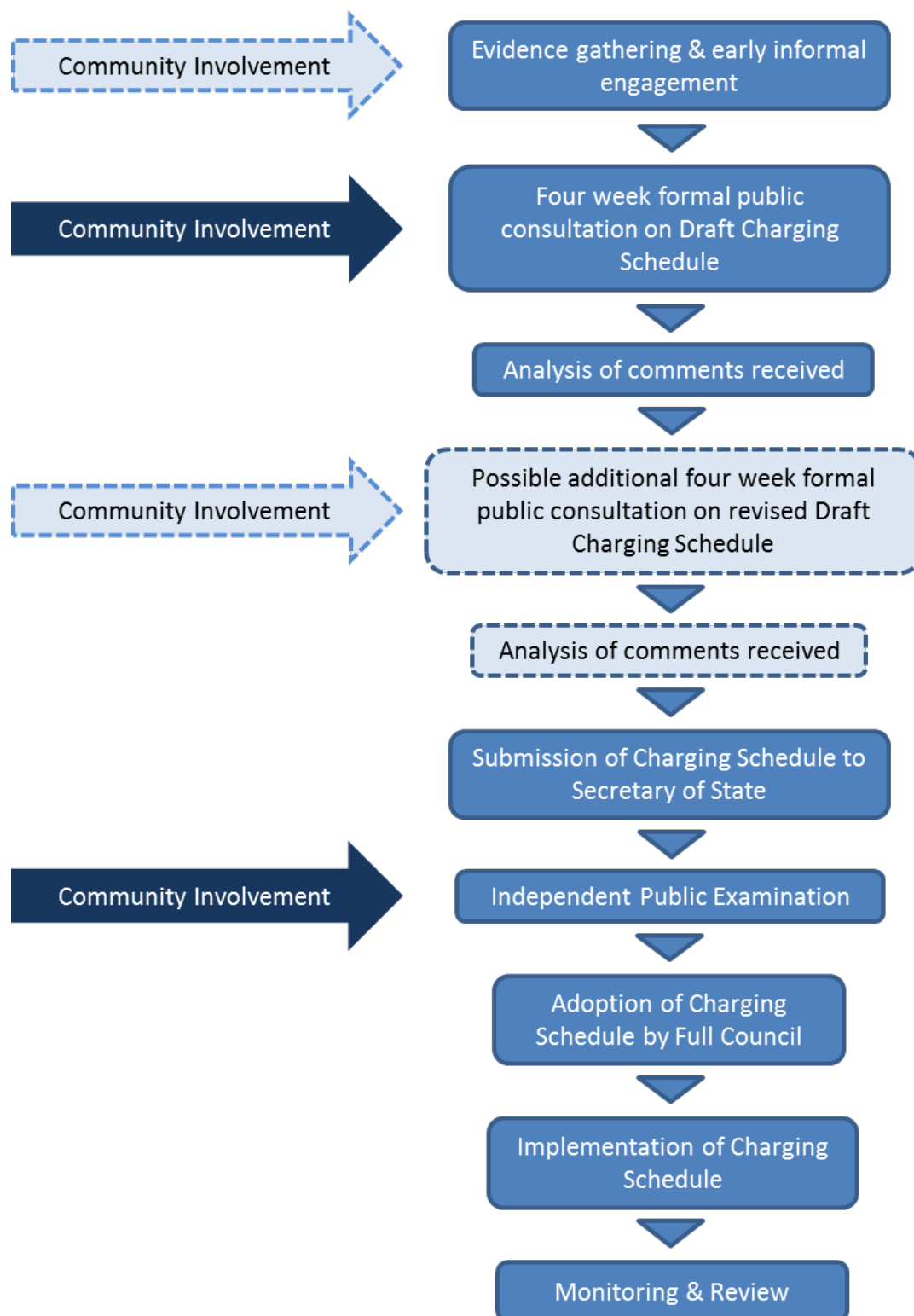


Figure 4 Community Involvement in the Community Infrastructure Levy (CIL) Charging Schedule



Duty to Cooperate

- 2.23 The Council has a duty to cooperate when preparing DPDs. This duty was introduced in the Localism Act of 2011 and requires us to work with neighbouring authorities and other prescribed bodies (Set out in Part 2 (4(1)) of the Town and Country Planning (Local Planning) (England) Regulations 2012) in preparing DPDs in order to address strategic issues relevant to our area. It requires that we engage constructively, actively and on an ongoing basis to develop strategic policies; and requires us to consider joint approaches to plan making. At the heart of the duty is effective partnership working to achieve outcomes.
- 2.24 The other local planning authorities and public bodies that we will need to cooperate with will depend on the strategic matters we are planning for and the most appropriate functional area to gather evidence and develop planning policies. It is likely that we will need to work in different groupings for different strategic matters.
- 2.25 As part of the evidence required to demonstrate compliance with our duty to cooperate, the National Planning Policy Framework (NPPF) sets out that local planning authorities should produce, maintain and keep up to date Statements of Common Ground (SCG) to highlight agreement on cross boundary strategic issues with neighbouring authorities and other relevant organisations.
- 2.26 It will be important that cooperation is ongoing throughout the preparation of a particular DPD and that it is not confined to any one point in the process. To ensure that a plan is robust and effective, the Council and other public bodies will need to work together from the outset at the plan scoping and evidence gathering stages. That will help to identify and assess the implications of any strategic cross boundary issues on which we will need to work together. After that we will need to continue working together to develop effective planning policies and delivery strategies. Our co-operation will be proportionate to the issues that need to be addressed and the scale and type of co-operation required will flow from the issues identified. Cooperation will continue until a plan is submitted for examination and beyond into delivery, monitoring and review.

Arrangements for joint working

- 2.27 There may be some instances where we prepare DPDs or SPDs jointly or in partnership with other local planning authorities, or other partners, e.g. parish and town councils. In these circumstances we will set out our approach to community involvement in an independent document.
- 2.28 It should be noted that if we use external consultants to help us to produce DPDs or SPDs that principles set out in this SCI will also apply.

How we will respond to you

2.29 We will maintain the following consistent approach to service standards:

- If you write to us (by letter, fax, e-mail or ~~sending in a response form~~) we will acknowledge receipt within three working days and provide a response within ten fifteen working days (unless you are responding to a written or formal consultation);
- If you respond to a written or formal consultation we will acknowledge your response within three working days. All responses will be published following the closure of the consultation once they have been verified. We will not respond to individual comments.
- If you attend a public meeting / exhibition organised by the West Berkshire Development and Planning Service we will ensure that officers are available to answer your questions (or let you know where further information is available). Where we use questionnaires or feedback forms at these public events we will publish the results on our website;
- If you request a planning document we will let you know where that document is available (e.g. from the council website) and whether there is any charge for a paper copy;
- If you attend a planning workshop we will send you a summary of the feedback from the workshop after the event; and
- We will prepare reports after each stage of formal consultation on plan making documents. We will make these available at the Council Offices at Market Street, Newbury as well as on our website at www.westberks.gov.uk/planningpolicy or www.westberks.gov.uk/mineralsandwaste.

When will we involve you in the plan making process?

2.30 There are a number of key stages in the preparation of planning documents. These stages are designed to ensure that the process is as open and transparent as possible. The diagrams below illustrate these key stages and show when we will undertake consultation, or make documents available for comment, in accordance with the relevant regulations. We will always meet these requirements, but in addition we may undertake additional engagement at appropriate points through the process. Getting involved at the earliest stages of preparation will ensure your views have the most opportunity for being taken into account.

Looking After your Data

2.31 Our privacy notices³ set out how we collect, store, protect, process and share the data you give us it. ~~They can be viewed at~~
~~<http://info.westberks.gov.uk/CHttpHandler.ashx?id=45626&p=0>~~

~~Community Involvement in Development Plan Documents (Diagram updated and show above)~~

~~Community Involvement in Supplementary Planning Documents (Diagram updated and show above)~~

~~Community Involvement in the Community Infrastructure Levy (Diagram updated and show above)~~

~~Community Involvement in Neighbourhood Plans (Diagram updated and show above)~~

³ Data Protection Privacy Notices: <https://info.westberks.gov.uk/privacynotices>

3 Community Involvement in Planning Applications

Influencing the planning application process in West Berkshire

- 3.1 We recognise that community involvement in the consideration of planning applications is particularly valuable and important.
- 3.2 Our aims are:
- to make decisions on applications that are justifiable, robust, consistent and reached in a fair manner, in line with the Council's commitment to open government
 - to ensure information is available to everyone through a variety of mediums (verbal, electronic and in writing) and to ensure that both the process and the reasoning behind decision making is understood by all
 - to keep interested parties, and those affected by the development management process informed

How do we inform you of planning applications?

- 3.3 There are certain statutory requirements which we have to meet in order to inform the public and stakeholders about the planning applications we have received. We will always meet these requirements and will extend consultation in accordance with the principles in this SCI whenever it is appropriate and helpful to the planning process.
- 3.4 We will display a site notice for all applications. These are particularly effective and useful where there is doubt over who the interested parties are, or where the development is likely to be of interest not only to immediate neighbours but also to other members of the local community. ~~to direct neighbours and more than immediate neighbours.~~ The site notice will be erected during the period in which the application is being considered and will normally allow 21 days⁴ from the date of it first being displayed for comments to be submitted.
- 3.5 Depending on the nature of the application we may also notify a number of other statutory and non-statutory consultees. These can include other authorities, agencies, specialist groups or government departments. Legislation and government advice, as well as requests from relevant organisations govern how we decide whom to notify on any particular application.
- 3.6 The involvement of some consultees is a legal requirement whilst others are asked for their expert view on the proposal to aid the decision making process.
- 3.7 We notify parish and town councils of all applications in their area. Adjoining parishes may also be notified, depending on the location, scale and nature of the application.

⁴ Extended to take into account any bank and public holidays

- 3.8 District Councillors are advised of all developments via a “weekly list”. This is a compilation of all applications we have registered during the previous seven days. It is sent to Councillors every week and advises them of the location of the development, a description of it, who the applicant/agent is and when it was registered. The weekly list is also published on our website and can be obtained from our Customer Contact Centre in the Council’s Market Street offices in Newbury Tel: 01635 519111. It can also be e-mailed on request (planapps@westberks.gov.uk).
- 3.9 All planning applications received, including those for prior approval for permitted development rights which result in a net increase in dwellings, are placed on the official planning register and details of the application proposal and drawings are made available on our website⁵. ~~Copies of plans or applications are available for reference or purchase at our offices in Market Street, Newbury. Where appropriate, some plans and applications relating to development in the locality are placed in public libraries, Community Information Centres (CICs) and some parish council offices across the District.~~
- 3.10 The Customer Contact Centre is able to answer many basic questions on the progress of an application. Other than where the General Data Protection Regulations prevent us doing so, all information on planning application files will be made available.

How can you comment on planning applications?

- 3.11 Anyone can comment on a planning application. You do not need to have been directly notified. Comments should be made in writing, either via the Public Access pages of our website⁶ by e-mail to planapps@westberks.gov.uk by post, or by letter handed in to the Customer Contact Centre. ~~or via the Public Access pages on our website.~~ They Comments should be made within twenty one days of the erection of the site notice. ~~However, if~~ a response is received after this time, but before a decision is made on the application, it will be taken into account wherever possible, ~~but~~ dependent upon the administrative stage reached in concluding the application. All comments received will be made available for public inspection and Councillors’ consideration unless clearly marked confidential.
- 3.12 Everyone’s comments are important to us and we aim to acknowledge them within ~~two~~ three working days of receipt. Having received an acknowledgement you should receive notification of the planning decision in due course. Please note that due to the volume of correspondence received we are unable to respond to specific issues identified in individual letters or enter into general correspondence.

⁵ West Berkshire online Planning Application portal: <https://publicaccess.westberks.gov.uk/online-applications>

⁶ West Berkshire online Planning Application portal: <https://publicaccess.westberks.gov.uk/online-applications>

- 3.13 Generally town and parish councils and statutory consultees have twenty one days to comment on an application from the date of letter or notification. However, as with neighbour comments, if a response is received after this time but before a decision is made, it will be taken into account wherever possible but dependent upon the administrative stage reached in concluding the application.
- 3.14 We may need to re-notify consultees if amendments are made to an application, but this will be dependent upon the scale of changes and their impact. The timescale allowed for additional comments will be clearly outlined in the letter advising of changes.

How can you get involved if an application is determined by a Planning Committee?

- 3.15 The majority of applications are decided by the Head of Development and Planning under powers delegated by the Council. In all those instances all due regard will be given to comments made by interested parties.
- 3.16 If an application is to be determined by a planning committee, we will notify the applicant and all those who submitted comments advising of the date, time and location of the committee meeting. We publish meeting dates, agendas and planning officers' reports on our website and committee reports are available five working days before the meeting.
- 3.17 We embrace public speaking and allow town/parish councils, objectors and supporters to address committees. Councillors can then raise questions with speakers in order to seek clarification upon points raised. (Separate information on Public Speaking at Committees is available on the Council's website⁷).
- 3.18 Minutes of all meetings and decisions on all planning applications, whether decided by committee or under delegated powers, are published on our website.
- 3.19 Where an application is refused and the applicant appeals, we notify all those who commented upon the application, town or parish council and any consultee previously consulted. Councillors and parish and town councils are positively encouraged to play their part in any appeal, and to liaise with the case officer in order to present a united case based around the stated reasons for refusal.

Pre-application discussions on applications

- 3.20 Confidential pre-application discussions between the developer, and the Council are positively encouraged and developers are also encouraged to liaise with and the community as part of this process. ~~are positively encouraged.~~ We have adopted a formalised ~~process~~ procedure for our pre

⁷ Planning Decisions: <https://info.westberks.gov.uk/planningdecisions>

application advice service through which we will reinforce the guidance contained in the NPPF which encourages developers towards an appropriate level of community involvement. Further details of the pre-application process are available on our website⁸.

- 3.21 In appropriate cases, developers will be required to provide details of how they have involved the community in preparing and finalising their proposals, and to summarise the results of that consultation and describe the impacts that community input has had on the final proposal.
- 3.22 There will be many occasions though where we have no prior knowledge of an application before it is formally submitted, so there will be no opportunity to influence pre-application consultation and discussion.
- 3.23 Once an application has been submitted, the Council will assess any pre-application consultation that has been undertaken by the applicant and if necessary, we will supplement our usual process and statutory requirements for consultation during the application stage by choosing appropriate consultation techniques. ~~In practice, it is anticipated that in those instances where additional consultation is considered necessary the Council will, in the main, use public meetings and presentations as a means of involving the wider public in a particularly significant application.~~

⁸ Pre-application advice: <https://info.westberks.gov.uk/preapp>

How to contact us

If you have any queries you can contact us in the following ways:

Planning Policy Team, Development & Planning, West Berkshire Council, Council Offices, Market Street, Newbury. RG14 5LD

Tel: 016325 551111

Email: planningpolicy@westberks.gov.uk

Minerals and Waste Planning Team, Development & Planning, West Berkshire Council, Council Offices, Market Street, Newbury. RG14 5LD

Tel: 016325 551111

Email: mwdpd@westberks.gov.uk

Developer Contributions Team, Development & Planning, West Berkshire Council, Council Offices, market Street, Newbury, RG14 5JQ

Tel: 01635 551111

Email: cil@westberks.gov.uk

Our Planning Policy news page is kept up to date with our latest news:

<http://www.westberks.gov.uk/planningpolicynews>

Development Management, Development and Planning, West Berkshire Council, Council Offices, Market Street, Newbury, RG14 5LD

Tel: 01635 551111

Email: Planapps@westberks.gov.uk

Appendix A: Organisations and other bodies to be consulted when preparing DPDs

The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) **require** the Council to consult the following **specific consultation bodies**:

- South Oxfordshire District Council
- Vale of White Horse District Council
- Reading Borough Council
- Wokingham District Borough Council
- Bracknell Forest Borough Council
- Basingstoke and Deane District Council
- Test Valley District Council
- Wiltshire Council
- Oxfordshire County Council
- Hampshire County Council
- Parish and Town Councils in West Berkshire
- Parish and Town Councils adjoining West Berkshire
- Neighbourhood Forums in or adjoining West Berkshire
- Coal Authority Environment Agency
- Highways England
- Historic England
- Homes England
- Marine Management Organisation
- National Health Service Commissioning Board (known as NHS England)
- Natural England
- Network Rail Infrastructure Limited
- Police and Crime Commissioner
- Thames Water (as water supply and sewerage undertaker)
- any person to whom the electronic communications code applies by virtue of a direction given under section 106(3)(a) of the Communications Act 2003, and who owns or controls electronic communications apparatus situated in any part of West Berkshire
- if it exercises functions in any part of West Berkshire - a person to whom a licence has been granted under section 6(1)(b) or (c) of the Electricity Act 1989;
- if it exercises functions in any part of West Berkshire - a person to whom a licence has been granted under section 7(2) of the Gas Act 1986

and the following **general consultation bodies when appropriate**:

- voluntary bodies some or all of whose activities benefit any part of West Berkshire
- bodies that represent the interests of different racial, ethnic or national groups in West Berkshire
- bodies that represent the interests of different religious groups in West Berkshire
- bodies that represent the interests of disabled persons in West Berkshire

- bodies that represent the interests of businesses in West Berkshire

The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) also set out the list of prescribed bodies to which the **duty to cooperate** applies. Those of relevance to West Berkshire are:

- Civil Aviation Authority
- Historic England
- Environment Agency
- Highways England
- Highway Authorities
- Homes England
- Marine Management Organisation
- Mayor of London
- National Health Service Commissioning Board (NHS England South East)
- Natural England
- Newbury and District Clinical Commissioning Group
- North and West Reading Clinical Commissioning Group
- Office of Rail Regulation
- Relevant Integrated Transport Authorities Transport for London

Although not covered by statute, the Regulations also make clear that when preparing plans we should also have regard to

- Local Enterprise Partnerships (LEP) and
- Local Nature Partnerships (LNP).

In addition, the National Planning Policy Framework (NPPF) states that “local planning authorities should also work collaboratively with private sector bodies, utility and infrastructure providers.”

Appendix B: Organisations and other bodies to be consulted when preparing the Community Infrastructure Levy (CIL) Charging Schedule

The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019⁹ (~~Part 15~~) defines the consultation bodies that a Charging Authority must engage with during the different stages of CIL preparation:

- County Council (note: there is no County Council applicable to West Berkshire)
- Adjacent Authorities
- Each Parish Council or neighbourhood forum whose area is in the charging authority's area
- ~~a~~Any other person exercising the functions of a Local Planning Authority (within the meaning of TCPA 1990) for an area within, or which adjoins, the charging authority's area.
- ~~A~~a responsible regional authority

The charging authority must also invite representations on the ~~preliminary~~ draft charging schedule from:

- ~~P~~persons who are resident or carrying on business in its area
- ~~B~~bodies which represent the interests of persons carrying on business in the charging authority's area
- ~~V~~voluntary bodies some or all of whose activities benefit the charging authority's area

⁹ The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019: <https://www.legislation.gov.uk/uksi/2019/1103/regulation/3/made>

Appendix C: Glossary

Term	Definition
Adoption	Formal approval by the Council whereupon a document achieves its full weight
Annual Monitoring Report (AMR)	Annual statement produced by the Council analysing the implementation of planning policies.
<u>Community Infrastructure Levy (CIL)</u>	<u>A levy charged on most new development within the local authority area. The money is used to pay for new infrastructure as a result of the new development.</u>
Council	In this context, the local planning authority; in this case West Berkshire Council. References to full Council are to the meeting of all elected members.
Development Plan Document (DPD)	A statutory document which is the primary consideration in determining planning applications. It is required to undergo public testing (examination before an independent inspector).
<u>Examination / Independent Examination / Public Examination</u>	In this context the forum at which an independent inspector considers the soundness of a Development Plan Document (DPD), whether the DPD has complied with legal and procedural requirements and whether the Duty to Cooperate has been met.
Executive	The Council's lead decision making body comprised of elected members
Independent examination	See Examination above
Local Development Scheme (LDS)	The Council's timetable for the production of Development Plan Documents
"made available"	This may be in either electronic or hard copy format
Material consideration	A factor or document which can be taken into account in deciding a planning application.
National Planning Policy Framework (NPPF)	Sets out the government's planning policies for England and how these are expected to be applied
Parish Plan	Non land use five year vision produced by and for local communities which includes an action plan
Planning Inspectorate (PINS)	National agency which supplies independent planning inspectors.
Policies Map	Map showing policy areas on an Ordnance Survey map base
Public Examination	See 'Examination' above
Saved Plans or Policies	Development Plans or Policies which have been saved by the Secretary of State beyond their life span until they are replaced by a DPD or particular policy
Stakeholder	In this context an organisation or individual with an interest in local

	planning matters
Submission	Stage at which a prepared Development Plan Document (DPD) is presented to <u>the</u> Secretary of State
Supplementary Planning Document (SPD)	A local development document (LDD) which does not have Development Plan Document (DPD) status but which is taken into account as a material consideration in the determination of planning applications.
Sustainability Appraisal (SA)	Sustainability appraisal is a tool which provides for the identification and evaluation of the economic, social and environmental impacts of a DPD throughout its preparation.
Strategic Environmental Assessment (SEA)	Strategic Environmental Assessment (SEA) is usually undertaken in conjunction with a SA. Its purpose is to increase the consideration of environmental issues during the preparation of a plan by identifying significant environmental effects that are likely to result from the implementation of the plan or alternative approaches to the plan.

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Appendix E – Summary of Responses received to the consultation on the Draft Revised Statement of Community Involvement (July/August 2019)

Consultee	Summary	Council Response
Thames Water	<p>Support inclusion of Thames Water as a ‘specific consultation body’.</p> <p>Consultation with Thames Water needs to take place at an early stage and it is not always possible to provide a detailed response within a matter of a weeks. Modelling of water/sewerage infrastructure systems (which will be important to may consultation responses) can take a long time to carry out. TW may also need to consult with the EA to obtain a clear picture as to possible water abstraction/waste water discharge consent limited prior to undertaking modelling from a treatment perspective.</p> <p>Early involvement in Neighbourhood Planning would also be valuable to assess their impact on water supply and sewerage capacity.</p> <p>TW would be expected to be consulted on most major planning applications.</p> <p>In June 2017 TW published and circulated an updated “Water Services Infrastructure Guide for LPAs on Planning Applications and Development Plan Consultation with Thames Water utilities as Statutory Water and Sewerage Undertaker’ This will be off assistance when determining which planning applications to consult TW on.</p>	Comments noted. Thames Water will continue to be consulted as set out in the SCI.
Hamstead Marshall PC	<p>Need to define ‘appropriate’ (section 3)</p> <p>Would be helpful to include what ‘community involvement’ looks like in the process.</p> <p>Include reference to recently declared Climate Emergency.</p>	The use of the word appropriate allows for flexibility and adaptability depending on the plan being prepared or the application being considered. Paragraph 2.5 provides more details on what will be done as part of the plan making process and paragraphs 3.3, 3.9, 3.20 – 3.23 set out what will be done in terms of applications.

		<p>The document as a whole sets out what community involvement in the planning process looks like.</p> <p>The recently declared Climate Emergency is not relevant to the SCI, which sets out how the Council will involve stakeholders and the public in the planning process. The Council's newly created Environment Board will create a strategic plan for change.</p> <p>All planning documents will consider climate change.</p>
John Parry	Concern that local opinion groups may be able to thwart the delivery of housing to meet the local needs as set out in the National Planning guidelines.	Comments noted.
Newbury Town Council	<p>The Council should encourage applicants to have pre-app discussions with other stakeholders</p> <p>Consider reinstating neighbour notification letters when resources allow</p> <p>Paragraph should be added explaining how CIL is determined for applicants</p>	<p>Comments noted.</p> <p>The references to how the CIL charging schedule is produced and developed, in terms of community engagement, including recent changes in legislation.</p> <p>This is not the document to set out how CIL is determined for applicants. This is set out on the Council's website at https://info.westberks.gov.uk/cil</p>
Newbury Society	<p><i>Note: Were not included on the email sent out. Note in Objective states that the contact details were last updated in Objective 29/7/19, so not sure if this would be why. They are on objective, so should receive future communications.</i></p> <p>Welcome commitment to involving the community in the plan making process and consideration of planning applications</p> <p>The planning hierarchy is very complex and often difficult to organisations to navigate, which can leave to alienating of some organisations. An annual community planning briefing would be helpful and would also provide WBC with useful feedback.</p> <p>Planning applications should be presented in a way that is quick and easy for the public to understand. Care needs to be taken in</p>	<p>Comments regarding notification are noted. The consultation notification was sent to an out of date contact. This has now been updated and the Newbury Society should now receive notification of all planning policy consultations.</p> <p>Comments noted</p> <p>Comments noted. Members of the planning team have attended the parish conference in the past and this could be considered again in the future.</p> <p>Organisations are encouraged to contact the planning department if they have questions or require help understanding information that has been published.</p>

	<p>the wording of short descriptions. [NOTE: As an example, applications for variations of conditions: a brief explanation or a link to the related condition would be extremely helpful here. And one application from the past year where the short description began “Replace existing garden room and store...” but was for a substantial three-storey house extension.]</p> <p>Consideration of revising rules governing speaking at council meetings to make them more accessible and encourage participate. (allowing more time for speaking)</p> <p>No mention of conservation area appraisals. These are important planning documents and should be an integral part of the plan-making process. Not in place for 51 of 53 consideration areas and ideally should be adopted before the preparation of the next Local Plan. Community involvement in creating these would be very helpful. [NOTE: The Newbury Society earlier this year offered to assist in the creation of Conservation Area Appraisals (CAAs) for Kennet and Avon Canal, Newbury (East) and Kennet and Avon Canal, Newbury (West); but we received a negative response for reasons which are still unclear.]</p> <p>Shopfronts and Signs SPD (2003) is not mentioned in the list of SPDs. Have been assured that this is still active, so should be included. If not still active, why not.</p> <p>Documents relating to the nature and character of the conservation areas should be available to the public.</p> <p>Conservation Areas should be added to the glossary.</p>	<p>Comments noted. The Council constitution gives the chairman (with the consent of the committee) the flexibility to alter the 5 min speaking rule. The SCI itself does not make reference to a 5 min speaking rule, but directs people to the relevant section of the Council’s website.</p> <p>Conservation Area Appraisals are a planning policy document and therefore, would be dealt with as any other planning document, with the same consultation processes etc. The SCI is not the mechanism for setting out what planning policy documents will be developed, this is set out in the Local Development Framework.</p> <p>Comments noted. The Shopfronts and Signs document is a Supplementary Planning Guidance (SPG) document, which is why it is not listed in the SCI as an SPD. SPGs are still a material consideration in planning, although they were produced under the old (pre-2008) planning system.</p> <p>Documents relating to conservation areas are available to the public where they are available, further information can be found https://info.westberks.gov.uk/conservationareas</p> <p>The term ‘Conservation Areas’ is not used within the SCI therefore, it does not need to be included in the glossary.</p>
<p>Holybrook Parish Council</p>	<p>Parish Council wish to be involved in commenting on planning applications much earlier in the process, particularly on large applications.</p> <p>Local opinion should carry more weight that it currently does.</p>	<p>The Council can only involve parish council’s in planning applications once an application has been submitted.</p> <p>Developers are encouraged to engage with the community at an early stage of their development proposals, but the Council cannot insist upon this.</p>

		<p>However, the Parish Council is contacted and made aware of potential development proposals as part of the local plan process. This is normally in addition to any formal consultation required by legislation.</p> <p>The Parish Council also have the opportunity to produce a Neighbourhood Development Plan (NDP) which would give the local community a greater say over development within the area covered by the NDP.</p>
Natural England	Supportive of the principle of meaningful and early engagement in planning matters.	Comments noted.
John Handy	<p>View of local communities do not seem to be taken into account.</p> <p>Document only being produced because it is required to do so. Not much has changed since the September 2014 version was published. If the council was really concerned with maximising community interest in planning the document would have been circulated and advertised much more widely.</p> <p>North Wessex Downs AONB do not appear in Appendix A as being a consultee in the preparation of DPDs.</p> <p>Communities used to be encouraged to produce Parish Plans and Village Design Statements. It appears that these are no longer used by the LA when making planning decisions.</p> <p>Neighbourhood Plans have taken precedent over Parish Plans and VDSs, but are not suitable for smaller communities without working together with other communities, which is likely to cause tensions and friction between communities. An expectation that Neighbourhood Plans will also be laid aside in the future.</p> <p>The HSA DPD does not show support for local communities, especially in relation to the travelling show people site in Hamstead Marshall which was introduced without the opinions of the local community being considered.</p>	<p>The Council is required to publish and keep up to date (by reviewing at least every 5 years) it's SCI. The SCI sets out what the Council will do to involve the community in planning. The SCI has been reviewed, and changes have been made where they are considered necessary. In many places the processes the Council go through to include the community in planning have not changed and therefore, no update is required to the SCI.</p> <p>Details of the consultation were sent to all those registered on the Council's Planning Policy Consultation Portal, all parish councils and all statutory and other consultation bodies (as set out in the SCI). The consultation was also published on the Council's website.</p> <p>The North Wessex Downs AONB are not a statutory consultee which is why they are not listed in Appendix A, however, they do fall under the 'general consultation bodies' and as a result are invited to be involved in all stages of plan making.</p> <p>Neighbourhood Planning was introduced by the Localism Act (2011) as a way to empower local communities to engage with, shape and direct development in their local area. The Council will support any community wishing to develop a Neighbourhood Plan. There are set regulations</p>

Only 1 new SPD has been adopted since 2014 (SuDS) and most do not have any relevance to small rural communities.

The old SPDs and SPGs should be reassessed. SPG 19 Public Houses is considered important by local communities, but there is confusion over whether it is still valid (2 planning documents say yes, website says it is a material consideration, but Planning Inspector ruled no longer valid).

Failure to update/support update of Conservation Area Appraisals also lets down the community.

Planning Decisions

Parish Councils represent local communities, but their views are largely ignored when it comes to making planning decisions.

Planning Authority do not take enforcement action even if they are notified or breaches of planning. Enforcement needs to be robust and uncompromising so people are in no doubt that planning law will be enforced.

Parishes should be informed of planning applications in adjacent parishes.

The planning process is not simple and even when doing everything right applications are held up.

District Councillors are unsympathetic of proposals in wards that are not their own.

Planning policy can be interpreted differently by different people. Local communities may not always be able to use the correct planning terminology to raise concerns. If planning decisions contradict local opinion then policy needs to be altered or re-interpreted, not bad decisions made for the community. This draft planning policy document would seem to be a starting point.

that guide the processes of Neighbourhood Planning which both the Council and local communities are bound by. It is acknowledged that Neighbourhood Plans do require a significant commitment from the local community.

The Local Community can also use this act to protect Assets of Community Value.

Parish Plans and Village Design Statements are still used as a material consideration in decision making and are set out on the Council's website at <https://info.westberks.gov.uk/vds> .

The HSA DPD was subject to a number of periods of consultation and parish councils attended a series of workshops very early in the process. The Council have a duty to provide adequate space for Gypsy and Traveller accommodation where there is an identified need (which was demonstrated through the GTTS). The DPD was then subject to Examination in Public which recommended that the DPD be adopted.

The Council is undertaking a review of the CCAs as part of the Local Plan Review which is currently underway.

The views of Parish Councils and local communities are taken into account when making planning decisions.

Enforcement Details of the Council's enforcement procedures are set out on the Council's website <https://info.westberks.gov.uk/planningenforcement>.

Parishes are informed of planning application in adjacent parishes depending on the location, scale and nature of the application, as set out in paragraph 3.7 of the SCI.

There are a number of processes and requirements within

	<p>Communities are being expected to take more responsibility and put up with reduced services. If this is the case the LPA must similarly devolve greater responsibility within the planning process. Community opinion must be placed at the centre of the planning decision-making process.</p> <p>If local opinion does not fit well with national planning policy then the LA should challenge national policy on behalf of the communities they represent.</p>	<p>the planning process which have to be adhered to.</p> <p>District Councillors have a code of conduct to follow when making decisions on planning applications.</p> <p>It is acknowledged that here can be some interpretation of planning policies, the Local Plan review will consider this and aim to provide clarification.</p> <p>The way that local communities can have greater responsibility in the planning process through Neighbourhood Planning.</p> <p>Where local communities do raise concerns regarding national policy the Council do and have sort to challenge the national policy.</p>
Historic England	The process detailed in the SCI should be adequate to meet the requirement of the Local Development Regulations 2004.	Comments noted.
Hermitage Parish Council	The Parish Council wish to have the right of reply on all developments within the parish. And would like to be copied in on all developers' reports and have the right of reply to them.	Comments noted. Parish Council are notified of all applications within the parish. This is set out in paragraph 3.7 of the SCI.
Keith Hoddinott	<p>How have potential problems at Sandlesford only be raised at this late stage?</p> <p>Demonstrates that the planning process is flawed and the issue should have been raised earlier.</p> <p>Cannot understand/believe that Thames Water were unaware of these deficiencies given the publicity over the development.</p> <p>The development should not proceed unless all sewers, SuDS, Roads and other public access facilities are adopted by the LA/Water Company. Private Sewers, Sewage Treatment works etc. would be a future legal/financial burden for property owners and the Council.</p>	<p>Thames Water are included as a 'Specific Consultation Body' in appendix A and are consulted throughout the plan making and planning decision making processes.</p> <p>The need for upgrades to the water infrastructure in relation to Sandlesford is included as 'necessary' infrastructure requirements in the Council's Infrastructure Delivery Plan https://info.westberks.gov.uk/idp first published in 2010. Thames Water have been consulted each time the IDP has been updated to ensure the information set out in the IDP is up to date.</p>
Cllr Alan Macro	The SCI should include Minerals and Waste Plans.	The SCI covers all plan making activities including the Minerals and Waste Local Plan. Clarification will be

<p><i>Supported by Cllr Royce Longton and Cllr Tony Vickers</i></p>	<p>Each stage of the plan making process should be announced via media releases and on social media.</p> <p>Mobile phone networks, telecommunications companies and superfast broadband providers should be consulted on new plans.</p> <p>Neighbour notifications should be re-introduced to ensure residents are informed of applications in all circumstances as some residents may not see the orange notices.</p> <p>All planning applications should be deposited in the local library to allow those living outside Newbury, or unable to use a computer to access the applications.</p> <p>Parish Councils should be supplied with printed plans as they can be difficult to read on a screen.</p> <p>NHS Clinical Commissioning groups should be consulted on major planning applications for housing in their area.</p>	<p>included within the SCI.</p> <p>Comments noted. Consultations are usually announced by emails to those registered on the Council’s Planning Policy Consultation Portal (including parish councils and neighbouring parish councils, statutory consultees) and updates to the Website (including the Planning Policy News Page). Announcements are also sometimes made via a press release and social media.</p> <p>Neighbour notifications are no longer required by legislation and as a result are no longer sent out. In addition the sending out of letters could be seen as unsustainable, especially in light of the recently declared Climate Emergency.</p> <p>All planning applications are available online, all libraries have public access computers which can access the Planning portal where applications can be viewed.</p> <p>Parish Councils are able to print plans themselves from the website. The Council is moving towards paperless planning, and plans and documents are no longer printed.</p> <p>Comments noted, where appropriate Clinical Commissions Groups are consulted. CCGs are consulted on infrastructure requirements through the Infrastructure Delivery Plan.</p>
<p>Building Communities Together Team (WBC)</p>	<p>The SCI sets out clearly the stages and opportunities that members of the public have to shape the planning process and influence the key DPDs that form the Local Plan.</p> <p>Aware of strong community engagement required to produce an NDP. These plans celebrate community engagement as they reflect what the local people have proposed, determined and agreed in term of future development.</p>	<p>Comments noted.</p> <p>The diagram on page 11 has been updated, to better reflect the consultation process, as it is usual for there to be an informal consultation prior to the formal six week consultation on the Draft DPD, which would negate the need for any further consultation before the DPD is submitted to the Secretary of State for examination.</p>

	<p>Given the significance of DPDs it might be best practice to amend the process to always include a six-week consultation after comments have been received on the initial draft DPD and once these have been incorporated into a revised DPD (the optional stage of consultation on pg 11 becomes an essential step).</p> <p>Suggest revision to para 3.4 to prevent confusion with terms 'direct neighbours' and 'immediate neighbours' as they do not seem distinct enough.</p> <p>Aware that residents cannot be notified of close applications by letter, the step of notifying Town and Parish councils and ward members as part of a weekly list of developments could go some way to bridge this gap, if the message can then be shared with the local residents most affected.</p> <p>Overall a comprehensive and easily understandable guide.</p>	<p>Paragraph 3.4 will be updated to provide clarification.</p> <p>Comments noted. There is nothing preventing Town and Parish Councils or ward members notifying residents of the applications in their parish where they think there could be wider interest in the application. A weekly list of registered applications is published on the website.</p>
<p>Archaeology (WBC)</p>	<p>Use of term 'Many' in para 1.1 suggests that WBC do not have good links with all local communities.</p> <p>Change use of 'types' of people, use of some people or groups of people instead.</p> <p>Include reference to document being available in other formats</p> <p>Para 2.12 better as this is a database of individuals, groups and organisations we contact regularly in relation to plan making.</p> <p>Para 2.16 could a fuller url be provided (also at para 3.8, 3.16 – 3.18).</p> <p>Para 2.23, standard response times should be 3 working days for an acknowledgement and 10 working days for a full response. Para 3.12 states two working days.</p> <p>Para 3.9 – dwellings or dwelling houses? Are fees for purchase published?</p>	<p>Comment noted.</p> <p>Comment noted, text will be updated.</p> <p>Comment noted. Text will be included as part of the back cover to the document.</p> <p>Comment noted</p> <p>Information is placed in a number of different places on the website, depending on what is being consulted on, so it is not appropriate to include a direct link in this document as it may be out of date by the time it comes to a consultation.</p> <p>Comment noted. Will update text to say 3 working days in line with the Council's general policy</p> <p>Comment noted. The text has been updated to reflect the current situation.</p>

	<p>Para 3.14 how is re-notification done?</p> <p>Para 3.20 how do the community know about pre-apps?</p> <p>Para 3.23 how do people find out about public meetings?</p> <p>Keen for the HEAP and community involvement in the West Berkshire Heritage Forum to be cross-referenced in the local plan.</p>	<p>Re-notification is done by email to those people who have previously commented on an application and to statutory consultees. Where appropriate, at the discretion of the case officer, a new site notice may be displayed.</p> <p>Pre-apps are confidential between the Council and the applicant and therefore, the community are not notified about pre-app discussions taking place unless they are approached by the developer. Developers are encouraged to engage with local communities early on in the development of their proposals. Text updated to reflect this.</p> <p>Dates of public meeting are published on the Council's website.</p> <p>Comments regarding the HEAP and West Berkshire Heritage Forum are noted, but not specifically relevant to the SCI.</p>
<p>Hungerford Town Council</p> <p><i>Supported by Cllr James Cole</i></p>	<p>Concern that the AONB is not listed as a consultee in the document.</p>	<p>The North Wessex Downs AONB are not a statutory consultee which is why they are not listed in Appendix A, however, they do fall under the 'general consultation bodies' and as a result are invited to be involved in all stages of plan making. They are also included on the Council's Planning Policy Consultation Database and so are automatically notified of any plan making consultations.</p>
<p>Vale of White Horse</p>	<p>Would be useful to include links to other documents mentioned in the SCI.</p> <p>Diagrams are unclear</p> <p>More information on support for NDPs could be helpful/useful to local communities.</p> <p>More information on CIL would be useful, rather than just having the diagram. The diagram needs to reflect the recent changes to the Regulations.</p>	<p>Comment noted. Links will be included where appropriate.</p> <p>Comment noted, where possible diagrams will be made clearer.</p> <p>Link to Neighbourhood Planning guidance on the website will be included in the SCI.</p> <p>Comments noted. Further information on the development of the CIL Charging Schedule will be included taking into account recent changes in legislation.</p>

	<p>Would be useful to include reference to planning enforcement and planning appeals to help with general understanding of the planning system</p> <p>The glossary makes reference to terms which are not included in the document.</p>	<p>While there is public engagement in planning appeals, there is little public engagement in enforcement and so this is not relevant to include in the SCI.</p> <p>Comments noted. The glossary will be updated where required.</p>
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A response stating that there were no comments to make were received by the following organisations:

- Beenham Parish Council
- Transport for London (TfL)
- Highways England

Revision of the 2019/20 Investment and Borrowing Strategy

Committee considering report:	Council on 9 January 2020
Portfolio Member:	Councillor Ross Mackinnon
Date Portfolio Member agreed report:	5 December 2019
Report Author:	Shannon Coleman-Slaughter
Forward Plan Ref:	C3856

1. Purpose of the Report

- 1.1 The 2019/20 Investment and Borrowing Strategy was approved by Full Council at the meeting held on 5 March 2019 meeting its legal obligation under the Local Government Act 2003. This report is an amendment of the agreed strategy to reflect:
- (1) Outline compliance against the Prudential Indicators
 - (2) An expansion in the sources of borrowing available to the Council
 - (3) Allow for provision of loan financing to local enterprises, charities, wholly owned companies and joint ventures as part of a wider strategy for local economic growth. In particular the joint venture in the form of Limited Liability Partnership (LLP) with Sovereign Westing House Developments Ltd, a subsidiary of Sovereign Housing Association (SHA).
- 1.2 The Council has approved a revised Property Investment Strategy in July 2018. The criteria for investment in property are different from those for cash based investments. However the strategy for borrowing set out in this document also applies to borrowing to fund investment in property.

2. Recommendation

- 2.1 It is recommended that the Council agree the proposed amendments to the 2019/20 Investment and Borrowing Strategy.

3. Implications

- 3.1 **Financial:** The proposed revisions to the strategy will enable the Council to access a broader spectrum of financing options and enable the Council to undertake a wider remit of investments.
Investment Income and Debt Charges form part of the Council's Medium Term Financial Strategy (MTFS).
- 3.2 **Policy:** The Investment and Borrowing Strategy is closely related to the Capital Strategy, as it governs the criteria for

borrowing to fund capital spending.

This strategy is also closely linked to the Council's Property Investment Strategy. The Property Investment Strategy which operates different criteria for investment from those proposed in this report, which relate only to cash investments. However the borrowing strategy set out in this report also applies to borrowing which may be undertaken to fund investment in property.

- 3.3 **Personnel:** N/A
- 3.4 **Legal:** The Investment and Borrowing Strategy is in accordance with the Local Government Act 2003 and CIPFA's Prudential Code and Code of Practice for Treasury Management
- 3.5 **Risk Management:** The policy is intended to ensure that all borrowing and investment is undertaken with a view to minimising risk and exposure to financial loss.
- 3.6 **Property:** N/A
- 3.7 **Other:** N/A

4. Other options considered

- 4.1 The CIPFA Code does not prescribe any particular treasury management strategy for local authorities to adopt. The current strategy represents an appropriate balance between risk management and cost effectiveness. However, it is proposed for future financial years that special treasury management advice and support is commissioned from external specialists to ensure the Council remains compliant with the latest legislative amendments, maximises opportunities for generation of yields from investments whilst maintaining a prudent strategy that operates within the Council's risk appetite.

Executive Summary

5. Introduction / Background

- 5.1 Treasury management is the management of the Council's cash flows, borrowing and investments, and the associated risks. The Council has borrowed and invested substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of financial risk are therefore central to the Council's prudent financial management.
- 5.2 Treasury risk management at the Council is conducted within the framework of the Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice 2017 Edition (the CIPFA Code) which requires the Authority to approve a treasury management strategy before the start of each financial year.

6. Proposals

- 6.1 There are three proposals relating to this strategy:
- (1) Adoption of the revised Investment and Borrowing Strategy for 2019/20.
 - (2) It is proposed that the table of credit ratings and limits agreed by Full Council is modified to include allowance of investing/providing loan finance to registered charities, Council owned companies and joint ventures for a maximum of £5 million per individual investment.
 - (3) For future financial years that special treasury management advice and support is commissioned from external specialists to ensure the Council remains compliant with the latest legislative amendments, maximises opportunities for generation of yields from investments whilst maintaining a prudent strategy that operates within the Council's risk appetite.

7. Conclusion

- 7.1 The Council has adopted and demonstrated compliance with the relevant prudential indicators. The Council has a comprehensive Investment and Borrowing Strategy compliant with the Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice 2017 Edition (the CIPFA Code), adopted by Council in compliance with the Local Government Act 2003. Implementation of the strategy is overseen by the cross party Treasury Management Group. Treasury performance reporting to Executive is undertaken annually at outturn.

8. Appendices

- 8.1 Appendix A – Data Protection Impact Assessment
- 8.2 Appendix B – Equalities Impact Assessment
- 8.3 Appendix C – Supporting Information

8.4 Appendix D – Investments and Borrowings held at 31 March 2019

8.5 Appendix E – Treasury Management Indicators

Appendix A

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	Resources
Service:	Finance and Property
Team:	Accountancy
Lead Officer:	Andy Walker
Title of Project/System:	Investment and Borrowing Strategy
Date of Assessment:	1.11.19

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p>Note – sensitive personal data is described as “<i>data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation</i>”</p>	<input type="checkbox"/>	X
<p>Will you be processing data on a large scale?</p> <p>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</p>	<input type="checkbox"/>	X
<p>Will your project or system have a “social media” dimension?</p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>	<input type="checkbox"/>	X
<p>Will any decisions be automated?</p> <p>Note – does your system or process involve circumstances where an individual’s input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</p>	<input type="checkbox"/>	X
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>	<input type="checkbox"/>	X
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>	<input type="checkbox"/>	X
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>	<input type="checkbox"/>	X

If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

Appendix B

Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; this includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

What is the proposed decision that you are asking the Executive to make:	Approve revisions to the 2019/20 Investment and Borrowing Strategy
Summary of relevant legislation:	Local Government Act 2003
Does the proposed decision conflict with any of the Council's key strategy priorities?	No
Name of assessor:	Shannon Coleman-Slaughter
Date of assessment:	1.11.19

Is this a:		Is this:	
Policy	No	New or proposed	No
Strategy	Yes	Already exists and is being reviewed	Yes
Function	No	Is changing	No
Service	No		

1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	Approve revisions to the 2019/20 Investment and Borrowing Strategy
Objectives:	Approve revisions to the 2019/20 Investment and Borrowing Strategy
Outcomes:	Approval of revisions
Benefits:	Access to a wider remit of borrowing and investment options.

2 Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.		
(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)		
Group Affected	What might be the effect?	Information to support this
Age	N/a	N/a
Disability		
Gender		

Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Further Comments relating to the item:		
N/a		

3 Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer:	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	No
Please provide an explanation for your answer:	

If your answers to question 2 have identified potential adverse impacts and you have answered ‘yes’ to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

4 Identify next steps as appropriate:	
Stage Two required	N/a
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name: Shannon Coleman-Slaughter

Date: 1.11.19

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.

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Revision of the agreed 2019/20 Investment and Borrowing Strategy

1. Introduction/Background

- 1.1 Treasury management is the management of the Council's cash flows, borrowing and investments, and the associated risks. The Council has borrowed and invested substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of financial risk are therefore central to the Council's prudent financial management.
- 1.2 Treasury risk management at the Council is conducted within the framework of the Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice 2017 Edition (the CIPFA Code) which requires the Authority to approve a treasury management strategy before the start of each financial year. The 2019/20 Investment and Borrowing Strategy was approved by Full Council at the meeting held on 5 March 2019 meetings its legal obligation under the Local Government Act 2003. This report is an amendment of the agreed strategy to reflect:
- (1) Outline compliance against the Prudential Indicators
 - (2) An expansion in the sources of borrowing available to the Council
 - (3) Allow for provision of loan financing to local enterprises, charities, wholly owned companies and joint ventures as part of a wider strategy for local economic growth. In particular the joint venture in the form of Limited Liability Partnership (LLP) with Sovereign Westing House Developments Ltd, a subsidiary of Sovereign Housing Association (SHA).
- 1.3 The Council has approved a revised Property Investment Strategy in July 2018. The criteria for investment in property, are different from those for cash based investments. However the strategy for borrowing set out in this document also applies to borrowing to fund investment in property.

2. Local Context and Prudential Indicators

- 2.1 The Prudential Code requires authorities to look at capital and investment plans in light of overall organisation strategy and resources to ensure that decisions are made with sufficient regard to the long term financing implications and risks to the Council. To demonstrate that local authorities have fulfilled these objectives, the code sets out a number of indicators, the code does not include suggested indicative limits or ratios. Local Authorities are to set their own limits and ratios, subject to controls under section 4 of the Local Government Act 2003.
- 2.2 As at 31 March 2019, the Authority held total borrowing of £222.6million of borrowing (including £200.4million PWLB loans, £8.5million short term loans which

were all repaid in April 2019 and £14.9million debt embedded in the Waste PFI contract. The authority also held £26m of fixed term investments at that date.

2.3 The main aim of the Treasury Management function is to maximise the return on the Council’s investments while ensuring sufficient liquidity and minimising the risks to the Council’s resources. All investment and borrowing decisions are therefore governed by the following principles (in order of priority as shown):

- (1) Security (minimising risk)
- (2) Liquidity (availability of sufficient funds a day to day basis to support the Council's business)
- (3) Yield (return on investment).

2.4 The Council’s capital programme is a key driver of the treasury management activity. The output of the capital programme is reflected in the prudential indicators.

2.5 The CIPFA Prudential Indicators

Indicator One: Estimates of Capital Expenditure

The indicator is a summary of the Council’s estimated capital expenditure for the current Capital Strategy (2019/20 – 2022/23) including funding from external sources (grants and contributions) and capital receipts, the balance remaining being the net financing requirement.

	Forecast 2019/20 £000s	Approved 2020/21 Capital Programme £000s	Approved 2021/22 Capital Programm £000s
People Directorate	17,709	14,109	11,337
Place Directorate	17,856	16,089	9,829
Resources Directorate	3,707	2,815	2,368
Invest to Save Schemes	750	-	-
Commercial Activities	37,747	-	-
Total Requirement	77,769	33,013	23,534
Financed By:			
Capital Receipts	241	1,320	-
Capital Grants & Contributions (inc s106 and CIL)	26,253	22,372	14,107
Net Financing Requirement	51,275	9,321	9,427

Note: Invest to save schemes are included in total capital expenditure and funding resources, however, these schemes will generate income and/or savings in revenue budgets elsewhere in the Council’s services. Therefore the borrowing costs associated with invest to save schemes have minimal impact on the Council’s Medium Term Financial Strategy position.

Indicator Two: Estimates of the Capital Financing Requirement (CFR)

CIPFA’s Prudential Code for Capital Finance in Local Authorities recommends that the Council’s total debt should be lower than its highest forecast CFR over the next three years.

The CFR is the total historical capital expenditure which has not yet been paid for from either revenue or capital resources. It is a measure of the Council's underlying borrowing requirement. Any capital expenditure which has not immediately been paid for will increase the CFR. The CFR does not increase indefinitely, as the Minimum Revenue Provision (MRP) is a statutory annual revenue charge which broadly reduces the indebtedness in line with each assets life, and so charges the economic consumption of capital assets as they are used. The CFR includes any other long-term liabilities (e.g. PFI schemes, finance leases) included on the Council's balance sheet. Whilst this increases the CFR, and therefore the Council's borrowing requirement, these types of schemes include a borrowing facility and so the Council is not required to separately borrow for these.

Capital Financing Requirement (CFR)	Forecast 2019/20 £000s	As per Approved 2020/21 Capital Programme £000s	As per Approved 2021/22 Capital Programm £000s
CFR brought forward at 31.3	240,120	284,293	286,243
Borrowing to fund Operational Assets	12,778	9,321	9,427
Invest to Save	750	-	-
Commercial Activities	37,747	-	-
Lease Liabilities	-	-	-
Increase in borrowing to fund capital expenditure	51,275	9,321	9,427
Less MRP & other financing	7,102	7,371	7,682
CFR carried forward at yr end	284,293	286,243	287,988
Movement in CFR	44,173	1,950	1,745

Indicator Three: Ratio of Net Financing Costs

The Council is required to disclose the actual and estimates of the ratio of financing costs to net revenue budget, i.e. the proportion of the revenue budget funding the financing of capital expenditure (net interest and the minimum provision to repay debt). The table below shows the actual and estimated ratios for the duration of the current Capital Strategy (2019/20 – 2022/23)

	Forecast 2019/20 %	As per Approved 2020/21 Capital Programme %	As per Approved 2021/22 Capital Programme %
Total Ratio	10.0%	10.1%	10.2%

Indicator Four: Actual External Borrowing

The Council needs to ensure that its total borrowing does not, except in the short-term, exceed the total of the CFR in 2019/20 and the following two financial years. This allows some flexibility for limited early borrowing for future years, but ensures that borrowing is not undertaken for revenue purposes. The table below details the Council's forecast treasury position at 31st March 2020, with estimates for future years (actual external borrowing (gross debt) against the CFR).

	Forecast 2019/20 £000s	As per Approved 2020/21 Capital Programme £000s	As per Approved 2021/22 Capital Programm £000s
Long term loans to fund Operational Assets	125,623	128,139	129,572
PWLB Maturity Loans inherited from Berkshire County Council	20,500	20,500	20,500
Long term loans to fund property investment	100,000	100,000	100,000
Other long term liabilities	12,971	12,249	11,843
Gross Debt at 31st March	259,094	260,888	261,915
CFR	284,293	286,243	287,988
Percentage of Gross Debt to CFR	91%	91%	91%

Indicator Five: The Operational Boundary.

The Council is required to determine the limit for total external debt, i.e. the most money the Council would normally borrow at any time during the year. Table five below sets out the limits for external debts for 2019/20 and future years as agreed by Full Council on 5 March 2019.

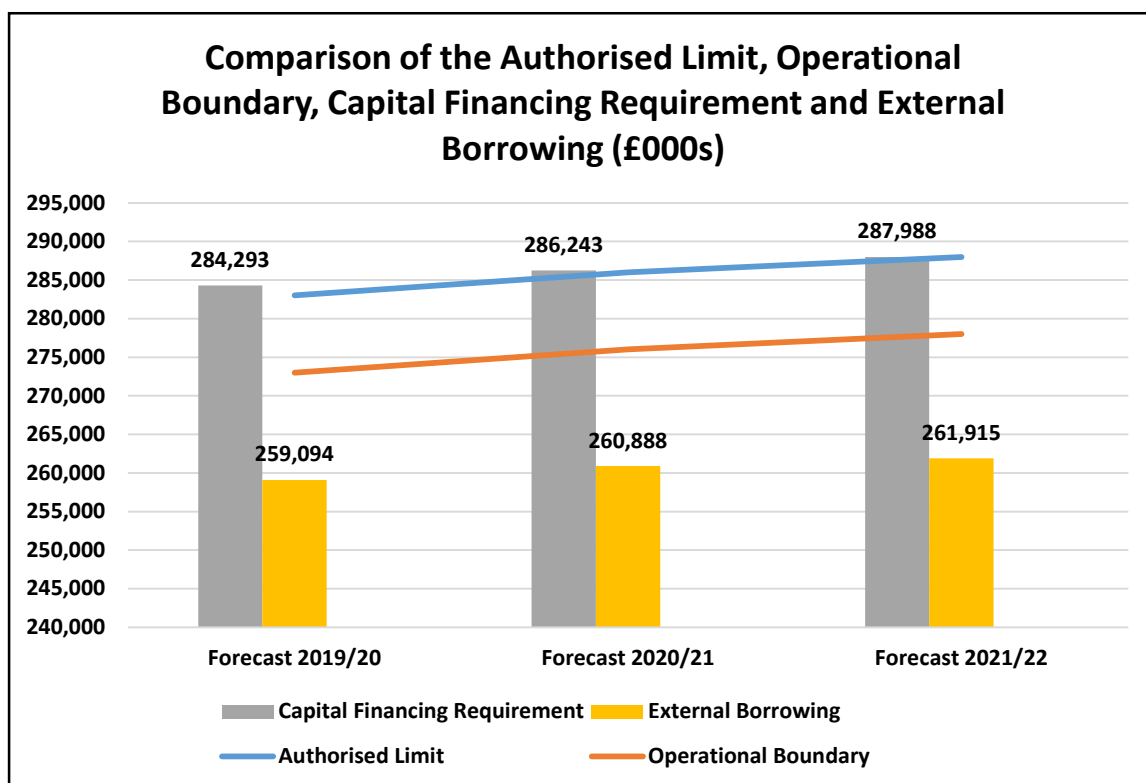
	As per Approved 2019/20 Capital Programme £000s	As per Approved 2020/21 Capital Programme £000s	As per Approved 2021/22 Capital Programm £000s
Borrowing	245,029	248,751	251,157
Other long term liabilities	12,971	12,249	11,843
Other temporary borrowing	15,000	15,000	15,000
Total	273,000	276,000	278,000

Indicator Six: The Authorised Limit.

The Council is required to determine the limit for External Borrowing which refers to the maximum amount the Council is able to borrow. Table three below sets out the limits for external debts for 2019/20 and future years as agreed by Full Council on 5 March 2019. This is a statutory limit determined under section 3 (1) of the Local Government Act 2003. Government under sections 4(1) and 4(2) may limit either the total of all Council borrowing, or those of a specific Council.

	As per Approved 2019/20 Capital Programme £000s	As per Approved 2020/21 Capital Programme £000s	As per Approved 2021/22 Capital Programm £000s
Borrowing	255,029	258,751	261,157
Other long term liabilities	12,971	12,249	11,843
Other temporary borrowing	15,000	15,000	15,000
Total	283,000	286,000.0	288,000

- 2.6 The operational boundary and authorised limit were increased by an additional £50m in 2017/18 and then by a further £50 million in July 2018 to allow for borrowing for investment in commercial property, in line with the approved Property Investment Strategy.
- 2.7 Due to the re-profiling of some capital spend, the total amount borrowed in 2018/19 was lower than expected at the time of setting the 2018/19 limits. For this reason it was not necessary to increase the borrowing limits for 2019/20 at the time of approving the Investment and Borrowing Strategy. However, it was proposed and agreed to increase the borrowing limits for 2020/21 by £3 million, and by a further £2 million in 2021/22.
- 2.8 The graph below provides a comparison of the authorised limit, operational boundary, CFR and the actual anticipated external borrowing level.



3. The Borrowing Strategy

- 3.1 As at 31 March 2019, the Council held £200.4million PWLB of loans, an increase of £40.7million on the prior year, as part of its strategy for funding the capital programme. The forecast included in the table under prudential indicator two (CFR) shows that the Council expects to borrow up to £51.5million in 2019/20. The Council may borrow additional funds to pre-fund future years’ requirements, providing this does not mean that total borrowing exceeds the authorised limit for borrowing of £283million.
- 3.2 **Objectives:** The Councils’ chief objective when borrowing money is to strike an appropriately low risk balance between securing low interest costs and achieving certainty of those costs over the period for which funds are required. The flexibility to renegotiate loans should the Council’s long-term plans change is a secondary objective.

- 3.3 **Strategy:** Given the significant cuts to public expenditure and in particular to local government funding, the Council's borrowing strategy continues to address the key issue of affordability without compromising the longer-term stability of the debt portfolio. With short-term interest rates currently much lower than long-term rates, it is likely to be more cost effective in the short-term to either use internal resources, or to borrow short-term loans instead.

By doing so, the Council is able to reduce net borrowing costs (despite foregone investment income) and reduce overall treasury risk. The benefits of internal / short-term borrowing will be monitored regularly against the potential for incurring additional costs by deferring borrowing into future years when long-term borrowing rates are forecast to rise modestly. Alternatively, the Authority may arrange forward starting loans during 2019/20, where the interest rate is fixed in advance, but the cash is received in later years. This would enable certainty of cost to be achieved without suffering a cost of carry in the intervening period. In addition, the Authority may borrow short-term loans to cover unplanned cash flow shortages.

- 3.4 **Sources of borrowing:** The approved sources of long-term and short-term borrowing are:

- Public Works Loan Board (PWLB) and any successor body
- any institution approved for investments (see below)
- any other bank or building society authorised to operate in the UK
- any other UK public sector body
- UK public and private sector pension funds (except the Royal Berkshire Pension Fund)
- capital market bond investors
- UK Municipal Bonds Agency plc and other special purpose companies created to enable local authority bond issues.

- 3.5 **Other sources of debt finance:** In addition, capital finance may be raised by the following methods that are not borrowing, but may be classed as other debt liabilities:

- leasing
- hire purchase
- Private Finance Initiative
- sale and leaseback

- 3.6 The Council has previously raised all of its long-term borrowing from the PWLB but it continues to investigate other sources of finance, such as local authority loans and bank loans, which may be available at more favourable rates:

- (1) **Municipal Bonds Agency:** UK Municipal Bonds Agency plc was established in 2014 by the Local Government Association as an alternative to the PWLB. It plans to issue bonds on the capital markets and lend the proceeds to local authorities. Any decision to borrow from the Agency will be the subject of a separate report to Full Council.
- (2) **LOBOs:** The Council does not currently hold any of LOBO (Lender's Option Borrower's Option) loans where the lender has the option to propose an increase in the interest rate at set dates, following which

the Council has the option to either accept the new rate or to repay the loan at no additional cost.

- 3.7 **Short-term and variable rate loans:** These loans leave the Council exposed to the risk of short-term interest rate rises and are therefore subject to the interest rate exposure limits in the treasury management indicators detailed later in Appendix E.
- 3.8 **Debt rescheduling:** The PWLB allows Councils to repay loans before maturity and either pay a premium or receive a discount according to a set formula based on current interest rates. Other lenders may also be prepared to negotiate premature redemption terms. The Council may take advantage of this and replace some loans with new loans, or repay loans without replacement, where this is expected to lead to an overall cost saving or a reduction in risk.

4. The Investment Strategy

- 4.1 The Council holds invested funds, representing income received in advance of expenditure plus balances and reserves held. During the financial year 2018/19, the Authority's investment fund balance ranged between £20.2million and £57.7million, with an average fund balance of £37.9million. A similar level of fund balance is expected to be maintained in 2019/20.
- 4.2 **Objectives:** The CIPFA Code requires the Authority to invest its funds prudently, and to have regard to the security and liquidity of its investments before seeking the highest rate of return, or yield. The Authority's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income. Where balances are expected to be invested for more than one year, the Authority will aim to achieve a total return that is equal or higher than the prevailing rate of inflation, in order to maintain the spending power of the sum invested.
- 4.3 **Strategy:** The Council recognises the increasing risk and low returns from short-term unsecured bank investments, however, the period for which funds are invested is determined by the cash flow needs of the Council. Funds are invested for as long as possible, in order to maximise the rate of return, while still ensuring that sufficient funds are available to meet the Council's outgoings. The normal maximum period for which funds may prudently be committed is 12 months. If sufficient funds become available, and market conditions are favourable enough to permit secure longer term investment, funds may, from time to time be invested for longer periods which will offer a better rate of return. However in order to minimise risk and ensure liquidity, no more than 40% of the Council's funds will be held at any one time in investments longer than 12 months.
- 4.4 **Business models:** Under IFRS 9 standard, the accounting for certain investments depends on the Council's "business model" for managing them. The Council aims to achieve value from its internally managed treasury investments by a business model of collecting the contractual cash flows and therefore, where other criteria are also met, these investments will continue to be accounted for at amortised cost.
- 4.5 **Specified Investments:** Specified investments are defined as those satisfying each of the following conditions:
- Denominated in sterling.

- To be repaid or redeemed within 12 months of the date on which the investment is made.
- Do not involve the acquisition of share capital or loan capital in any body corporate.
- Are made with the UK government, local authorities, parish councils, community councils, or a deposit taker awarded a high credit rating and authorised by a regulatory body (Financial Services Authority usually).

4.6 **Non Specified Investments:** Any investments that do not meet the criteria set out in 4.1 above are classified as Non-specific investments.

4.7 **Credit ratings and limits:** The credit ratings and limits agreed by Council on 5 March 2019 as detailed in the table below.

Organisations	Maximum Value £000s
Debt Management Office (UK Govt)	Unlimited
UK Local Authorities (including Police and Fire Authorities and similar public bodies)	5,000
UK Building Societies ranked 1 - 11	5,000
UK Building Societies ranked 12-21	4,000
UK Building Societies ranked 22 -25	3,000
UK Banks and other financial institutions rated Prime 1 by Moody's	5,000
UK Banks and other financial institutions rated Prime 2 by Moody's	4,000
UK Banks and other financial institutions rated Prime 3 by Moody's	3,000
UK based money market funds rated AAA by Moody's (per individual fund)	5,000

The Council under section 15(1) of the Local Government Act 2003 can choose to make loans to local enterprises, local charities, wholly owned companies and joint ventures as part of a wider strategy for local economic growth. The Council can make such loans if it can be demonstrated that:

- Total financial exposure of loan is proportionate.
- Have used an allowed “expected credit loss” model for loan and receivables as set out in IFRS 9 Financial Instruments.
- Have appropriate credit control arrangements to recover overdue repayments.
- The Council has formally agreed the total level of loans by type that it is willing to make and the total loan book is within the self-assessed limit (i.e. authorised borrowing limit).

It is proposed under the parameters of paragraph 4.4 above that the table of credit ratings and limits agreed by Full Council is modified to include the following:

Organisations	Maximum Value £000s
Registered Charities, public sector bodies and Council owned companies / joint ventures	5,000

It is not proposed that lending to voluntary groups and parishes will be undertaken.

4.8 **Exposure to Risk:** The proposed investment limits represent the maximum values to be invested with individual organisations. The Treasury Management Group may

temporarily reduce these amounts and or shorten the time period of investments in order to spread the exposure to loss from institutions failing. The Council manages its exposure to risk via a series of treasury management indicators. Appendix E provides greater detail on the indicators used to monitor and review the performance of the treasury management function.

5. Other Options Considered

- 5.1 The CIPFA Code does not prescribe any particular treasury management strategy for local authorities to adopt. The current strategy represents an appropriate balance between risk management and cost effectiveness. However, it is proposed for future financial years that special treasury management advice and support is commissioned from external specialists to ensure the Council remains compliant with the latest legislative amendments, maximises opportunities for generation of yields from investments whilst maintaining a prudent strategy that operates within the Council's risk appetite.

6. Proposals

- 6.1 There are three proposals relating to this strategy:
- (1) Adoption of the revised Investment and Borrowing Strategy for 2019/20.
 - (2) It is proposed that the table of credit ratings and limits agreed by Full Council is modified to include allowance of investing/providing loan finance to registered charities, Council owned companies and joint ventures for a maximum of £5 million per individual investment.
 - (3) For future financial years that special treasury management advice and support is commissioned from external specialists to ensure the Council remains compliant with the latest legislative amendments, maximises opportunities for generation of yields from investments whilst maintaining a prudent strategy that operates within the Council's risk appetite.

7. Conclusion

- 7.1 The strategy sets out the underlying principles by which the Council's annual investment and borrowing activity will be managed for 2019/20. Implementation of the strategy is overseen by the cross party Treasury Management Group. Treasury performance reporting to Executive is undertaken annually at outturn.

8. Consultation and Engagement

- 8.1 Andy Walker – Head of Finance & Property,
Joseph Holmes – Executive Director for Resources, s151 Officer.

Name: Shannon Coleman-Slaughter
Job Title: Chief Financial Accountant
Tel No: 01635 519225
E-mail Address: Shannon.colemanslaughter@westberks.gov.uk

Appendix D

Investments and Borrowing Held at 31 March 2019

Borrowing & Investments	Actual	Average
	31.3.19	Rate
	£000s	%
Public Works and Loans Board (PWLB) Loans to fund Operational Assets	117,680	2.9
PWLB Maturity Loans inherited from Berkshire County Council	20,505	5.8
PWLB Maturity Loans to fund property investment	62,253	2.5
Local Authorities	8,500	0.9
Total external borrowing	208,938	
Other long term liabilities:		
Private Finance Initiative (Waste)	13,651	6.1
Total other long term liabilities	13,651	
Total gross external debt	222,589	
Treasury Investments:		
Fixed Term investments with building societies	26,000	1.1
Deposits in Instant Access bank accounts and money market funds	5,068	0.7
Total treasury investments	31,068	
Net debt	191,521	

Treasury Management Indicators

Interest rate exposures:

This indicator is set to control the Council's exposure to interest rate risk. The upper limits on the one-year revenue impact of a 1% rise or fall in interest rates will be:

	2019/20	2020/21	2021/22
	Forecast	Estimate	Estimate
	£000s	£000s	£000s
Impact of a 1% rise in interest rates:			
Long term borrowing	-	416	471
Other Long term Liabilities	-	-	-
Short term borrowing	13	13	13
Investments	- 26	- 260	- 260
Total Impact of a 1% rise in interest rates:	- 13	169	224
Impact of a 1% fall in interest rates			
Long term borrowing	-	- 414	- 467
Other Long term Liabilities	-	-	-
Short term borrowing	- 13	- 13	- 13
Investments	26	260	260
Total Impact of a 1% rise in interest rates:	13	- 167	- 220

The impact of a change in interest rates is calculated on the assumption that maturing loans and investments will be replaced at current rates.

Maturity structure of borrowing:

This indicator is set to control the Council's exposure to refinancing risk. The upper and lower limits on the maturity structure of borrowing will be:

Refinancing rate risk indicator	Upper Limit	Lower Limit
Under 12months	50%	0%
12 months and within 24 months	50%	0%
24 months and within 5 years	50%	0%
5 years and within 10 years	50%	0%
10 years and above	50%	0%

Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date on which the lender can demand repayment.

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2020/21 West Berkshire Council Timetable of Public Meetings – Summary Report

Committee considering report:	Council on 9 January 2020
Portfolio Member:	Councillor Lynne Doherty
Date Portfolio Member agreed report:	07 November 2019
Report Author:	Moira Fraser, Democratic and Electoral Services Manager
Forward Plan Ref:	C3845

1. Purpose of the Report

1.1 To recommend a timetable of meetings for the 2020/21 Municipal Year.

2. Recommendation

2.1 To approve the timetable of public meetings for the 2020/21 Municipal Year.

3. Implications

- 3.1 **Financial:** There are no financial implications associated with the publication of this report. The costs associated with holding meetings, Members' attendance and the publication of agendas will be met from existing budgets.
- 3.2 **Policy:** This report accords with the Council's policy of publishing its timetable of meetings.
- 3.3 **Personnel:** None.
- 3.4 **Legal:** None.
- 3.5 **Risk Management:** None.
- 3.6 **Property:** None.
- 3.7 **Other:** n/a.

4. Other options considered

4.1 None

Executive Summary

4.2 The timetable of meetings for the Municipal Year 2020/21 is attached as Appendix B to the report and has been based on the following:

- Council meetings to be held in May, July, September, December and March; the July 2020 meeting has been moved back a week this year to accommodate the LGA Conference.
- Executive meetings have been arranged to take cognisance of democratic requirements and holiday periods but are usually held approximately every six weeks;
- Area Planning Committees (both Western and Eastern) to be held on a three weekly cycle with provisional dates included for District Planning Committees. District Planning Committees will only be held if the meetings are required and additional meetings may be arranged to ensure that Planning timescales are adhered to;
- Four Overview and Scrutiny Commission meetings have been scheduled;
- Licensing Committee meetings have been set for June and November 2020 and February 2021 and additional meetings will be arranged on an ad hoc basis;
- Health and Wellbeing Board meetings are held in May, September and November 2020 and January and May 2021. Additional development sessions are also included on the timetable;
- Governance and Ethics Committees have been arranged to meet deadlines for Council meetings and to facilitate the signing off of the Council's financial accounts;
- Personnel Committee meetings are arranged on an ad hoc basis;
- Four Corporate Parenting Panels are scheduled (June, September, December and March);
- Two District/Parish Conferences are scheduled each year (at the request of parishes these will be held on two different days of the week);
- Member Induction and Development sessions are scheduled in the timetable. Any changes to the Programme, which will be agreed at this meeting, will be included on this timetable.
- Joint Public Protection Committees have provisionally been included on the timetable but may be subject to change following discussions with colleagues in Bracknell Forest and Wokingham Borough Councils.

4.3 In addition the timetable, once agreed, is also shared with Town and Parish Councils and the Fire Authority so that it can be taken into consideration when their schedules of meetings are agreed.

5. Conclusion

5.1 The schedule has been drafted to ensure that the number of meetings takes into account the volume of business demands. Early adoption will allow time for Members to put meetings into their diaries prior to the commencement of the Municipal Year. The timetable will also form the basis of a committee programme for administrative purposes.

6. Recommendation

6.1 It is recommended that the schedule for the 2020/21 Municipal Year be approved.

Subject to Call-In:

Yes: No:

The item is due to be referred to Council for final approval	<input checked="" type="checkbox"/>
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>
Delays in implementation could compromise the Council's position	<input type="checkbox"/>
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months	<input type="checkbox"/>
Item is Urgent Key Decision	<input type="checkbox"/>
Report is to note only	<input type="checkbox"/>

The proposals contained in this report will help to achieve all the Council Strategy aims and priorities by ensuring that a robust decision making framework is in place.

Officer details:

Name: Moira Fraser
Job Title: Democratic and Electoral Services Manager
Tel No: 01635 519045
E-mail Address: moira.fraser@westberks.gov.uk

7. Appendices

- 7.1 Appendix A – Equalities Impact Assessment
- 7.2 Appendix B – Timetable of meetings May 2020 – May 2021

Appendix A

Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity.

Please complete the following questions to determine whether a Stage Two, Equality Impact Assessment is required.

Name of policy, strategy or function:	Timetable of public meetings
Version and release date of item (if applicable):	Proposed timetable due for publication on 27 November 2019
Owner of item being assessed:	Moira Fraser
Name of assessor:	Linda Pye
Date of assessment:	16 October 2019

Is this a:		Is this:	
Policy	No	New or proposed	No
Strategy	No	Already exists and is being reviewed	Yes
Function	Yes	Is changing	Yes
Service	No		

1 What are the main aims, objectives and intended outcomes of the policy, strategy, function or service and who is likely to benefit from it?	
Aims:	To agree a timetable of public meetings for publication.
Objectives:	
Outcomes:	
Benefits:	Agreeing and publishing the timetable in advance of the Municipal Year gives advanced notice of forthcoming public meetings.

2 Note which groups may be affected by the policy, strategy, function or service. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.
(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)

Comments relating to the item:
It is not envisaged that agreeing the dates of meetings in advance of the Municipal Year in which they will take place will adversely affect the majority of individuals who would wish to attend the meetings. Care is taken to ensure that meetings are held in venues with disabled access. It is noted that most of the Council’s public meetings do take place in the evenings which might impact on the ability of some residents to attend the meetings. Advertising meeting dates in advance should assist with mitigating this issue as those wishing to attend the meetings would have advance warning as to when they should take place.

3 Result	
Are there any aspects of the policy, strategy, function or service, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer: Please see comments above.	
Will the policy, strategy, function or service have an adverse impact upon the lives of people, including employees and service users?	No
Please provide an explanation for your answer:	

If your answers to question 2 have identified potential adverse impacts and you have answered ‘yes’ to either of the sections at question 3, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the Equality Impact Assessment guidance and Stage Two template.

4 Identify next steps as appropriate:	
Stage Two required	No.
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	
Stage Two not required:	

Name: Linda Pye

Date: 16 October 2019

Please now forward this completed form to Rachel Craggs, the Principal Policy Officer (Equality and Diversity) for publication on the WBC website.

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West Berkshire Council – Timetable of Meetings - May 2020 to May 2021

	MAY 2020	JUN 2020	JUL 2020	AUG 2020	SEP 2020	OCT 2020	NOV 2020	DEC 2020	JAN 2021	FEB 2021	MAR 2021	APR 2021	MAY 2021
Mon		1								1	G&E	1	
Tues		2				1				2		2	C
Weds		3	E	1	W					3	W	3	D
Thur		4		2		3	X	1		4		4	
Fri	1	5	3			4		2		5		5	2
Sat	2	6	4		1	5		3		6		6	3
Sun	3	7	5		2	6		4		7		7	4
Mon	4	8		6	3	7	G&E	5		8	LIC	8	5
Tues	5	9		7	OSMC	4		8	OSMC	9	PC	9	6
Weds	6	10	W	8	D	5	E	9	D	7	E	4	W
Thur	7	Election	11	X	9	C		10	C	8		11	DPC
Fri	8		12		10			11		9		12	
Sat	9		13		11			12		10		13	
Sun	10		14		12			13		11		14	
Mon	11		15	G&E	13			14		12		15	
Tues	12	C	16	JPPC	14			15	JPPC	13		16	JPPC
Weds	13	E	17	D	15	E	12	W	16	E	9	D	W
Thur	14		18		16	X	13		17	X	12	18	
Fri	15		19		17		14		18		15	19	
Sat	16		20		18		15		19		16	20	
Sun	17		21		19		16		20		17	21	
Mon	18		22	LIC	20		17		21		18	22	
Tues	19		23	CPP	21		18		22	CPP	20	23	OSMC
Weds	20	W	24	E	22	W	19	D	23	W	24	D	21
Thur	21	HWBB	25		23		20		24	HWBB	22	25	X
Fri	22		26		24		21		25		22	26	
Sat	23		27		25		22		26		23	27	
Sun	24		28		26		23		27		24	28	
Mon	25		29		27	G&E	24		28	G&E	25		26
Tues	26		30		28		25		29		26	OSMC	
Weds	27	D			29	D	26	E	30	W	30	E	28
Thur	28				30		27		31		27	HWBB	
Fri	29				31		28				28		29
Sat	30						29				29		30
Sun	31						30				30		31
Mon					31								31
Tues													

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C Council – 7.00pm except Budget meeting which starts at 6.30pm	HWBB Health and Wellbeing Board - 9.30am	W Western Area Planning Cttee – 6.30pm
X Executive – 5.00pm	LIC Licensing Committee	E Eastern Area Planning Cttee – 6.30pm
G&E Governance and Ethics Committee – 5.00pm	MDT Member Development Training	D District Planning Committee (provisional dates) – 6.30pm
OSMC Overview & Scrutiny Management Commission – 6.30pm	CPP Corporate Parenting Panel – 6.00pm	DPC District/Parish Conference – 6.30pm
		JPPC Joint Public Protection Committee
		PC Personnel Committee
		1 Bank Holiday
		School Holiday

Public Meetings: All meetings are open to the public, with the exception of Corporate Parent Panels
Venues: Most meetings are held at the Council Offices, Market Street, Newbury with the exception of: Eastern Area Planning Committee is usually held at the Calcot Centre, Highview.
Questions to Council and Executive: Questions must be submitted by 10.00am seven clear working days before the meeting.
District Planning: All stated dates are provisional subject to requirement.

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