

# Individual Decision

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The attached reports will be taken as Individual Portfolio Member Decisions on:

**Thursday, 29th July, 2021**

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<b>Ref:</b>	<b>Title</b>	<b>Portfolio Members</b>	<b>Page No.</b>
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## Individual Executive Member Decision

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### West Berkshire Council Forward Plan 24 August 2021 – 30 November 2021

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<b>Committee considering report:</b>	Individual Executive Member Decision
<b>Date ID to be signed:</b>	29 July 2021
<b>Portfolio Member:</b>	Councillor Lynne Doherty
<b>Forward Plan Ref:</b>	ID4077

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#### 1. Purpose of the Report

- 1.1 To advise Members and residents of items to be considered by West Berkshire Council over the next four months.

#### 2. Recommendation

- 2.1 That the Leader of the Council agrees and where appropriate amends the West Berkshire Council Forward Plan.

#### 3. Implications

- 3.1 **Financial:** The Forward Plan has no financial implications.
- 3.2 **Policy:** The Forward Plan details the Policies to be adopted by West Berkshire Council.
- 3.3 **Personnel:** The Forward Plan has no personnel implications.
- 3.4 **Legal:** The Forward Plan has no legal implications.
- 3.5 **Risk Management:** The Forward Plan has no risk management implications.
- 3.6 **Property:** The Forward Plan has no property implications.
- 3.7 **Other:** Not applicable.

#### 4. Consultation Responses

##### Members:

<b>Leader of Council:</b>	Councillor Lynne Doherty
<b>Overview &amp; Scrutiny Management Commission Chairman:</b>	Councillor Alan Law at Overview and Scrutiny Management Commission meetings.
<b>Ward Members:</b>	All Members

<b>Opposition Spokesperson:</b>	Councillor Lee Dillon at Overview and Scrutiny Management Commission meetings.
<b>Local Stakeholders:</b>	The West Berkshire Forward Plan will be published the first working day after the Individual Decision is signed.
<b>Officers Consulted:</b>	Nick Carter, Sue Halliwell, Joseph Holmes, Andy Sharp, Service Directors, Heads of Service, Group Executives.
<b>Trade Union:</b>	Not sought.

## 5. Other options considered

5.1 Not applicable.

## 6. Introduction/Background

6.1 West Berkshire Council's Forward Plan, which is published monthly, sets out the key decisions that the Executive (either collectively or by Individual Executive Members) are expected to take over the next four months.

6.2 Key decisions are defined by the Government (Regulation 8 of the Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2001) as:

- (1) Those which result in the Local Authority incurring expenditure which is, or the making of savings which are, significant having regard to the Local Authority's budget for the service or function to which the decision is related.
- (2) Those which are significant in terms of its effect on communities living or working in an area comprising two or more wards or electoral divisions in the area of the Local Authority.

6.3 The introduction of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 in September 2012 included a requirement to publish 28 clear days' notice of any intended key decision. It should be noted that "clear days" means working days, from midnight to midnight, and excludes weekends and public holidays, so 28 clear days equates to around 5½ normal weeks.

6.4 On occasions, however, situations may arise where an urgent decision needs to be made in respect of an item that does not appear on the Forward Plan. There are two different ways in which this can be done:

- (i) the authority can take an urgent key decision without giving 28 days' notice where it is impracticable to give the full notice, provided that the authority gives at least five days' clear notice to all Members of the Overview and Scrutiny Management Commission, which can then call in the decision to check that it was genuinely urgent; or
- (ii) where a key decision is so urgent there is not even time to give five clear days' notice, the authority can take the decision if the Chairman of the Overview and Scrutiny Management Commission has agreed that the key decision is urgent and cannot reasonably be deferred.



- 6.5 In addition The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 introduced an entirely new requirement for the Council to publish 28 clear days' notice of the intention to hold a private meeting (or part of a meeting) of the Executive. This 28 day notice must be reinforced by a five day notice which sets out the reasons for the meeting to be held in private, details of any propositions received as to why the meeting should be open, and the Council's response. The response will be provided by the Monitoring Officer. The regulations again provide for an urgency procedure, under which the Council can decide the matter with shorter than 28 or five days' notice, provided that it has first obtained the consent of the Chairman of the Overview and Scrutiny Management Commission.

## 7. Supporting Information

- 7.1 There is currently one confidential items – Separate Food Waste Collection (EX4009) is scheduled for the 2<sup>nd</sup> September 2021 Executive meeting.
- 7.2 In the event that an urgent item does arise the relevant notice will be published in accordance with the requirements.
- 7.3 Details of decisions that Full Council, the Governance and Ethics Committee, Licensing Committee, Overview and Scrutiny Management Commission and the Personnel Committee are going to take are also included for ease of reference. It should, however, be noted that the 2012 Regulations only apply to Executive meetings.
- 7.4 The following changes have been made to the Forward Plan for September 2021 since it was last published:

Changes to items for Executive on 2 September 2021:

- Public Protection Partnership – Re-organisation and Restructure (EX4115) was deferred to 14 October 2021

Additional items for IDs on 8 September 2021:

- Membership of Environmental Networks and Coalitions (ID4112)

Additional items for Council on 9 September 2021:

- Changes to the Constitution (C4104)
- Independent Remuneration Panel – Chairman of Health and Scrutiny (C4117)

Additional items and changes to items for Governance and Ethics Committee on 27 September 2021:

- External Audit Fee and Plan for the financial year 2021/22 (GE3689)
- Annual Audit Letter (GE4091) deferred to 17 January 2022 due to delay from external auditors

- 7.5 Publication of the Forward Plan remains a statutory requirement of the Local Authority. The Forward Plan, any General Exception Decision Notices and Notices of Private Decisions have to be available for inspection and also have to be published on the Council's website.

## 8. Conclusion

- 8.1 Publication of the Forward Plan is a statutory requirement and the Forward Plan for the period 24 August 2021 to 30 November 2021 is presented to the Leader of the Council for final sign off. It will be published on the Council's website.

## 9. Appendices

Appendix A – Data Protection Impact Assessment – Stage One

Appendix B - Equalities Impact Assessment – Stage One

Appendix C – West Berkshire Council Forward Plan – 24 August 2021 to 30 November 2021

Appendix D – Notice of Private Decisions

**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
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**Officer details:**

Name: Stephen Chard  
Job Title: Democratic Services Manager  
Tel No: (01635) 519462  
E-mail Address: stephen.chard@westberks.gov.uk

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## 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](mailto:dp@westberks.gov.uk)

Directorate:	Resources
Service:	Strategy and Governance
Team:	Democratic Services
Lead Officer:	Stephen Chard
Title of Project/System:	Forward Plan
Date of Assessment:	21 July 2021

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

	Yes	No
<p><b>Will you be processing SENSITIVE or “special category” personal data?</b></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><b>Will you be processing data on a large scale?</b></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><b>Will your project or system have a “social media” dimension?</b></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><b>Will any decisions be automated?</b></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><b>Will your project/system involve CCTV or monitoring of an area accessible to the public?</b></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Will you be using the data you collect to match or cross-reference against another existing set of data?</b></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Will you be using any novel, or technologically advanced systems or processes?</b></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.

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

<b>Name of policy, strategy or function:</b>	Forward Plan
<b>Version and release date of item (if applicable):</b>	
<b>Owner of item being assessed:</b>	Stephen Chard
<b>Name of assessor:</b>	Christine Elsasser
<b>Date of assessment:</b>	21 July 2021

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

<b>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?</b>	
<b>Aims:</b>	
<b>Objectives:</b>	
<b>Outcomes:</b>	
<b>Benefits:</b>	

<b>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.</b> (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.)		
<b>Group Affected</b>	<b>What might be the effect?</b>	<b>Information to support this.</b>
None		

<b>Further Comments relating to the item:</b>

<b>3 Result</b>	
<b>Are there any aspects of the policy, strategy, function or service, including how it is delivered or accessed, that could contribute to inequality?</b>	No
<b>Please provide an explanation for your answer:</b>	
<b>Will the policy, strategy, function or service have an adverse impact upon the lives of people, including employees and service users?</b>	No
<b>Please provide an explanation for your answer:</b>	

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 2 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.

<b>4 Identify next steps as appropriate:</b>	
<b>Stage Two required</b>	
<b>Owner of Stage Two assessment:</b>	
<b>Timescale for Stage Two assessment:</b>	
<b>Stage Two not required:</b>	Yes

**Name: Stephen Chard**

**Date: 21 July 2021**

Please now forward this completed form to Pamela Voss, the Principal Policy Officer (Equality and Diversity) for publication on the WBC website.

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# West Berkshire Council Forward Plan

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## West Berkshire Council Forward Plan 24 August 2021 - 30 November 2021

Key:	C = Council
	DOD = Delegated Officer Decision
	EX = Executive
	GE = Governance and Ethics Committee
	HWB = Health and Wellbeing Board
	ID = Individual Decision
	PC = Personnel Committee
	JPPC = Joint Public Protection Committee
	LC = Licensing Committee
	OSMC = Overview & Scrutiny Management Commission

Reference	Item	Purpose	Decision Body	Month/Year	Executive	ID	Date Report Published	Council	Governance and Ethics Committee	OSMC	Other	Officer and Contact No	Directorate	Lead Member	Consultee(s)	Part II	Call In
OSMC	Environment Strategy - Operational Review	To review progress in implementing the Environment Strategy.	OSMC	August 2021			23/08/2021			31/08/2021		Jenny Graham	Place	Environment & Waste		No	No
OSMC	Equalities and Diversity Strategy	To review the draft Equalities and Diversity Strategy.	OSMC	August 2021			23/08/2021			31/08/2021		Catalin Bogos	Resources	This report applies to all Portfolios		No	No
OSMC	LD Motion to Council that Executive acted contrary to green infrastructure policy in relation to the Faraday Road development	To consider Cllr Dillon's motion to Council that the Executive acted unlawfully.	OSMC	August 2021			23/08/2021			31/08/2021		Bryan Lyttle	Place	Planning and Transport		No	Yes
C4104	Changes to the Constitution	To agree amendments to the Council's Constitution.	C	September 2021			01/09/2021	09/09/21 C				Sarah Clarke	Resources	Internal Governance, Leisure and Culture		No	No
C4117	Independent Remuneration Panel - Chairman of the Health Scrutiny Committee	To consider the IRP's Recommendations.	C	September 2021			01/09/2021	09/09/21 C				Sarah Clarke	Resources	Internal Governance, Leisure and Culture		No	No
EX4009	Separate Food Waste Collection	To agree a way forward in relation to separation of food waste.	EX	September 2021	02/09/21 EX		24/08/2021					Kofi Adu-Gyamfi	Place	Environment & Waste	Residents and local stakeholders	Yes	Yes
EX4012	Revenue Financial Performance Report - Q1 of 2021/22	To inform Members of the latest financial performance of the Council.	EX	September 2021	02/09/21 EX		24/08/2021					Melanie Ellis	Resources	Finance and Economic Development		No	No
EX4013	Capital Financial Performance Report - Q1 of 2021/22	To present the Q1 capital financial performance for Members to note.	EX	September 2021	02/09/21 EX		24/08/2021					Shannon Coleman-Slaughter	Resources	Finance and Economic Development		No	No
EX4000	Key Accountable Performance 2021/22: Quarter One	To report Q1 outturns for the Key Accountable Measures which monitor performance against the 2021/22 Council Performance Framework. To provide assurance that the objectives set out in the Council Strategy and other areas of significant activity are being managed effectively. To present, by exception, those measures that are predicted to be 'amber' or 'red' and provide information on any remedial action taken and the impact of that action. To recommend changes to measures/targets as requested by services.	EX	September 2021	02/09/21 EX		24/08/2021			31/08/2021		Catalin Bogos	Resources	Internal Governance, Leisure and Culture		No	Yes
EX4128	Four Houses Corner Refurbishment Project	To provide an update and seek approval for additional funding.	EX	September 2021	02/09/2021 EX							Janet Weekes	Place	Housing, Strategic Partnerships and Transformation		No	Yes
GE3689	External Audit Fee and Plan for financial year 2021/22	To present to members the Audit Fee Letter for 2021/22 from Grant Thornton. The letter sets out the fee for the audit in line with the prescribed scale fee	GE	September 2021			17/09/2021		27/09/21 GE			Shannon Coleman-Slaughter	Resources	Internal Governance, Leisure and Culture		No	Yes
GE4091	Internal Audit Interim Report 2021/22 Q1	To update the Committee on the outcome of Internal Audit work	GE	September 2021			17/09/2021		27/09/21 GE			Julie Gillhespey	Resources	Internal Governance, Leisure and Culture		No	Yes
ID4078	West Berkshire Council Forward Plan 5 October 2021 - 31 January 2022	To agree the Forward Plan for the next four months.	ID	September 2021		02/09/2021	24/08/2021					Stephen Chard	Resources	Leader, District Strategy and Communications		No	No
JPPC4067	Fee Policy for Relevant Protected Sites under Caravan Sites and Mobile Homes Legislation	Fee Policy for Relevant Protected Sites under Caravan Sites and Mobile Homes Legislation.	JPPC	September 2021			03/09/2021				13/09/2021 JPPC	Rosalynd Gater	People	Housing, Strategic Partnerships and Transformation			
JPPC4066	PPP list of Fees and Charges 2022/23	To approve the PPP list of Fees and Charges to be submitted to each LA budget setting cycle.	JPPC	September 2021			03/09/2021				13/09/2021 JPPC	Sean Murphy	People	Housing, Strategic Partnerships and Transformation			
JPPC4064	Annual Air Quality Report	For information to the Committee to update on the PPP Position for 2020 with Air Quality across all 3 areas.	JPPC	September 2021			03/09/2021				13/09/2021 JPPC	Anna Smy	People	Internal Governance, Leisure and Culture			
JPPC4069	Public Protection Partnership Q1 2021/22 Performance Report	To consider the Quarter 1 Performance Report.	JPPC	September 2021			03/09/2021				13/09/2021 JPPC	Moira Fraser	People	Internal Governance, Leisure and Culture			
JPPC4131	Review of the Contaminated Land Strategies	To consider and where appropriate update the Contaminated Land Strategies for all three authorities.	JPPC	September 2021			03/09/2021				13/09/2021 JPPC	Susanne McLaughlin	People	Internal Governance, Leisure and Culture			
PC4020	Workforce Strategy 2019-23: Refreshed 2021	To seek approval for the refreshed Workforce Strategy 2021 and delivery plan from Personnel Committee.	PC	September 2021							September PC	Rebecca Bird	Resources	Internal Governance, Leisure and Culture		No	No
DOD4137	Statutory Consultation on Hackney Carriage Tariffs	To review the current hackney carriage fare scale in light of the recent non-statutory consultation undertaken with the Taxi Trade, agree the option that will be consulted on, if required, and outline the consultation process that will be undertaken, if needed.	DOD	September 2021							DOD September 2021	Moira Fraser	Place	Housing, Strategic Partnerships and Transformation		No	Yes
ID4122	Membership of Environmental Networks and Coalitions	To present information about the Countryside Climate Network and the Coalition for the Energy Efficiency of Buildings and to recommend that West Berkshire Council seeks membership of both.	ID	September 2021		07/09/2021	08/09/2021					Jenny Graham	Place	Environment and Waste			
C4119	Local Plan Review - Regulation 19 Consultation	To get Council approval for the publication for Consultation of the Local Plan Review to 203.	C	October 2021					21/10/21 C TBC			Bryan Lyttle	Place	Planning and Transport		No	No
EX4089	Establishment of Secondary Provision for Pupils with SEMH/Autism at the former Primary School Site, Theale (Paragraph 3 - information relating to the business office of)	To seek agreement to the use of the old Theale Primary School site for the development of this provision.	EX	October 2021	14/10/2021 EX		06/10/2021					Jane Seymour	People	Children, Young People & Education		Yes	Yes
EX4115	Public Protection Partnership - Re-organisation and Restructure	To consider the revised structure that will be adopted following the departure of Wokingham from the Partnership.	EX	October 2021	14/10/21 EX							Paul Anstey	People	Housing, Strategic Partnerships and Transformation		No	No
EX4111	Berkshire West Public Health Nursing 0-19 (25) Contract Award	Approval for award of the Berkshire West Public Health 0-19 (25) Contract.	EX	October 2021	14/10/21 EX		06/10/2021					Zoe Campbell	Resources	Health and Wellbeing		No	No
ID4079	West Berkshire Council Forward Plan 9 November 2021 - 28 February 2022	To agree the Forward Plan for the next four months.	ID	October 2021		07/10/2021	29/09/2021					Stephen Chard	Resources	Leader, District Strategy and Communications		No	No

## West Berkshire Council Forward Plan 24 August 2021 - 30 November 2021

Key:	C = Council
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	GE = Governance and Ethics Committee
	HWB = Health and Wellbeing Board
	ID = Individual Decision
	PC = Personnel Committee
	JPPC = Joint Public Protection Committee
	LC = Licensing Committee
	OSMC = Overview & Scrutiny Management Commission

OSMC	Covid-19 Review and Lessons Learnt	To report on lessons learnt during the Covid-19 pandemic and changes put in place as a consequence.	OSMC	October 2021			04/10/2021			12/10/2021	Joseph Holmes	Resources	Health and Wellbeing		No	No
EX4048	Highway Asset Management Plan Refresh	To approve the adoption of an updated Highways Asset Management Plan taking on board the latest national guidance and best practice.	EX	November 2021	18/11/2021 EX		24/08/2021				Andrew Reynolds	Place	Planning and Transport		No	Yes
EX4112	Drug and Alcohol Behaviour Change Service Contract Award	To award the contract.	EX	November 2021	18/11/21 EX		10/11/2021				Zoe Campbell	Resources	Health and Wellbeing		No	No
EX4120	Cultural Heritage Strategy – Action Plan		EX	November 2021	18/11/21 EX						Paul James	Resources	Internal Governance, Leisure and Culture		No	
EX4121	Environment Strategy Progress Report	To present the first annual progress report for the delivery of the Environment Strategy.	EX	November 2021	18/11/21 EX						Jenny Graham	Place	Environment and Waste		No	No
GE4116	Update Report – Review of the Effectiveness of the Governance and Ethics Committee		GE	November 2021					15/11/21 GE		Julie Gillhespey	Resources	Internal Governance, Leisure and Culture		No	Yes
ID4080	West Berkshire Council Forward Plan 7 December 2021 - 31 March 2022	To agree the Forward Plan for the next four months.	ID	November 2021		04/11/2021	27/10/2021				Stephen Chard	Resources	Leader, District Strategy and Communications		No	No
ID4081	West Berkshire Council Forward Plan 30 December 2021 - 30 April 2022	To agree the Forward Plan for the next four months.	ID	November 2021		25/11/2021	17/11/2021				Stephen Chard	Resources	Leader, District Strategy and Communications		No	No
ID4129	S106 Contributions policy	To adopt the new S106 Contributions policy.	ID	November 2021		29/11/2021	30/11/2021				Janet Weekes	Place	Planning and Transport		No	No
JPPC4060	Public Protection Partnership - Food and Feed Plan	To agree the PPP Food and Feed Plan.	JPPC	November 2021			21/10/2021			01/11/2021 JPPC	Rosalynd Gater	People	Housing, Strategic Partnerships and Transformation			
JPPC4065	Vehicle Emissions Policy	To agree a policy.	JPPC	November 2021			21/10/2021			01/11/2021 JPPC	Anna Smy	People	Internal Governance, Leisure and Culture			
LC4043	Fireworks Operational Approach	To agree the operational approach that will be taken in respect of the management of fireworks.	JPPC	November 2021			21/10/2021			01/11/2021 JPPC	Anna Smy	People	Internal Governance, Leisure and Culture			
JPPC4136	Updated Control Strategy	To consider the updated strategy.	JPPC	November 2021			21/10/2021			01/11/2021 JPPC	Sean Murphy	People	Internal Governance, Leisure and Culture			
JPPC4132	Update on the Reconfiguration of the Service including Governance Arrangements and Progress with the Withdrawal of Wokingham from the PPP	To provide members with an update on progress being made with these two projects and to consider any changes needed to the governance arrangements.	JPPC	November 2021			21/10/2021			01/11/2021 JPPC	Sean Murphy	People	Internal Governance, Leisure and Culture			
LC4041	Draft Hackney Carriage and Private Hire Vehicle Driver and Operator Policy	To consider the draft policy arising from the Statutory Taxi and Private Hire Vehicles Standards Report prior to it going out to the trade for consultation.	LC	November 2021			29/10/2021			08/11/21 LC	Sean Murphy	Place	Housing, Strategic Partnerships and Transformation			
LC4042	Hackney Carriage and Private Hire Vehicle Driver and Operator Policy	To agree the policy post consultation.	LC	November 2021			29/10/2021			08/11/21 LC	Sean Murphy	Place	Planning and Transport			
LC4044	Licensing Annual Report	To set out the work of the Licensing Committee in 2020/21 as well as the work of the Licensing Service as delivered through the Public Protection Partnership.	LC	November 2021			29/10/2021			08/11/21 LC	Sean Murphy	Place	Planning and Transport			
LC4043	Fireworks Operational Approach	To agree the operational approach that will be taken in respect of the management of fireworks.	LC	November 2021			28/10/2021			08/11/21 LC	Anna Smy	Place	Housing, Strategic Partnerships and Transformation			
PC4051	Results of the Employee Attitude Survey	To consider the results of the EAS including benchmarking data and comparisons with previous surveys.	PC	November 2021						12/11/21 PC	Abi Witting/Rebecca Bird	Resources	Internal Governance, Leisure and Culture			
PC4050	Recruitment and Pay Scales	To consider a sample of current recruitment activity in order to analyse where employees are being recruited to on the banding within pay scales. This information had been requested by the Personnel Committee.	PC	November 2021			08/07/2021			12/11/21 PC	Abi Witting	Resources	Internal Governance, Leisure and Culture			

## **NOTICE OF A PRIVATE MEETING OF A DECISION-MAKING BODY<sup>1</sup>**

*Notice of an imminent occasion when the public may be excluded from a meeting due to the likelihood that if members of the public were present during an item of business confidential or exempt information would be disclosed to them.*

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<sup>1</sup> In accordance with Regulation 5(7) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

1. At least 28 clear days before a private meeting<sup>2</sup> of a decision-making body, public notice<sup>3</sup> must be given which must include a statement of reasons for the meeting to be held in private.
2. At least 5 clear days before a private meeting of a decision-making body, further public notice<sup>4</sup> must be given which must include a statement of reasons for the meeting to be held in private, details of any representations received by the decision-making body about why the meeting should be open to the public and a statement of the Council's response to such representations.
3. Where the date by which a meeting must be held makes compliance with the above requirements impracticable, the meeting may only be held in private where the decision-making body has obtained agreement from the Chair of the Overview and Scrutiny Management Commission.

Date of Decision or period within which the decision is to be made	Ref No:	Matter in respect of which the decision is to be made	Short Description	Decision maker	Executive Member	List of documents to be submitted to decision maker	Public or Private meeting. Statement of reasons if private.
2 September 2021	EX4009	Separate Food Waste Collection	To agree a way forward in relation to separation of food waste.	Executive	Environment and Waste (Councillor Steve Ardagh-Walter)	Report and associated appendices	<i>(Paragraph 3 – information relating to financial/business affairs of particular person)</i>

Sarah Clarke  
 Service Director (Strategy and Governance)  
 West Berkshire Council  
 Date: 21 December 2020

<sup>2</sup> A 'private meeting' means a meeting or part of a meeting of a decision making body which is open to the public except to the extent that the public are excluded due to the confidential or exempt business to be transacted.

<sup>3</sup> In accordance with Regulation 5(2) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

<sup>4</sup> In accordance with Regulation 5(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

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# South East Waste Planning Advisory Group and Joint Central and Eastern Berkshire Statements of Common Ground

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<b>Committee considering report:</b>	Individual Executive Member Decisions
<b>Date of Committee:</b>	29 July 2021
<b>Portfolio Member:</b>	Councillor Richard Somner
<b>Report Author:</b>	Elise Kinderman
<b>Forward Plan Ref:</b>	ID4109

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## 1 Purpose of the Report

- 1.1 The purpose of this report is to present the following Statements of Common Ground for signing by the Executive Member for Planning and Housing:
- Central and Eastern Berkshire Authorities Joint Minerals and Waste Local Plan Statement of Common Ground on Sharp Sand and Gravel Supply.
  - Central and Eastern Berkshire Authorities Joint Minerals and Waste Local Plan Statement of Common Ground on Soft Sand Supply.
  - Central and Eastern Berkshire Authorities Joint Minerals and Waste Local Plan Statement of Common Ground with West Berkshire Council
  - South East Waste Planning Advisory Group Statement of Common Ground

## 2 Recommendations

- 2.1 That the following Statements of Common Ground are signed on behalf of West Berkshire Council by the Executive Member for Planning and Housing:
- Central and Eastern Berkshire Authorities Joint Minerals and Waste Local Plan Statement of Common Ground on Sharp Sand and Gravel Supply.
  - Central and Eastern Berkshire Authorities Joint Minerals and Waste Local Plan Statement of Common Ground on Soft Sand Supply.

**South East Waste Planning Advisory Group and Joint Central and Eastern Berkshire Statements of Common Ground**

- Central and Eastern Berkshire Authorities Joint Minerals and Waste Local Plan Statement of Common Ground with West Berkshire Council
- South East Waste Planning Advisory Group Statement of Common Ground

### 3 Implications and Impact Assessment

Implication	Commentary			
<b>Financial:</b>	There are no financial implications			
<b>Human Resource:</b>	There are no HR implications			
<b>Legal:</b>	Compliance with the Duty to Cooperate is required to be evidenced at examination of the Minerals and Waste Local Plan. By not signing the Statements of Common Ground, the Duty to Cooperate may be called into question and could mean that the Minerals and Waste Local Plan is not found to be sound or legally compliant.			
<b>Risk Management:</b>	The risk of not signing the statements of common ground is that West Berkshire may not be found to evidence the Duty to Cooperate on strategic cross-boundary issues required by the National Planning Policy Framework (paragraph 24). This could mean that the Minerals and Waste Local Plan is not found to be sound or legally compliant at examination.			
<b>Property:</b>	There are no property implications			
<b>Policy:</b>	The Duty to Cooperate is required by paragraph 24 of the National Planning Policy Framework and s.33A of the Planning and Compulsory Purchase Act 2004. Statements of Common Ground are required in line with paragraph 27 of the National Planning Policy Framework			
	<b>Positive</b>	<b>Neutral</b>	<b>Negative</b>	<b>Commentary</b>
<b>Equalities Impact:</b>				

<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		
<b>Environmental Impact:</b>		X		No environmental impact identified
<b>Health Impact:</b>		X		No health impact identified
<b>ICT Impact:</b>		X		No ICT impact identified
<b>Digital Services Impact:</b>		X		No digital services impact identified
<b>Council Strategy Priorities:</b>		X		Statutory requirement
<b>Core Business:</b>		X		Statutory requirement
<b>Data Impact:</b>		X		No data protection impact.
<b>Consultation and Engagement:</b>	West Berks Legal Team, Democratic Services, Planning and Transport Policy Manager, Head of Development and Planning, Executive Director - Place.			

## 4 Executive Summary

- 4.1 The National Planning Policy Framework requires strategic policy making authorities, such as local planning authorities, to produce, maintain and keep up to date a Statement of Common Ground (SoCG) to highlight agreement on cross boundary strategic issues with neighbouring authorities and other relevant bodies. The SoCG also forms part of the evidence required to demonstrate compliance with the Duty to Cooperate.

4.2 This report is to inform the portfolio member for planning and housing that West Berkshire has been identified as a signatory to the following Statements of Common Ground, and to recommend that they are signed on behalf of West Berkshire Council by the Executive Member for Planning and Housing:

- Central and Eastern Berkshire Authorities Joint Minerals and Waste Local Plan Statement of Common Ground on Sharp Sand and Gravel Supply.
- Central and Eastern Berkshire Authorities Joint Minerals and Waste Local Plan Statement of Common Ground on Soft Sand Supply.
- Central and Eastern Berkshire Authorities Joint Minerals and Waste Local Plan Statement of Common Ground with West Berkshire Council
- South East Waste Planning Advisory Group Statement of Common Ground

4.3 Officers have reviewed these Statements of Common Ground and implications for West Berkshire Council and recommend that West Berkshire Council be included as a signatory in order to fulfil our duties under the Duty to Cooperate. The main areas of agreement are outlined in this report and the full Statements of Common Ground are included as background papers.

4.4 Compliance with the Duty to Cooperate is required to be evidenced at the examination of the Minerals and Waste Local Plan. By not signing the Statements of Common Ground, West Berkshire's compliance with the Duty to Cooperate may be called into question and could mean that the Minerals and Waste Local Plan is not found to be sound and/or legally compliant.

## **5 Supporting Information**

### **Background**

5.1 The main outcomes and implications from the specified statements of common ground are as follows:

Central and Eastern Berkshire Authorities Joint Minerals and Waste Local Plan Statement of Common Ground on Sharp Sand and Gravel Supply

5.2 This SCG has been produced to support the preparation of the Central and Eastern Berkshire Authorities Joint Minerals and Waste Local Plan. The identified signatories are:

- Buckinghamshire Council
- Hampshire County Council
- Oxfordshire County Council
- Surrey County Council
- West Berkshire Council
- Wiltshire Council

5.3 The Central and Eastern Berkshire Joint Minerals and Waste Plan is unable to provide the sharp sand and gravel aggregate requirement in full over the Plan period due to insufficient sites being nominated for development. A sand and gravel area of search

## South East Waste Planning Advisory Group and Joint Central and Eastern Berkshire Statements of Common Ground

has therefore been included in the Plan, along with a criteria based policy should any appropriate proposals come forward.

5.4 In addition, due to the shortfall and uncertainty of supply, neighbouring mineral planning authorities (including West Berkshire) have been identified as potential future sources of sharp sand and gravel. The SCG aims to recognise that due to the identified shortfall, movements from neighbouring authorities may continue to supply the Central and Eastern Berkshire Area area over the Plan period.

5.5 Movements of aggregates between authorities have long been acknowledged due to the fact that market forces generally dictate where aggregate minerals will be used, rather than authority boundaries.

5.6 The specific agreements are as follows:

- i. The Central & Eastern Berkshire Authorities will continue to monitor sharp sand and gravel supply through the Duty to Cooperate.
- ii. This SoCG will be updated regularly as new data on sharp sand and gravel supply becomes available.
- iii. To plan positively in order to continue existing supply sources, where sustainable and in compliance with national policy.
- iv. A shortfall in sharp sand and gravel supply in Central and Eastern Berkshire may result in supply being sourced from other locations which may include those areas, party to this agreement. However, it is recognised that those located at a greater distance may have result greater transport impacts.
- v. The Parties will take into consideration the sharp sand and gravel supply needs of Central & Berkshire when reviewing and updating their Plans.

5.7 The agreements concerning West Berkshire are (iii) and (v). With regards to agreement (iii), the aggregate mineral provision in the West Berkshire Minerals and Waste Local Plan has been determined using the 2018 LAA rate, which is based on the previous 10 years' sales average. These sales will include movements to other authority areas, and so continuing to maintain this level of supply means that West Berkshire is already undertaking this measure. With regards to agreement (v), this would 'kick-in' when West Berkshire comes to review the emerging MWLP, which it is required to do every 5 years once adopted. At that stage, West Berkshire can take into consideration the sharp sand and gravel supply needs of Central and Eastern Berkshire, although if West Berkshire is not in a position to make specific provision, then there is no commitment to do so. Therefore it is considered that signing the SCG will not commit West Berkshire to meeting the sharp sand and gravel requirements of the Central and Eastern Berkshire Area in future if it is unable to do so, and will demonstrate compliance with the Duty to Cooperate.

### Central and Eastern Berkshire Authorities Joint Minerals and Waste Local Plan Statement of Common Ground on Soft Sand Supply

5.8 This SCG has also been produced to support the preparation of the Central and Eastern Berkshire Authorities Joint Minerals and Waste Local Plan. The identified signatories are:

## South East Waste Planning Advisory Group and Joint Central and Eastern Berkshire Statements of Common Ground

- Buckinghamshire Council
- Central Bedfordshire Council
- Hampshire County Council
- Oxfordshire County Council
- Surrey County Council
- South Downs National Park Authority
- West Berkshire Council
- West Sussex Council
- Wiltshire Council

5.9 The Central and Eastern Berkshire Joint Minerals and Waste Plan is unable to provide soft sand over the Plan period due to lack of workable soft sand resources in the Plan area. A criteria based policy has therefore been included in the CEB Joint Minerals and Waste Plan as a means of allowing soft sand development should any appropriate proposals come forward.

5.10 In addition, due to the shortfall and uncertainty of supply, neighbouring mineral planning authorities (including West Berkshire) have been identified as potential future sources of sharp sand and gravel. The SCG aims to recognise that due to the identified shortfall, movements from neighbouring authorities may continue to supply the Central and Eastern Berkshire area over the Plan period. The SCG recognises that sources of soft sand from West Berkshire have now ceased, and that any future provision will depend on future agreement between the authorities.

5.11 The specific agreements are as follows:

- i. That the Central & Eastern Berkshire Authorities will continue to monitor soft sand supply through the Duty to Cooperate.
- ii. That this SoCG will be updated regularly as new data on soft sand supply becomes available.
- iii. To plan positively in order to continue existing supply sources, where sustainable and in compliance with national policy.
- iv. When the current sources of supply cannot be maintained, alternative sources will be explored, in discussion with the relevant Parties, taking into account environmental constraints.
- v. That the Parties will take into consideration the soft sand supply needs of Central & Eastern Berkshire when reviewing and updating their Plans.

5.8 The agreements concerning West Berkshire are (iii) and (v). With regards to agreement (iii), the aggregate mineral provision in the West Berkshire Minerals and Waste Local Plan has been determined using the 2018 LAA rate, which is based on the previous 10 years' sales average. These sales will include movements to other authority areas, and so continuing to maintain this level of supply means that West Berkshire is already undertaking this measure. With regards to agreement (v), this would 'kick-in' when West Berkshire comes to review the emerging MWLP, which it is required to do every 5 years once adopted. At that stage, West Berkshire can take into consideration the soft sand needs of Central and Eastern Berkshire, although if West Berkshire is not in a position to make specific provision, then there is no commitment to do so. Therefore it is considered that signing the SCG will not commit West

## South East Waste Planning Advisory Group and Joint Central and Eastern Berkshire Statements of Common Ground

Berkshire to meeting the soft sand requirements of the Central and Eastern Berkshire Area in future if it is unable to do so, and will demonstrate compliance with the Duty to Cooperate.

### Central and Eastern Berkshire Authorities Joint Minerals and Waste Local Plan Statement of Common Ground with West Berkshire Council

5.8 This SCG is specifically between the Central and Eastern Berkshire Authorities and West Berkshire Council. It has been produced to support the preparation of the Central and Eastern Berkshire Authorities Joint Minerals and Waste Local Plan.

5.9 The two main issues for consideration are:

- Safeguarding of the aggregate rail depots in Theale, in the acknowledgement that subsequent road movements supply the wider Berkshire Area.
- Some inert waste from the Central and Eastern Berkshire Area is understood to be processed in West Berkshire and, due to a shortfall in permanent aggregate recycling capacity in the Central and Eastern Berkshire Area, these movements are likely to continue over the Plan period unless additional capacity is granted.

5.11 The specific agreements are as follows:

- i. The Central & Eastern Berkshire Authorities will share appropriate information on their reliance on crushed rock imports to support the safeguarding of relevant minerals infrastructure in West Berkshire.
- ii. West Berkshire will monitor sales and capacity at rail depots and share this information with the Central & Eastern Berkshire Authorities through the Duty to Cooperate.
- iii. The Central & Eastern Berkshire Authorities will continue to monitor the movement of inert waste to West Berkshire through the Duty to Cooperate.
- iv. This SoCG will be updated regularly as new data on inert waste movements to West Berkshire and aggregate recycling capacity within Central and Eastern Berkshire becomes available.

5.12 The agreement that specifically concerns West Berkshire is agreement (ii). This commits West Berkshire to monitoring sales and capacity at rail depots and share this information through the Duty to Cooperate. This will be done anyway, as part of the preparation of the Local Aggregates Assessment and so it is considered that this agreement will not commit West Berkshire to doing anything that it is not already required to do.

### South East Waste Planning Advisory Group (SEWPAG) Statement of Common Ground

5.13 The South East Waste Planning Advisory Group (SEWPAG) is comprised of all South East Waste Planning Authorities. It exists to help Waste Planning Authorities to plan for waste management taking account of the wider strategic cross boundary waste issues in the south east and in doing so helps them fulfil their statutory plan making 'Duty to Co-operate' responsibilities.

- 5.14 The SCG outlines various points of agreement about strategic waste issues in the South East.
- 5.15 In particular, the SCG confirms agreement of the South East Waste Planning Authorities on the principle of 'net self-sufficiency' for waste management, whereby authorities plan for the management of an amount of waste which is equivalent to the amount arising in that Plan area. This is the approach followed by the West Berkshire Minerals and Waste Local Plan and has underpinned the justification for not allocating any waste management sites. Therefore it is of particular importance that this Statement of Common Ground is supported and signed in order for the MWLP to be found sound at examination.
- 5.16 The specific agreement regarding net self-sufficiency is as follows:
- The Parties agree that they will plan for net self-sufficiency which assumes that within each waste local plan area the planning authority or authorities will plan for the management of an amount of waste which is equivalent to the amount arising in that plan area. For the avoidance of doubt, the Parties agree that they will plan on the basis that no provision has to be made in their waste local plans to meet the needs of any other waste local plan area which are basing their waste policies on achieving the principle of net self-sufficiency.
- 5.17 This and the other areas of agreement of the SEWPAG SCG are outlined in Appendix A.

## **6 Other options considered**

- 6.1 The only alternative identified is to not sign the identified Statements of Common Ground which would risk the West Berkshire Minerals and Waste Local Plan being found unsound and/or not legally compliant at examination.

## **7 Conclusion**

- 7.1 For the reasons already described, it is recommended that the identified Statements of Common Ground are signed by the executive member for planning and housing.

## **8 Appendices**

- 8.1 Appendix A – SEWPAG Statement of Common Ground Statements of Agreement

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### **Background Papers:**

- Central and Eastern Berkshire Authorities Joint Minerals and Waste Local Plan Statement of Common Ground on Sharp Sand and Gravel Supply.
- Central and Eastern Berkshire Authorities Joint Minerals and Waste Local Plan Statement of Common Ground with West Berkshire Council
- South East Waste Planning Advisory Group Statement of Common Ground



**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 Committee or associated Task Groups within preceding six months
- Item is Urgent Key Decision
- Report is to note only

**Wards affected:** The Statements of Common Ground apply to West Berkshire so all wards affected although no specific impacts are identified.

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**Document Control**

Document Ref:		Date Created:	
Version:		Date Modified:	
Author:			
Owning Service			

**Change History**

Version	Date	Description	Change ID
1			
2			

## Appendix A

### SEWPAG Statement of Common Ground Points of Agreement

- The Parties agree that they will plan for net self-sufficiency which assumes that within each waste local plan area the planning authority or authorities will plan for the management of an amount of waste which is equivalent to the amount arising in that plan area. For the avoidance of doubt, the Parties agree that they will plan on the basis that no provision has to be made in their waste local plans to meet the needs of any other waste local plan area which are basing their waste policies on achieving the principle of net self-sufficiency.
- The Parties agree that they will therefore prepare plans which provide for the development of facilities that will manage waste produced within, and beyond, their areas based on net self-sufficiency and in accordance with the waste hierarchy.
- The Parties agree that provision for unmet requirements from other authority areas may be included in a waste local plan but any provision for facilities to accommodate waste from other authorities that cannot or do not intend to achieve net self-sufficiency will be a matter for discussion and agreement between authorities and is outside the terms of this SCG.
- The Parties agree that provision for some kinds of wastes, including hazardous and radioactive waste, from other authority areas may be included in a waste local plan but that any provision for facilities to accommodate this waste from other authorities that cannot or do not intend to achieve net self-sufficiency will be a matter for discussion and agreement between authorities and is outside the terms of this SCG.
- In order to avoid impediments to the normal functioning of the waste management market, the Parties agree that they will seek to avoid preparing planning policy that might hinder the movement of waste between areas (e.g. through the use of 'catchment' conditions) while recognising the proximity principle expectation that waste will be managed at the nearest appropriate facility.
- Notwithstanding, the agreement in paragraph 2.4, the Parties agree that they can rely on ongoing movements of waste to other areas provided there are no conditions related to the planning permission for any particular site which might hinder the receipt of waste from other areas.
- Where movements of waste between areas are taking place which are of such a size and nature that separate provision would need to be planned for if they were to cease, the Parties agree that there will be a need for dialogue between areas to establish the existence of any planning matter which might hinder such an arrangement in future. Such waste movements are considered to be 'strategic'. The Parties agree that what constitutes a 'strategic' level of waste movements will vary between authorities, however the levels set out below provide a starting point for considering whether dialogue is required:
  - Non-hazardous waste – 5,000 tonnes per annum
  - Hazardous waste 100t per annum
  - Inert waste - 10,000t inert per annum

## South East Waste Planning Advisory Group and Joint Central and Eastern Berkshire Statements of Common Ground

- The Parties agree that agreement on ongoing waste movements between authorities may be achieved by an exchange of letters and that a separate SCG may not be required.
- The Parties agree that when any WPA is updating waste planning policy that might affect the ongoing import of waste from another area that is considered to be 'strategic' in nature, it will notify the affected authority at related stages of consultation.
- Regardless of the need for specific dialogue between individual authorities on strategic matters, the Parties agree that they will notify all other waste planning authorities at those stages of plan-making which involve publication of draft approaches and plans.
- The Parties agree that any WPA which seeks the management of waste on the basis of net export would need to provide robust evidence that clearly demonstrated that plans to meet needs within its area would not be consistent with the NPPF and NPPW.
- The Parties agree that they will work together in the consideration of how to plan for the implications arising from the management of waste from London and any other authority areas that are not party to this SCG.
- The Parties agree that the use of inert excavation waste arising in London is not discouraged. Indeed, the achievement of timely restoration of mineral workings is important and the availability of appropriate material, which may not be produced in sufficient quantities locally, is key to this. The Parties agree that available inert waste voidspace in the south east should continue to be monitored and will be taken into account when preparing related planning policy.
- The Parties agree that while not all inert excavation waste can be recycled, close to 100% can be put to some beneficial use and this should be the starting point when setting targets in plans.
- The Parties agree to safeguard waste management capacity in their own areas through robust policies in their respective development plans on waste management. The Parties agree that this means their Plans will include a presumption against granting permission for other forms of development which could result in reductions in physical or operational capacity (either by reductions in numbers and size of sites or by reduction in site throughput or restrictions on operation). The Parties agree that, when preparing local plans, where development is proposed that would result in a reduction in capacity, the need for that capacity in meeting the needs of other local plan areas will be taken into account.
- The Parties agree that it may be appropriate to allow the development of land that is permitted or allocated for waste management for a non-waste use where ongoing management of waste in that location would not be consistent with the principles of sustainable development as set out in the NPPF and NPPW.
- Whilst it is recognised that waste management constitutes inappropriate development in the Green Belt, the Parties agree that the inability of the waste to be practically managed in other locations outside of the Green Belt, including those outside of the WPA area, may be one factor that would go toward comprising very special circumstances.
- The Parties agree that the presence of AONBs within the areas of the parties to this SCG is a constraint for the management of waste. The Parties agree that any proposal (including allocations in Plans) within an AONB would be considered against the existing development plan, national policy and guidance. The Parties

agree that smaller scale waste development may be suitable in an AONB, in particular where it requires a countryside location or would serve a specific local need.

- The Parties agree that smaller scale waste development may be suitable in a National Park, in particular where it requires a countryside location or would serve a specific local need. The Parties agree that any proposal (including allocations in Plans) would be considered against the existing development plan, national policy and guidance.
- The Parties agree that despite the management of waste at higher levels of the waste hierarchy (in accordance with NPPW) there will continue to be a need for some landfill capacity to deal with waste in the South East and that this matter will therefore need to be addressed in their Local Plans.
- When planning for non-hazardous landfill, the Parties agree that such facilities are regional in nature and will therefore receive waste from beyond the area within which they are located. The Parties agree that they will therefore consider the ability of their own area to accommodate new non-hazardous landfill capacity as well as the ability of other areas to meet their own needs over the period being planned for (in line with the agreement in paragraph 2.4).
- The Parties agree that the assessment of need for any new non-hazardous landfill will also consider impacts associated with vehicle movements of waste across the South East.
- The Parties agree that the greatest challenge to be addressed is to implement the waste hierarchy and promote the circular economy by enabling better, more sustainable, ways of dealing with waste and to reduce the current dependence on landfill.
- The Parties agree to continue to positively plan to meet any shortfalls in waste management capacity in their areas and to enable the delivery of new facilities. This includes making appropriate provision in their local plans, including, as required, the allocation of sites for new recycling and other recovery facilities.
- The Parties agree that they will seek to ensure that the matters in this SCG are reflected in the waste local plans that they prepare (including, in the case of unitary authorities, any local plans that include waste policies); this includes the allocation of sites.

# Statement of Common Ground between Waste Planning Authority members of the South East Waste Planning Advisory Group Concerning Strategic Policies for Waste Management

March 2020

Statement of Common Ground between Waste Planning Authority members of the  
South East Waste Planning Advisory Group Concerning Strategic Policies for Waste  
Management

March 2020

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## 1.0 Introduction and Parties involved

1.1 National policy<sup>1</sup> states that: *“Local planning authorities and county councils (in two-tier areas) are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries.”* and *“Strategic policy-making authorities should collaborate to identify the relevant strategic matters which they need to address in their plans.”*

1.2 National policy<sup>2</sup> expects that Local Plans will include ‘non-strategic’ and ‘strategic’ policies, and explains that strategic policies should..... *“set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for:.....infrastructure”* and this includes *“for.....waste management”*.

1.3 National policy<sup>3</sup> states: *“In order to demonstrate effective and on-going joint working, strategic policy-making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these.”*

1.4 The management of waste has no regard to administrative boundaries, with waste arising in one authority’s area frequently being managed in another. Furthermore, in order to secure economies of scale, waste management facilities will often have a catchment which extends beyond the boundary of the planning area within which it is situated. This is recognised in the current<sup>4</sup> National Planning Policy for Waste that expects waste planning authorities to: *“plan for the disposal of waste and the recovery of mixed municipal waste in line with the proximity principle, recognising that new facilities will need to serve catchment areas large enough to secure the economic viability of the plant;”*. For these reasons the management of waste is a cross boundary strategic matter, the planning for which requires co-operation between waste planning authorities.

1.5 This document represents a **Statement of Common Ground between Waste Planning Authorities in the South East (SCG)** concerning the strategic matter of planning for the management of waste. The waste planning authorities in the south east have responsibility for planning for the future management of waste in their areas by including relevant strategic policies in their Local Plans.

1.6 The waste planning authorities in the south east (‘the Parties’) are as follows:

- Bracknell Forest Council
- Brighton & Hove City Council
- Buckinghamshire Council

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<sup>1</sup> Paragraph 24 and 25 of the National Planning Policy Framework February 2019

<sup>2</sup> Paragraph 20 of the National Planning Policy Framework February 2019

<sup>3</sup> Paragraph 27 of the National Planning Policy Framework February 2019

<sup>4</sup> The version of National Planning Policy for Waste referred to in this document was published on 16 October 2014: <https://www.gov.uk/government/publications/national-planning-policy-for-waste>

- East Sussex County Council
- Hampshire County Council (incorporating Southampton City, Portsmouth City and New Forest National Park Waste Planning Authorities)
- Isle of Wight Council
- Kent County Council
- Medway Council
- Milton Keynes Council
- Oxfordshire County Council
- Reading Borough Council
- Royal Borough of Windsor and Maidenhead
- Slough Borough Council
- South Downs National Park Authority
- Surrey County Council
- West Berkshire Council
- West Sussex County Council
- Wokingham Borough Council

1.7 This SCG has the following broad aims:

- To ensure that planned provision for waste management in the South East of England is co-ordinated, as far as is possible, whilst recognising that provision by waste industry is based on commercial considerations;
- to ensure that the approach to waste planning throughout the South East is consistent between authorities;
- to help ensure that sufficient waste management capacity is planned for within each authority area which in turn will lead to regional net self sufficiency; and,
- to provide evidence of co-operation that has occurred, and is occurring, between the south east Waste Planning Authorities (WPAs) which helps underpin the preparation of their waste planning policies

1.8 The SCG sets out matters of agreement, reflecting the spirit of co-operation between the Parties. It is, however, not intended to be legally binding or to create legal rights.

1.9 This SCG replaces the ‘Memorandum of Understanding between the Waste Planning Authorities of the South East of England, April 2017’.

## 2.0 Strategic Matters and Areas of Agreement

### Net self-sufficiency

2.1 **The Parties agree** that they will plan for net self-sufficiency which assumes that within each waste local plan area the planning authority or authorities will plan for the management of an amount of waste which is equivalent to the amount arising in that plan area. For the avoidance of doubt, **the Parties agree** that they will plan on the basis that no provision has to



be made in their waste local plans to meet the needs of any other waste local plan area which are basing their waste policies on achieving the principle of net self-sufficiency.

**2.2 The Parties accept** that when using this principle to test policy, it may not be possible to meet this requirement for all waste streams, particularly where a specialist facility is required to manage specialist waste streams such as hazardous waste.

**2.3 The Parties agree** that they will therefore prepare plans which provide for the development of facilities that will manage waste produced within, and beyond, their areas based on net self-sufficiency and in accordance with the waste hierarchy.

**2.4 The Parties recognise that** there may be cases where, despite assessing reasonable options, some waste will not be planned to be managed within a waste plan area because of difficulty in delivering sufficient recovery<sup>5</sup> or disposal capacity (E.g. Due to certain designations e.g. Green Belt, AoNB, National Park (see sections below)). **The Parties agree** that provision for unmet requirements from other authority areas may be included in a waste local plan but any provision for facilities to accommodate waste from other authorities that cannot or do not intend to achieve net self-sufficiency will be a matter for discussion and agreement between authorities and is outside the terms of this SCG.

**2.5 The Parties note** that, despite assessing reasonable options, there may be some kinds of waste requiring specialist treatment that cannot be managed within their own plan area, either in the short term or within the relevant plan period. These may include hazardous wastes and radioactive wastes. Where provision for the management of these wastes will be planned for in a different waste planning authority area, this will need to be considered between the relevant authorities. **The Parties agree** that provision for some kinds of wastes, including hazardous and radioactive waste, from other authority areas may be included in a waste local plan but that any provision for facilities to accommodate this waste from other authorities that cannot or do not intend to achieve net self-sufficiency will be a matter for discussion and agreement between authorities and is outside the terms of this SCG.

*Supporting information:*

*2.6 Net self-sufficiency is a principle generally applied to waste planning that means an authority will plan for waste management facilities with sufficient capacity to manage an amount of waste that is equivalent to the amount predicted to arise within its area (irrespective of imports and exports). This helps ensure that sufficient waste management capacity is provided consistent with National Planning Policy for Waste<sup>6</sup>.*

*2.7 The approach of net self-sufficiency in the south east was originally set out in the South East Plan and was subsequently included in the Memorandum of Understanding<sup>7</sup> between the*

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<sup>5</sup> 'Recovery' includes recycling.

<sup>6</sup> Paragraph 3 of NPPW includes: "Waste planning authorities should prepare Local Plans which identify sufficient opportunities to meet **the identified needs of their area** for the management of waste streams."

<sup>7</sup> Memorandum of Understanding between the Waste Planning Authorities of the South East of England, April 2017

*WPAs in the South East. Therefore, all WPAs in the south east have calculated waste management requirements that need to be planned for in their areas on this basis. Examination of such plans has found that this is a sound basis on which to plan for future waste management requirements.*

#### Movements of waste between authorities

**2.8 The Parties recognise** that the application of net self-sufficiency in local plans does not mean that an exact equivalent amount of waste, of the same type, will be transported between areas. It is possible that particular conditions exist which mean more waste is transported to one authority than another. However net self-sufficiency means that such a situation would, in principle, be broadly balanced by movements between other authorities.

**2.9 The Parties recognise** that for a majority of existing waste management facilities, there are no restrictions on the handling of waste that has arisen outside their authority area. In order to avoid impediments to the normal functioning of the waste management market, **the Parties agree** that they will seek to avoid preparing planning policy that might hinder the movement of waste between areas (e.g. through the use of ‘catchment’ conditions) while recognising the proximity principle expectation that waste will be managed at the nearest appropriate facility.

**2.10** Notwithstanding, the agreement in paragraph 2.4, **the Parties agree** that they can rely on ongoing movements of waste to other areas provided there are no conditions related to the planning permission for any particular site which might hinder the receipt of waste from other areas.

**2.11** Where movements of waste between areas are taking place which are of such a size and nature that separate provision would need to be planned for if they were to cease, **the Parties agree** that there will be a need for dialogue between areas to establish the existence of any planning matter which might hinder such an arrangement in future. Such waste movements are considered to be ‘strategic’. **The Parties agree** that what constitutes a ‘strategic’ level of waste movements will vary between authorities, however the levels set out below provide a starting point for considering whether dialogue is required:

- Non-hazardous waste – 5,000 tonnes per annum
- Hazardous waste 100t per annum
- Inert waste - 10,000t inert per annum

**2.12 The Parties agree** that agreement on ongoing waste movements between authorities may be achieved by an exchange of letters and that a separate SCG may not be required.

**2.13 The Parties agree** that when any WPA is updating waste planning policy that might affect the ongoing import of waste from another area that is considered to be ‘strategic’ in nature, it will notify the affected authority at related stages of consultation.

2.14 Regardless of the need for specific dialogue between individual authorities on strategic matters, **the Parties agree** that they will notify all other waste planning authorities at those stages of plan-making which involve publication of draft approaches and plans.

2.15 Although the Parties agree to the principle of net self-sufficiency, **the Parties also recognise** that particular constraints within a WPA area may mean that planning to achieve net self-sufficiency would not be consistent with the principles of sustainable development as set out in the NPPF and NPPW. **The Parties agree** that any WPA which seeks the management of waste on the basis of net export would need to provide robust evidence that clearly demonstrated that plans to meet needs within its area would not be consistent with the NPPF and NPPW.

2.16 **The Parties agree** that they will work together in the consideration of how to plan for the implications arising from the management of waste from London and any other authority areas that are not party to this SCG.

#### Permanent deposit of inert excavation waste

2.17 **The Parties agree** that the use of inert excavation waste arising in London is not discouraged. Indeed, the achievement of timely restoration of mineral workings is important and the availability of appropriate material, which may not be produced in sufficient quantities locally, is key to this. **The Parties agree** that available inert waste voidspace in the south east should continue to be monitored and will be taken into account when preparing related planning policy.

2.18 **The Parties recognise** that individual SCGs may also be prepared between individual WPAs where particular movements of waste requiring permanent deposit of inert excavation waste in a recovery or disposal operation exist which require specific recognition. This is likely to be the case between London Authorities and authorities in the South East in recognition of the unique waste needs of London<sup>8</sup>.

2.19 **The Parties agree** that while not all inert excavation waste can be recycled, close to 100% can be put to some beneficial use and this should be the starting point when setting targets in plans.

#### *Supporting information*

2.20 *The permanent deposit of inert excavation waste on land may be beneficial and so can be classed as 'recovery' rather than 'disposal', for example, the restoration of mineral voids where it meets the criteria for being classed as recovery<sup>9</sup>.*

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<sup>8</sup> National Planning Practice Guidance for Waste Paragraph: 043

<sup>9</sup> See the SEWPAG Joint Position Statement: Permanent Deposit of Inert Waste on Land in the South East of England, which recognises that inert excavation waste is often not easily recycled but lends itself to beneficial uses.

2.21 Although inert excavation waste is not included in the London Plan target for net self-sufficiency, there is a target of 95% beneficial use<sup>10</sup> of excavation waste (Policy SI7 4c) which applies to exports. There are severe constraints on the ability of producers of inert excavation waste in London to manage this waste within London and export of such waste for management within the south east will continue for the foreseeable future. However, inert excavation waste arising in London can be used to restore mineral workings in the south east.

#### Safeguarding

2.22 **The Parties agree** to safeguard waste management capacity in their own areas through robust policies in their respective development plans on waste management. **The Parties agree** that this means their Plans will include a presumption against granting permission for other forms of development which could result in reductions in physical or operational capacity (either by reductions in numbers and size of sites or by reduction in site throughput or restrictions on operation). **The Parties agree** that, when preparing local plans, where development is proposed that would result in a reduction in capacity, the need for that capacity in meeting the needs of other local plan areas will be taken into account.

2.23 **The Parties agree** that it may be appropriate to allow the development of land that is permitted or allocated for waste management for a non-waste use where ongoing management of waste in that location would not be consistent with the principles of sustainable development as set out in the NPPF and NPPW.

#### Green Belt

2.24 Whilst it is recognised that waste management constitutes inappropriate development in the Green Belt, **the Parties agree** that the inability of the waste to be practically managed in other locations outside of the Green Belt, including those outside of the WPA area, may be one factor that would go toward comprising very special circumstances.

#### Supporting information

2.25 As waste management is considered inappropriate development within Green Belt, the opportunities for developing waste facilities consistent with national policy in several WPA areas in the south east are reduced (as illustrated on Figure 1). Proposals will only be considered acceptable if 'very special circumstances' are shown to exist, which clearly outweigh the harm caused to the Green Belt by reason of inappropriateness and any other harm, such as the preservation of openness of Green Belt designated land<sup>11</sup>.

#### Areas of Outstanding Natural Beauty

2.26 **The Parties agree** that the presence of AONBs within the areas of the parties to this SCG is a constraint for the management of waste. **The Parties agree** that any proposal (including allocations in Plans) within an AONB would be considered against the existing

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<sup>10</sup> The London Plan also provides a definition of 'beneficial use'.

<sup>11</sup> See paragraphs 143 and 144 of the NPPF

development plan, national policy and guidance. **The Parties agree that** smaller scale waste development may be suitable in an AONB, in particular where it requires a countryside location or would serve a specific local need.

*Supporting information*

*2.27 An Area of Outstanding Natural Beauty (AONB) is land protected by the Countryside and Rights of Way Act 2000. As shown on Figure 1 the south east includes several Areas of Outstanding Natural Beauty. The Countryside and Rights of Way Act (2000) sets out that local authorities must ensure that all decisions have regard for the purpose of conserving and enhancing the natural beauty of AONBs. The development of major waste management facilities within AONBs is not encouraged by existing policy. Footnote 55 of the NPPF (2019) states that the question of whether a development proposal is ‘major’ in an AONB is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.*

National Parks

**2.28 The Parties agree that** smaller scale waste development may be suitable in a National Park, in particular where it requires a countryside location or would serve a specific local need. **The Parties agree that** any proposal (including allocations in Plans) would be considered against the existing development plan, national policy and guidance.

*Supporting information*

*2.29 National Parks are designated through the National Parks and Access to the Countryside Act 1949. The South Downs National Park and New Forest National Park are both situated within the south east as shown in Figure 1. The development of major waste management facilities within National Parks is not encouraged by existing policy<sup>12</sup>. Footnote 55 of the NPPF (2019) states that the question of whether a development proposal is ‘major’ in a national park is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.*

Non-Hazardous Waste Landfill

**2.30 The Parties agree that** despite the management of waste at higher levels of the waste hierarchy (in accordance with NPPW) there will continue to be a need for some landfill capacity to deal with waste in the South East and that this matter will therefore need to be addressed in their Local Plans.

**2.31** When planning for non-hazardous landfill, **the Parties agree that** such facilities are regional in nature and will therefore receive waste from beyond the area within which they are located. **The Parties agree that** they will therefore consider the ability of their own area

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<sup>12</sup> See paragraph 172 of the NPPF

to accommodate new non-hazardous landfill capacity as well as the ability of other areas to meet their own needs over the period being planned for (in line with the agreement in paragraph 2.4).

2.32 **The Parties agree** that the assessment of need for any new<sup>13</sup> non-hazardous landfill will also consider impacts associated with vehicle movements of waste across the South East.

*Supporting information*

2.33 *The SEWPAG Joint Position Statement on Non Hazardous Landfill (and subsequent SEWPAG Annual Monitoring Reports) recognise that there is a declining amount of non-inert landfill capacity in the south east.*

General

2.33 **The Parties agree** that the greatest challenge to be addressed is to implement the waste hierarchy and promote the circular economy by enabling better, more sustainable, ways of dealing with waste and to reduce the current dependence on landfill.

2.34 **The Parties agree** to continue to positively plan to meet any shortfalls in waste management capacity in their areas and to enable the delivery of new facilities. This includes making appropriate provision in their local plans, including, as required, the allocation of sites for new recycling and other recovery facilities.

2.35 **The Parties recognise** that private sector businesses (and, therefore, commercial considerations) will determine whether new merchant waste management facilities will be built and what types of technology will be used.

2.36 **The Parties agree** that they will seek to ensure that the matters in this SCG are reflected in the waste local plans that they prepare (including, in the case of unitary authorities, any local plans that include waste policies); this includes the allocation of sites.

### 3.0 Signatories

3.1 This statement is agreed by the waste planning authorities listed above. A separate document is maintained on the SEWPAG area of the Local Government Association Knowledgehub website<sup>14</sup> showing details of signatories. The template for this document is included at Appendix 1.

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<sup>13</sup> This includes extensions to existing sites

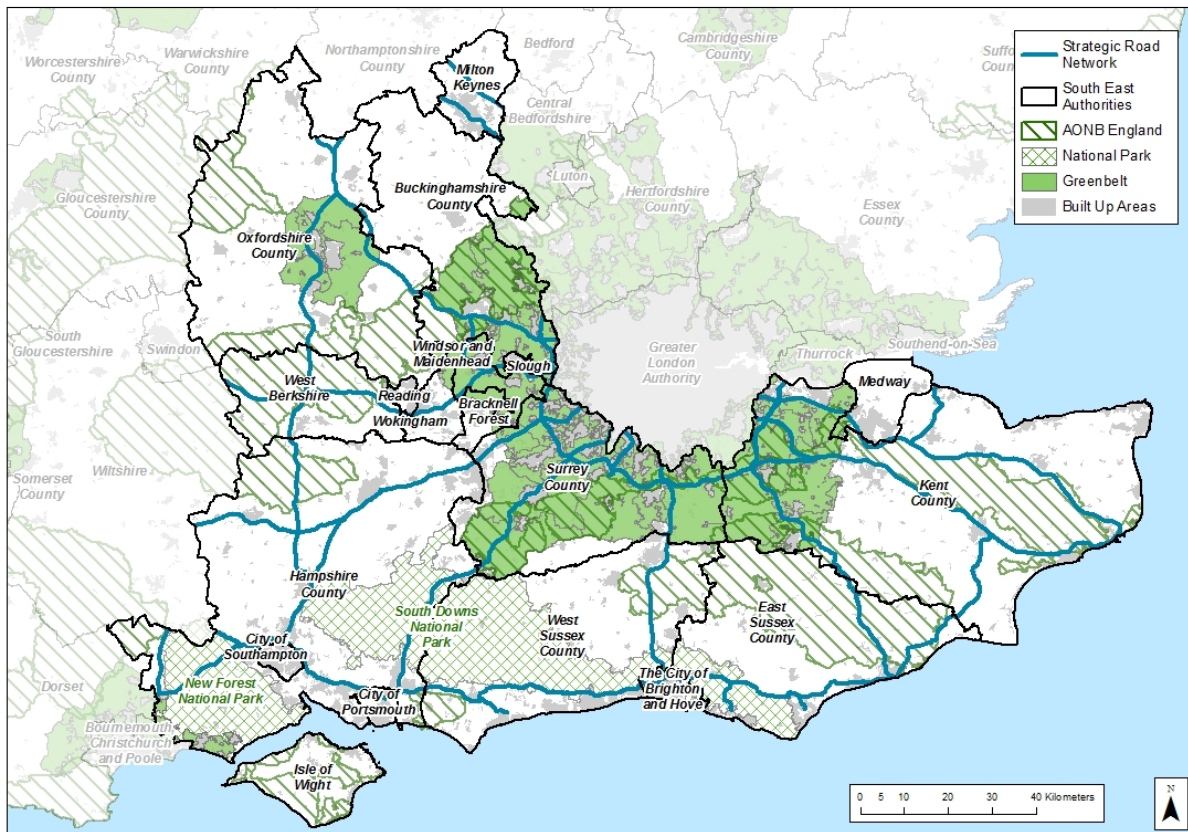
<sup>14</sup> <https://khub.net/group/southeastwasteplanningadvisorygroupsewpag>



## 4.0 Strategic Geography

4.1 The location of each of the south east WPAs is shown in Figure 1 below.

*Figure 1: Location of south east Waste Planning Authorities*



4.2 There are good road and rail connections between the WPAs in the south east, including the M25, M2, M3, M4, M26, M23 and M20, which facilitate the movement of waste between authorities. Other key spatial issues were identified in the revoked South East Plan (2009) which are still relevant as follows:

- The extent of protective designations including Green Belt, Areas of Outstanding Natural Beauty and National Parks;
- unprecedented population growth;
- potential for significant economic growth;
- pressures on social and physical infrastructure;
- the need to stabilise the region's ecological footprint;
- declining household size;
- demand for housing;
- increasing development pressure on land; and
- the effects of climate change.

## 5.0 Additional Strategic Matters

5.1 The Parties to this SCG are also party to the following Joint Position Statements:

- Non-hazardous landfill in the South East of England
- Permanent Deposit of Inert Waste to Land in the South East of England

## 6.0 Cooperation Activities

6.1 Activities undertaken when in the process of addressing the strategic cross-boundary matter of waste management, whilst cooperating, are summarised as follows:

- Input to draft proposals for planning policy concerning waste management in each others' areas as appropriate;
- membership of the South East Waste Planning Advisory Group and signatories to related joint position statements and Annual Monitoring Reports;
- ad-hoc exchange of information (via correspondence and meetings) related to the monitoring of waste movements and management capacity;
- Undertaking a co-ordinated annual survey across the region of waste management capacity; and,
- preparation of bespoke Statements of Common Ground between individual authorities on specific matters affecting those authorities.

6.2 More generally, the Parties will continue to share knowledge and information relevant to strategic cross-boundary issues relating to waste planning.

6.3 The Parties recognise that there will not always be full agreement with respect to all of the issues on which they have a duty to cooperate. For the avoidance of doubt, this SCG shall not fetter the discretion of any of the Parties in relation to any of its statutory powers and duties, and is not intended to be legally binding.

## 7.0 Governance and Future Arrangements

7.1 The Parties to this Statement have worked together in an ongoing and constructive manner. The Parties will continue to cooperate and work together in a meaningful way and on an ongoing basis to ensure the effective strategic planning of waste management. Appropriate officers of each Party to this Statement will liaise formally through correspondence and meetings (usually four times a year) of SEWPAG.

7.2 The Parties will review this SCG at least every 12 months and establish whether this SCG requires updating. Specific matters likely to prompt updates of this SCG include the following:



- Changes to waste management capacity and patterns of waste arising within the south east
- Evidence which shows significant changes in the level of waste movements between the authorities within and beyond the south east.

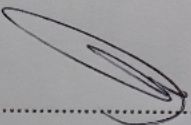
**Appendix 1 – Template for Details of Signatories**

***Bracknell Forest Council***

*Bracknell Forest Council*

Name of Signatory ..... *Alan Lewis Tinkler* .....

Position ..... *Executive member for Planning and Transport* .....

Signature .....  .....

Date..... *19.5.20* .....

***Brighton & Hove City Council***

Name of Signatory: Max Woodford.....


Position: Assistant Director - City Development and Regeneration

Signature: M Woodford    Date: 07.04.20

***Buckinghamshire Council***

Name of Signatory ...Darran Eggleton.....

Position ...Interim Head of Service – Planning Policy and Compliance.....

Signature .....  .....    Date...20/08/20.....

***East Sussex County Council***

Name of Signatory: Edward Sheath.....

Position: Head of Planning and Environment.....

Signature: E Sheath    Date: 30.04.20

**Hampshire County Council (incorporating Southampton City, Portsmouth City and New Forest National Park Waste Planning Authorities)**

Name of Signatory .....


Position .....

Signature ..... Date.....

**Isle of Wight Council**

Name of Signatory Ollie Boulter .....

Position Strategic Manager for Planning & Infrastructure Delivery .....

Signature  ..... Date 14 August 2020 .....

**Kent County Council**

Name of Signatory Sharon Thompson

Position Head of Planning Applications

Signature  ..... Date 27<sup>th</sup> April 2020

**Medway Council**

Name of Signatory E. J. CHITTY .....

Position Portfolio Holder .....

Signature  .....

Date 27<sup>th</sup> July 2020

**Milton Keynes Council**

Name of Signatory .....

Position .....

Signature ..... Date.....

***Oxfordshire County Council***

Name of Signatory .....

Position .....

Signature ..... Date.....

***Reading Borough Council***

Name of Signatory .....

Position .....

Signature ..... Date.....

***Royal Borough of Windsor and Maidenhead***

Name of Signatory .....

Position .....

Signature ..... Date.....

***Slough Borough Council***

Name of Signatory .....

Position .....

Signature ..... Date.....

***South Downs National Park Authority***

Name of Signatory .....

Position .....

Signature ..... Date.....

***Surrey County Council***

Name of Signatory Cllr Natalie Bramhall

Position Cabinet Member for Environment & Climate Change

Signature  Date 29/07/2020

***West Berkshire Council***

Name of Signatory .....

Position .....

Signature ..... Date.....

***West Sussex County Council***

Name of Signatory: Mike Elkington

Position: Head of Planning Services

Signature:



Date: 31 March 2020

***Wokingham Borough Council***

Name of Signatory .....

Position .....

Signature ..... Date.....



www.rbwm.gov.uk



**WOKINGHAM  
BOROUGH COUNCIL**

Central and Eastern Berkshire Authorities

Joint Minerals and Waste Plan

## **Statement of Common Ground**

between

**The Central and Eastern Berkshire Authorities**

and

**West Berkshire District Council**

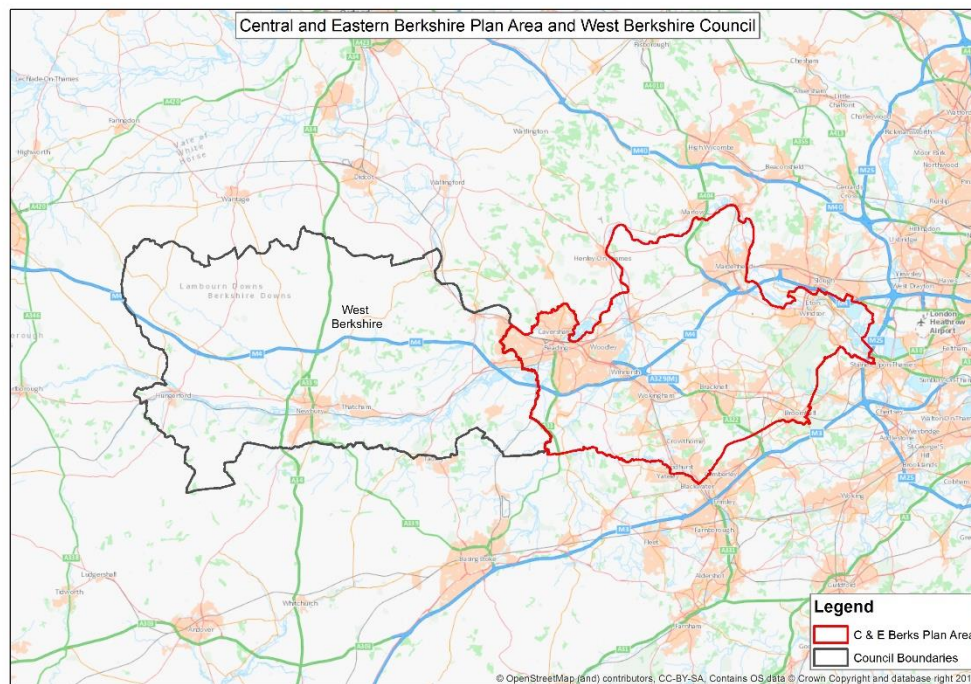
On

**Strategic Mineral Issues**

## 1. Introduction

- 1.1 This Statement of Common Ground (SoCG) is made between Bracknell Forest Council, Reading Borough Council, the Royal Borough of Windsor and Maidenhead and Wokingham Borough Council (collectively referred to as 'Central & Eastern Berkshire Authorities') and West Berkshire District Council regarding strategic mineral issues (the 'parties').
- 1.2 The SoCG is being prepared in line with plan-making guidance<sup>1</sup>, in order to comply with the requirements of the National Planning Policy Framework (NPPF)<sup>2</sup>.
- 1.3 The SoCG includes the administrative areas for the parties shown in Figure 1.

*Figure 1: Administrative areas of Central & Eastern Berkshire Authorities and West Berkshire District Council*



- 1.4 The parties are entering into this SoCG to address strategic mineral issues that affect Central and Eastern Berkshire.
- 1.5 This SoCG is provided without prejudice to other matters of detail that the parties may wish to raise through effective and on-going joint working between

<sup>1</sup> Planning Practice Guidance, Guidance on Plan-making, 13 September 2018, Ministry of Housing, Communities & Local Government (MHCLG) - <https://www.gov.uk/guidance/plan-making>

<sup>2</sup> NPPF, para 27, July 2018, MHCLG - <https://www.gov.uk/government/publications/national-planning-policy-framework--2>



plan making authorities through the Duty to Cooperate, or in subsequent participation in the plan making process.

## 2. Background

- 2.1 Bracknell Forest Council, Reading Borough Council, the Royal Borough of Windsor and Maidenhead and Wokingham Borough Council (collectively referred to as 'Central & Eastern Berkshire Authorities') are working in partnership to produce a Joint Minerals & Waste Plan (the 'Plan') for Central and Eastern Berkshire (the 'Plan Area').
- 2.2 A steady and adequate supply of construction aggregate supports the market needs in Central and Eastern Berkshire and continued economic development and prosperity. The aggregate required can be made up of different sources such as recycled materials, imported mineral products or extracted sand and gravel from either the sea or land.
- 2.3 Central and Eastern Berkshire's principal geological deposits, in economic terms, are sharp sand and gravel, with additional variable soft sand deposits. The Plan Area contains no 'hard' rock deposits and there is no secondary aggregate produced within Central and Eastern Berkshire
- 2.4 Central and Eastern Berkshire is well connected by road and rail and contains some navigational waterways. However, there are no rail depots within the Area.
- 2.5 West Berkshire are also preparing a Minerals & Waste Local Plan. A Preferred Options document was published for consultation in May 2017. The document outlined no crushed rock provision (as this is imported predominately from Somerset by rail) but the rail heads are safeguarded. The document also outlined no new additional recycling capacity but safeguarded existing permitted waste sites. The Proposed Submission consultation is from 4 January until 15 February 2021.

## 3. Crushed rock supply

- 3.1 The geology of Central and Eastern Berkshire means that it does not have its own source of crushed and hard rock minerals such as limestone. Therefore, the aggregate must be imported from elsewhere.

### *Sources of crushed rock*

- 3.2 The movement of crushed rock is tracked in the Aggregate Minerals (AM) survey. Table 1 shows the sources of crushed rock consumed in Berkshire<sup>3</sup> in 2009 and 2014. The dominant source of crushed rock for Berkshire is Somerset which has some 400 million tonnes of approved reserves (equivalent to 29.9 years)<sup>4</sup>. While not all the quarries in Somerset have rail connections, those that do form a significant proportion. There are no known reasons why supply from Somerset would be restricted and it is estimated that there are sufficient reserves available to supply on-going market demand.

*Table 1: Sources of crushed rock consumed in Berkshire (thousand tonnes)*

Source	2009		2014	
	Proportion	Tonnage	Proportion	Tonnage
Somerset	83%	726.25	70-80%	821.7 - 928.8
North Somerset	10 - 5%	87.5 – 43.75	1-10%	11.6 – 116.1
And the rest	Between 5% and Less than 1%-	n/a	Between 10% and Less than 1%	n/a

Source: BGS

### *Crushed rock flow to / from Central and Eastern Berkshire*

- 3.3 The importation and consumption of crushed rock within Berkshire is reported in the Aggregate Monitoring reports. As explained, data is only available for the wider Berkshire area. The 2014 AM survey for England and Wales<sup>5</sup> identifies that 1,161 thousand tonnes of crushed rock was imported into, and consumed within Berkshire, which suggests no onward movement of crushed rock in the former county area.
- 3.4 Table 1 suggests that there is an increasing demand for crushed rock within the Berkshire area. This assumption is supported by the sales from rail depots figures reported by West Berkshire District Council (see Table 2).

<sup>3</sup> Berkshire includes Central & Eastern Berkshire, West Berkshire and Slough.

<sup>4</sup> Somerset LAA 2016: [www.somerset.gov.uk/EasySiteWeb/GatewayLink.aspx?allId=112822](http://www.somerset.gov.uk/EasySiteWeb/GatewayLink.aspx?allId=112822)

<sup>5</sup> Collation of the results of the 2014 Aggregate Minerals survey for England and Wales: [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/563423/Aggregate\\_Minerals\\_Survey\\_England\\_Wales\\_2014.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/563423/Aggregate_Minerals_Survey_England_Wales_2014.pdf). Tables 10 (imports) and 11 (consumption).

Table 2: Sales from West Berkshire Rail Depots (thousand tonnes)

	2016	2017	2018	2019	3-year Av.
<b>Sales</b>	728,771	836,524	901,198	783,075	822,164

Source: Figures obtained from West Berkshire as part of Duty to Cooperate 2021

*Current capacity for crushed rock imports*

- 3.5 There is currently no rail depot to receive crushed rock imports within Central and Eastern Berkshire and therefore, the area is served predominately by the rail depots in West Berkshire.
- 3.6 As the current sales at the rail depots (as shown in Table 2) are currently below earlier amounts, it would suggest that there is existing capacity at the rail depots.
- 3.7 Sales figures published in the 2019 West Berkshire District Council Local Aggregate Assessment<sup>6</sup> show that crushed rock sales increased at the rail depots in West Berkshire.

*Future provision*

- 3.8 The existing aggregate rail depots supplying the Area have sufficient capacity for the future. Central and Eastern Berkshire is fully reliant on their continued operation and any change to this provision would have a significant impact.
- 3.9 The West Berkshire Local Aggregate Assessment (LAA) identifies that a large proportion of the aggregate sold from the rail depots at Theale is then exported out of West Berkshire by road. In terms of capacity at West Berkshire’s rail depots, estimated capacity is above levels of sales in 2019, and one additional depot has begun to import aggregates in 2016, thus increasing capacity. The LAA also confirms that there is sufficient capacity at the rail depots for an increase in demand should this occur in the future.
- 3.10 The safeguarding of the rail depots at Theale, West Berkshire will be important for Central and Eastern Berkshire to ensure a supply of crushed rock, unless a suitable rail depot is located within the Plan area.

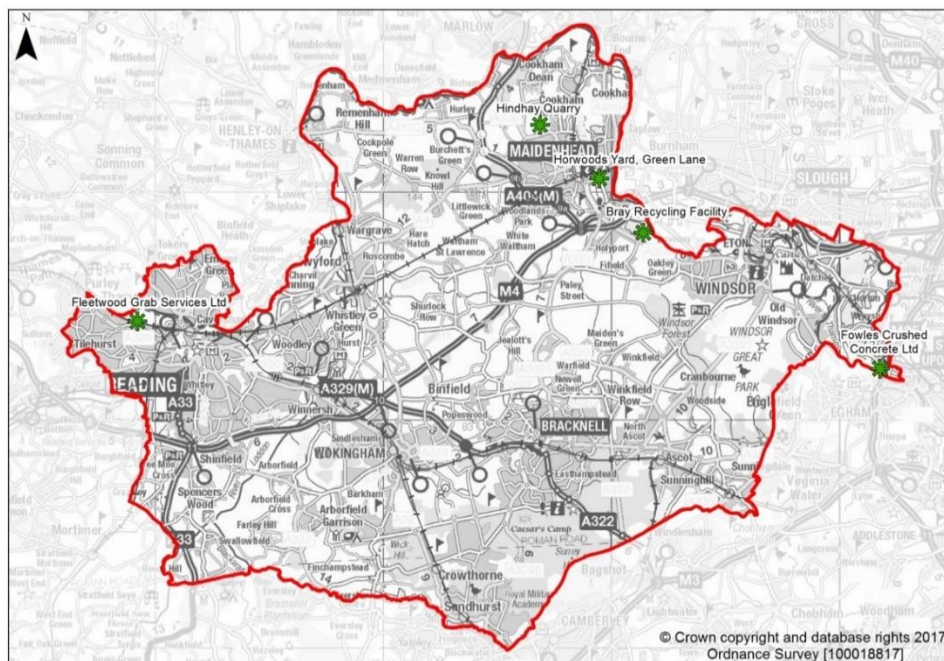
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<sup>6</sup> West Berkshire Local Aggregate Assessment 2018 (April 2019): <https://info.westberks.gov.uk/CHttpHandler.ashx?id=46310&p=0>

#### 4. Aggregate recycling capacity

- 4.1 Recycled aggregates are those derived from construction, demolition and excavation activities that have been reprocessed to provide materials or a product suitable for use within the construction industry. It includes materials such as soils and subsoil, concrete, brick or asphalt for re-use (rather than disposing of it).
- 4.2 Highway maintenance work has the potential to comprise a relatively large source of recycled aggregate through recycled road planings, asphalt, concrete kerbs and soils.
- 4.3 A significant amount of recycled aggregate is processed on development and construction sites, but an increasingly large amount is processed at free standing sites or sites located within existing minerals and waste activities such as mineral extraction, waste transfer, materials recovery and landfilling. Operational sites producing recycled aggregate in Central and Eastern Berkshire in 2019 are shown in Figure 2.

Figure 2: Location of recycled aggregate sites in 2019



- 4.4 Table 1 outlines capacity data on recycled aggregate sites within the Area. The 'recorded capacity' figures used are the capacity figures for the site and therefore, do not necessarily represent the capacity to produce recycled aggregate. The capacity figure has been provided as part of recent Aggregate Monitoring (AM) surveys (the most recent being 2018) or Environment Agency (EA) permit information where a response was not received.

Table 3: Recycled aggregate capacity, in 2019

Facility Name	Unitary Authority	Recorded <sup>(1)</sup> Capacity (tonnes) 2019	Estimated <sup>(2)</sup> Actual Capacity (tonnes) 2019
<b>Datchet/Riding Court Farm</b>	<b>Windsor &amp; Maidenhead</b>	<b>30,000</b>	<b>0</b>
Hindhay Quarry	Windsor & Maidenhead	25,000	25,000 (0)
Bray Quarry	Windsor & Maidenhead	5,000	5,000
Horwoods, Kimber Lane	Windsor & Maidenhead	4,800*	4,800*
Fowles Crushed Concrete Ltd	Windsor & Maidenhead	125,000*	5,000
Fleetwood Grab Services	Reading	75,000*	5,000
<b>Total</b>		<b>264,800</b>	<b>19,800 (Permanent)</b>

Source: (1) AM2019 returns or EA Permit (\*) where no return information available.

(2) Permanent capacity only and likely operational capacity.

- 4.5 The permission at Hindhay is temporary. The operational capacity at Fleetwood and Fowles is likely to be similar to Horwoods as the capacities provided in EA Permits are given as ranges or are for all activities on a site. Should this be the case, the 'estimated actual capacity' of permanent aggregate recycling capacity is approximately 20,000 tonnes.
- 4.6 In 2018, permission was granted for aggregate recycling at Riding Court Farm/Datchet Quarry<sup>7</sup>. The Decision Notice was issued in January 2019 and allows up to 30,000 tonnes per annum which is time-limited to the life of the Quarry.

#### *Production and sales of recycled aggregate in Central and Eastern Berkshire*

- 4.7 There is no reliable or comprehensive data on production or use of recycled aggregates. Historically, production and sales of recycled and secondary aggregate have been recorded on a Berkshire county-wide level. The sales figures of the recycled and secondary aggregate in Berkshire for the most recent 10-year period, 2009-2018 are shown in Table 4.

<sup>7</sup> Riding Court Farm/Datchet Quarry Application: <http://publicaccess.rbwm.gov.uk/online-applications/applicationDetails.do?keyVal=P5ZAR3NIJW700&activeTab=summary>

Table 4: Recycled and secondary aggregate sales in Central and Eastern Berkshire, 2009-2018 (Thousand tonnes, Tt)

Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	10-year Av.	3-year Av.
<b>Berkshire</b>	n/a	200	320	404	408*	400*	498	450	459	459	442	456
<b>Central &amp; Eastern Berkshire**</b>					85	103	128	131	138	92		121

Source: Aggregate Monitoring Surveys, 2010-2019

\*Figures quoted are from the South East Aggregate Monitoring Report (2014 & 2015).

\*\*Please note that Central & Eastern Berkshire Figures also include Colnbrook, Slough

- 4.8 Sales in Berkshire dropped significantly by 33% in 2019 breaking the previous trend of increasing sales.
- 4.9 Sales data for Central and Eastern Berkshire is only available for a six-year period which indicates a trend of 113 Tt per year. Most sales during this period are from the Colnbrook Depot in Slough. The Central and Eastern Berkshire sales represent an average of 23% of the Berkshire Total. If this average was applied to the Berkshire 10-year sales, this would suggest a 10-year trend of 101 Tt per year for Central and Eastern Berkshire.
- 4.10 Central and Eastern Berkshire imports inert waste from a number of neighbouring authorities such as Buckinghamshire, Slough and Surrey. Some of the waste will not be suitable for aggregate recycling and may instead be used for inert fill.

#### *Future provision*

- 4.11 The Mineral Products Association reports that the use of recycled and secondary materials in the British aggregates market has increased rapidly. The proportion of total aggregates supplied from recycled and secondary sources has risen from 10% in 1990 to 29% in 2016<sup>8</sup>. A series of aggregate scenarios were prepared by the Minerals Products Association to determine potential future growth (see Appendix 2 for more details). The study concluded that recycled and secondary materials are likely to continue to make a significant contribution to supply (30%) but this is not expected to continue to grow significantly<sup>9</sup>.

<sup>8</sup> The Mineral Products Industry at a Glance (MPA, 2018): <https://mineralproducts.org/documents/Facts-at-a-Glance-2018.pdf>

<sup>9</sup> Long-term aggregates demand & supply scenarios, 2016-2030 (MPA, 2017): [https://mineralproducts.org/documents/MPA\\_Long\\_term\\_aggregates\\_demand\\_supply\\_scenariors\\_2016-30.pdf](https://mineralproducts.org/documents/MPA_Long_term_aggregates_demand_supply_scenariors_2016-30.pdf)

- 4.12 Whilst Central and Eastern Berkshire has existing (temporary and permanent) capacity, in 2015, West Berkshire was identified as the main processor of recycled aggregates in the wider Berkshire area, with material principally arising in Reading<sup>10</sup>. The current operational capacity to produce recycled aggregate in West Berkshire is 669,250 tonnes per annum<sup>11</sup>.
- 4.13 In 2015, there was sufficient capacity in Berkshire for processing of recycled aggregates, although this includes sites with temporary permissions<sup>12</sup>. The SEEAWP Annual Report 2018 also suggests a capacity margin (headroom) of around 57% at recycled and secondary aggregate sites in the South East but this also includes temporary sites<sup>13</sup>.
- 4.14 The capacity information gained through the AM survey returns and EA permits suggests that there is currently sufficient capacity to treat the arisings derived from the WDI within the Area. However, there remains a significant shortfall in permanent capacity.
- 4.15 In order to ensure suitable and sustainable aggregate recycling provision, additional permanent capacity is required within Central and Eastern Berkshire as the majority of existing capacity is temporary.

## 5. Other mineral issues

- 5.1 Central and Eastern Berkshire's primary indigenous aggregate is sand and gravel. The Joint Minerals & Waste Plan has identified a total requirement of **5.447 Mt** of sharp sand and gravel (0.628 Mt per annum) during the Plan period (taking into account existing reserves).
- 5.2 Soft sand is currently being supplied to Central and Eastern Berkshire by mineral planning authorities outside the Area. Demand for soft sand in Central and Eastern Berkshire during the Plan period could be in the region of 1.0 million tonnes (0.065 million tonnes per annum)<sup>66</sup>.
- 5.3 Due to a shortfall in provision within the Joint Minerals & Waste Plan, it is recognised that this may result in supply being sourced from elsewhere. Therefore, Statements of Common Ground have been prepared separately on these issues with parties, who have the potential to provide supply to Central and Eastern Berkshire the Plan period, invited as signatories.

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<sup>10</sup> Berkshire Local Aggregate Assessment 2014 & 2015 (Atkins, 2016).

<sup>11</sup> West Berkshire Local Aggregate Assessment (2018):

<https://info.westberks.gov.uk/CHttpHandler.ashx?id=47201&p=0>

<sup>12</sup> Berkshire Local Aggregate Assessment 2014 & 2015 (Atkins, 2016)

<sup>13</sup> SEEAWP Annual Report 2018 (Jan 2020): <https://documents.hants.gov.uk/see-awp/SEEAWP-annual-report-2018.pdf>



## 6. Common Ground

- 6.1 The Central & Eastern Berkshire Authorities recognise that there are several options available to Central and Eastern Berkshire to supply the Area with minerals and there is a need for this to be supported to allow for flexibility in demand and changes in the market.
- 6.2 As such, Policy M1 seeks to outline how the Central & Eastern Berkshire Authorities will also work closely with relevant mineral planning authorities to plan for the provision of aggregates from other areas.

### **'Policy M1**

#### ***Sustainable minerals development strategy***

*The long term aims of the Plan are to provide and/or facilitate a steady and adequate supply of minerals to meet the needs of Central and Eastern Berkshire in accordance with all of the following principles:*

- a) *Work with relevant minerals planning authorities to maintain the supply of aggregate not available within Central and Eastern Berkshire;*
  - b) *Deliver and/or facilitate the identified aggregate demand requirements (Policy M3);*
  - c) *Facilitate the supply of other mineral to meet local demands (Policy M6);*
  - d) *Be compliant with the spatial strategy for minerals development (Policy M4).*
  - e) *Take account of wider Local Plans and development strategies for Central and Eastern Berkshire.'*
- 6.3 M8 (Safeguarding minerals infrastructure) seeks to safeguard the minerals infrastructure necessary to deliver a steady and adequate supply of minerals but the supporting text also recognises the importance of infrastructure outside of the Area. Reference is made to the continued safeguarding of this infrastructure by the relevant mineral planning authority and outlines that support will be given to defend any potential loss of capacity.

#### *'Para. 6.140*

*In cases where aggregate rail depots or aggregate wharves in other Minerals Planning Authority areas provide a supply of aggregate to Central and Eastern Berkshire and are under threat of losing their safeguarding status which would result in a loss of capacity, the Central & Eastern Berkshire Authorities will provide support to defend the safeguarding or support the replacement of the capacity.*

#### *Para. 6.141*

*Statements of Common Ground with relevant Mineral Planning Authorities will regularly reviewed through the 'duty to cooperate'. Support will be provided through information sharing, where relevant.'*



- 6.4 In order to maintain a steady and adequate supply of crushed rock to Central and Eastern Berkshire Authorities, it will be necessary for West Berkshire to monitor sales and capacity at the Theale rail depots. It is intended that this information should be shared through the duty to cooperate and will be used to inform and update this Statement of Common Ground.
- 6.5 The Central & Eastern Berkshire Authorities will share appropriate information on their reliance on crushed rock imports to support the safeguarding of minerals infrastructure.
- 6.6 It is recognised that data which would breach commercial confidentiality of the minerals and waste industry would not be shared.
- 6.7 The Joint Minerals & Waste Plan recognises the current movement of inert waste to West Berkshire for processing.

*'Para. 7.73*

*The majority of inert waste is treated outside of the Plan area, predominantly at facilities in West Berkshire and Oxfordshire.'*

- 6.8 However, the Plan aims towards self-sufficiency and therefore, proposals for Aggregate Recycling are encouraged through Policy M5.

***'Policy M5***

***Supply of recycled and secondary aggregates***

- 1. Recycled and secondary aggregate production will be supported, in appropriate locations, to encourage investment in new and existing infrastructure to maximise the availability of alternatives to local land-won sand and gravel.*
- 2. The supply of recycled aggregate will be provided by maintaining a minimum of 0.05 million tonnes per annum.'*

- 6.9 The movement of inert waste from Central and Eastern Berkshire to West Berkshire will continue to be monitored and will be shared through the duty to cooperate. Where necessary, this can be used to inform and update this Statement of Common Ground.

**7. Additional Strategic Matters**

- 7.1 SoCGs have also been prepared regarding the strategic movement and supply of soft sand and sharp sand and gravel to Central and Eastern Berkshire to which West Berkshire have been invited as a signatory (along with other

mineral planning authorities and the South East England Aggregate Working Party).

- 7.2 In addition, a Statement of Common Ground between Waste Planning Authority members of the South East Waste Planning Advisory Group Concerning Strategic Policies for Waste Management has been prepared by the South East Waste Planning Advisory Group to which both the Central & Eastern Berkshire Authorities and West Berkshire have been invited as signatories.

## 8. Agreement by the Parties

- 8.1 An initial version of this SoCG was circulated for comment to the West Berkshire District Council in July 2020. The comments received have been incorporated into this SoCG. Therefore, the following areas (see Section 6) are agreed by the Parties:

- i. The Central & Eastern Berkshire Authorities will share appropriate information on their reliance on crushed rock imports to support the safeguarding of relevant minerals infrastructure in West Berkshire.
- ii. West Berkshire will monitor sales and capacity at rail depots and share this information with the Central & Eastern Berkshire Authorities through the Duty to Cooperate.
- iii. The Central & Eastern Berkshire Authorities will continue to monitor the movement of inert waste to West Berkshire through the Duty to Cooperate.
- iv. This SoCG will be updated regularly as new data on inert waste movements to West Berkshire and aggregate recycling capacity within Central and Eastern Berkshire becomes available.

- 8.2 This Statement is agreed by the Parties, as represented by the following signatories:

[insert signature]  
[Add title – Bracknell Forest Council]

[insert signature]  
[Add title – Reading Borough Council]

[insert signature]  
[Add title – West Berkshire District Council]

[insert signature]  
[Add title – The Royal Borough of Windsor & Maidenhead]

[insert signature]  
[Add title – Wokingham Borough Council]

## Appendix 1: Comments received on the draft Statement and how these have been addressed.

Date received	Respondent	Comment	Action
23/07/2020	Alistair Buckley (on behalf of Bryan Lyttle) (West Berkshire District Council).	[Amended version attached to email].	'District' added to Council title as requested.
11/01/2021	Elise Kinderman (West Berkshire District Council)	2.5 West Berkshire are also preparing a Minerals & Waste Local Plan. A Preferred Options document was published for consultation in May 2017. The document outlined no crushed <b>rock</b> provision (as this is imported predominately from Somerset by rail) but the rail heads are safeguarded. The document also outlined no new additional recycling capacity but safeguarded existing permitted waste sites. The Proposed Submission consultation (scheduled for Jan-Feb 2020) was cancelled due to removal of two significant sites at the request of the landowner is from 04 <sup>th</sup> January – 15 <sup>th</sup> February 2021.	Noted and amended.
		Table 1- 2014 tonnage data. I believe these figures are able to be calculated, as Berkshire consumed 1,161,000 tonnes of CR in 2014.	Noted and amended.
		3.8 Most recent data - estimated capacity is above levels of sales in 2019 (2017)	Noted and amended.
		4.3 Operational sites producing recycled aggregate in <b>Central and Eastern Berkshire</b> in 2018 are shown in Figure 2.	Noted and amended
		4.15 Has it been calculated when this is expected to be needed from?	Most of the existing capacity is temporary and therefore, additional permanent capacity is needed to ensure a sustainable provision. This is the position currently.
		Section 6 – Does this section overlap with section 9 'Agreement by the parties'? Could this section be more appropriately named?	Section 6 sets out the areas of common ground which are being sought from the parties. Section 8 (corrected from 9) outlines that these are being agreed to by the parties. They are linked and a reference to section 6 has now been added to section 8.

		<p>9.1 Did you want to add something about West Berks agreeing to monitor sales and capacity at rail depots and sharing this with CEB through DtC?</p>	Noted and an additional point has been included in 9.1 to cover this agreement.
		<p>9.1 (ii) Has there been any quantification of this to inform Reg. 19? The inspector may be looking for certainty that West Berks sites can continue to accommodate movements from CEB over the plan period.</p>	Movements of waste (including inert) are set out in the Waste Background Study.
24/02/2021	Elise Kinderman (West Berkshire District Council)	<p>Table 2 – Sales from Berkshire and Hampshire Rail Depots. West Berks figures area available from 2016 onwards, would it make sense to use these? 2016: 728,771 2017: 836,524 2018: 901,198 2019: 783,075</p>	Agreed – thank you for sharing the figures. Table 2 has been amended from using a combination of sales from Berkshire and Hampshire Rail Depots (for confidentiality reasons) to using the more relevant data from West Berkshire as provided.
		<p>3.6 If using West Berks sales figures (above) it would be the case.</p>	Noted and amended to reflect this.
		<p>SEAWP report has now been published but for some reason does not include an area break down of rail depot sales, it is reported for the South East as a whole. Since 2016, West Berkshire has been able to publish separate sales figures without compromising confidentiality, and possibly these could be used</p>	Text amended to refer to data from West Berkshire, which includes 2019.
		<p>3.9 In terms of capacity at West Berkshire’s rail depots, estimated capacity is above levels of sales in 2019, and one additional depot has begun to import aggregates <b>in 2016</b>, thus increasing capacity.</p>	Noted year additional depot began to import and amended text.



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**WOKINGHAM**  
BOROUGH COUNCIL

Central and Eastern Berkshire Authorities  
Joint Minerals and Waste Plan

## Statement of Common Ground

between

**The Central and Eastern Berkshire Authorities**

and

**Buckinghamshire Council**

**Hampshire County Council<sup>1</sup>**

**Oxfordshire County Council**

**Surrey County Council**

**West Berkshire Council**

**Wiltshire Council**

On

**Sharp Sand & Gravel Supply**

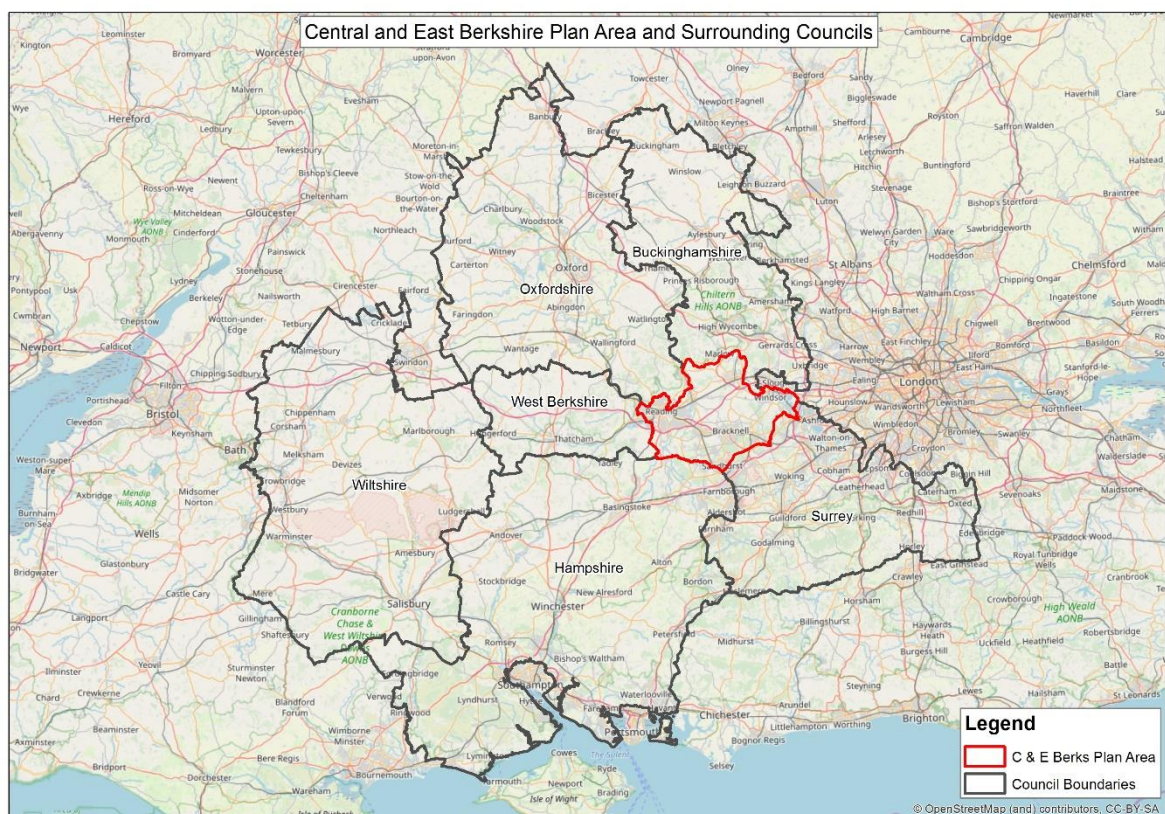
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<sup>1</sup> Including, and on behalf of, Portsmouth City Council, Southampton City Council and New Forest National Park Authority.

## 1. Introduction

- 1.1 This Statement of Common Ground (SoCG) is made between Bracknell Forest Council, Reading Borough Council, the Royal Borough of Windsor and Maidenhead and Wokingham Borough Council (collectively referred to as 'Central & Eastern Berkshire Authorities') and relevant authorities (the parties) that have some common interests in sharp sand and gravel.
- 1.2 The SoCG is being prepared in line with plan-making guidance<sup>2</sup>, in order to comply with the requirements of the National Planning Policy Framework (NPPF)<sup>3</sup>.
- 1.3 The SoCG includes the administrative areas for the parties shown in Figure 1. It is recognised that as newer data becomes available on sharp sand and gravel, the list of parties to this Statement may need to be reviewed.

*Figure 1: Administrative areas of Central & Eastern Berkshire Authorities and Surrounding Authorities which are parties to this Statement*



<sup>2</sup> Planning Practice Guidance, Guidance on Plan-making, 13 September 2018, Ministry of Housing, Communities & Local Government (MHCLG) - <https://www.gov.uk/guidance/plan-making>

<sup>3</sup> NPPF, para 27, July 2018, MHCLG - <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

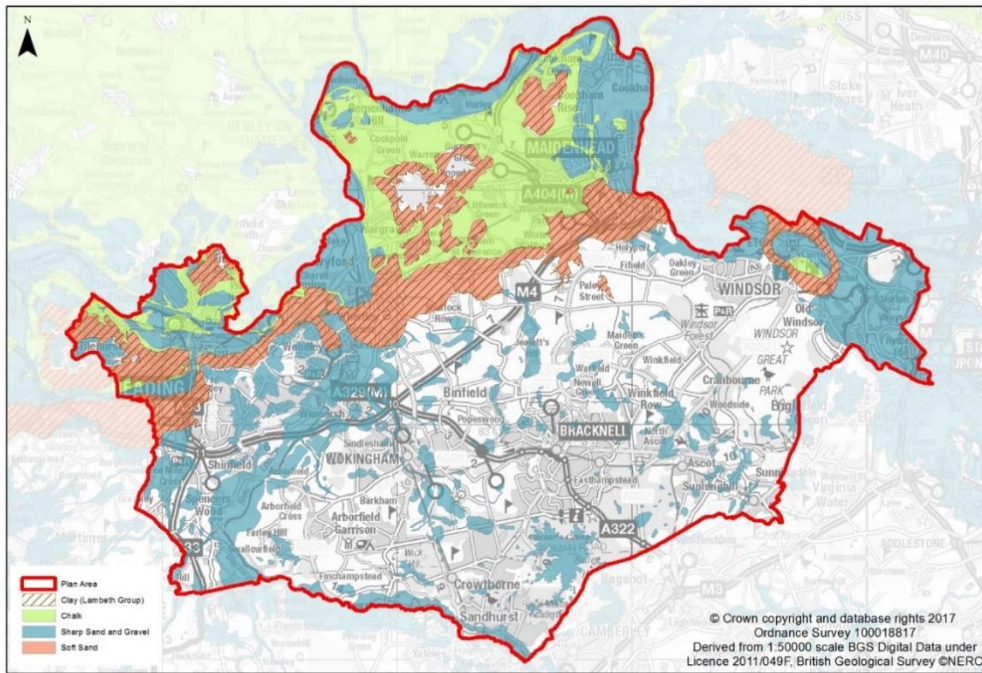


- 1.4 The parties are entering into this SoCG to address strategic cross-boundary sharp sand and gravel supply issues that affect Central and Eastern Berkshire.
- 1.5 This SoCG is provided without prejudice to other matters of detail that the parties may wish to raise in the ongoing requirement to engage constructively and actively in plan preparation through the Duty to Cooperate, or in subsequent participation in the plan making process.

## 2. Background

- 2.1 Bracknell Forest Council, Reading Borough Council, the Royal Borough of Windsor and Maidenhead and Wokingham Borough Council (collectively referred to as 'Central & Eastern Berkshire Authorities') are working in partnership to produce a Joint Minerals & Waste Plan (the 'Plan') for Central and Eastern Berkshire, sometimes referred to as the 'Area'.
- 2.2 Central and Eastern Berkshire's principal geological deposits, in economic terms, are the aggregate or construction minerals which comprise sharp sand and gravel, suitable for most types of concreting purposes.
- 2.3 Geologically, sharp sand and gravel is a very recent deposit, dating from the end of the last ice age (c. 111,700 years ago). As shown in Figure 2, sharp sand and gravel is predominately found along the river valleys, notably the Kennet (which runs from West Berkshire to Reading), Loddon and Thames. It is also found in the river terrace deposits (formerly called 'plateau gravels') which are the remnants of earlier abandoned floodplains raised by geological forces above the present course of the rivers.
- 2.4 The better-quality sharp sand and gravel is mainly used for making concrete and is referred to as 'concreting sand'. Where the deposit contains clay and silt, it is not suitable for concreting and instead is used as a sub-base in roads and hardstandings, or otherwise as a fill material. This poorer quality sharp sand and gravel is colloquially known as 'hoggin'.

Figure 2: Geological map of Central and Eastern Berkshire

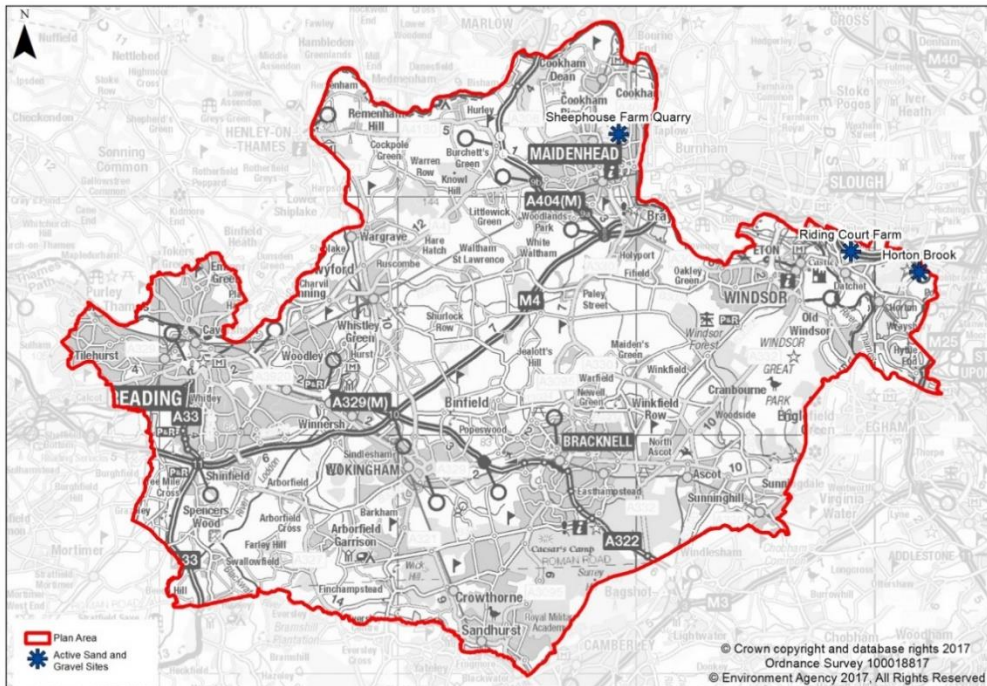


### 3. Sharp sand and gravel supply

#### Supply in Central & Eastern Berkshire

#### 3.1 In 2018, there were three active sand and gravel quarries (see Figure 3).

Figure 3: Active sand and gravel sites in Central and Eastern Berkshire, 2018





- 3.2 An application was granted for an extension at Horton Brook Quarry<sup>4</sup> in 2018 due to greater reserves being identified. Poyle Quarry was granted permission in January 2019<sup>5</sup> and as such has not been included in Figure 3.
- 3.3 In 2017, an application was submitted for extraction at Bridge Farm, Wokingham<sup>6</sup> but this was subsequently refused in 2019. Permission was granted at Water Oakley (known also as ‘Land south of Windsor Road’), Windsor & Maidenhead<sup>7</sup> in 2019 (subject to legal agreements).
- 3.4 The permitted reserves in Central and Eastern Berkshire at 31 December 2018 were 5.857 Mt<sup>8</sup>.
- 3.5 Table 1 outlines the last 10-years of sand and gravel sales. There have been no active soft sand sites within the Area during this period but there has been some limited incidental soft sand extraction.

*Table 1: Sand and gravel sales in Central and Eastern Berkshire 2009-2018 (Thousand tonnes)*

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	10-yr Av.	3-yr Av.
<b>Central &amp; Eastern Berkshire</b>	450	611	852	631	590	920	748	469	491	511	628	490

Source: Central & Eastern Berkshire LAA, 2019

- 3.6 The increase in the 10-year average (in comparison to the 3-year average) reflects the increase in sales between 2013 and 2014 in Central and Eastern Berkshire (from 590 Thousand tonnes per annum (Ttpa) to 920 Ttpa respectively) but with a drop in 2015 and 2016 to 469 Ttpa. The increase in sales in 2014 can largely be attributed to the re-opening of Sheephouse Farm quarry during that year. The drop in sales in 2016 is likely to be due to the closure of Eversley Quarry and Kingsmead Quarry. However there has been some recovery in sales since 2017.

<sup>4</sup> Horton Brook Quarry Application: <http://publicaccess.rbwm.gov.uk/online-applications/applicationDetails.do?keyVal=POUNO2NIKCC00&activeTab=summary>

<sup>5</sup> Poyle Quarry Application: <http://publicaccess.rbwm.gov.uk/online-applications/applicationDetails.do?keyVal=OYZQ75NI0QY00&activeTab=summary>

<sup>6</sup> Bridge Farm Application: <http://planning.wokingham.gov.uk/FastWebPL/detail.asp?AltRef=170433&ApplicationNumber=&AddressPrefix=&Postcode=&KeywordSearch=bridge+farm&Submit=Search>

<sup>7</sup> Water Oakley (Known as Land South of Windsor Road) 18/03167/MINW:

<http://publicaccess.rbwm.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PHF8GVNIOC00>

<sup>8</sup> Aggregate Monitoring (AM) 2018 survey results

## Supply in the South East

- 3.7 Central and Eastern Berkshire is within the South East region and is part of the South East England Aggregate Working Party (SEEAWP). Each year, aggregates data is monitored by each mineral planning authority and collated on a regional basis to assess whether a full contribution is being made to aggregates requirements.
- 3.8 The 2018 South East Monitoring Report<sup>9</sup> states that sharp sand and gravel sales are the highest since 2009 and higher than the 10-year and 3-year averages. The reserves are below the 10-year average but well above the 3-year averages. The landbank is 10 years but the replenishment rate has declined during the last 3 years.

## Imports

- 3.9 The market dictates that sand and gravel will be obtained from the cheapest location for that particular material, and mineral planning authority boundaries do not influence the flow of minerals. Where the demand in Central and Eastern Berkshire can be satisfied most efficiently and cost effectively from locations in other areas, then it will. This may be due to the specific type or quality that is required only being available in a neighbouring mineral planning authority area, the source is a more sustainable location or simply due to the fact that the point of demand is closer to the point of supply somewhere other than in Central and Eastern Berkshire.
- 3.10 The most recent data available on the movement of sand and gravel is the 2014 Aggregate Monitoring survey which was carried out nationally by the British Geological Survey on behalf of the Department for Communities and Local Government. However, the Central and Eastern Berkshire authorities were included within the wider Berkshire area and therefore, it is not possible to determine specific movements associated with the Plan Area. It is also recognised that the data is out-of-date and may not represent the current circumstances.
- 3.11 A future national Aggregate Monitoring survey is planned by the Ministry for Housing, Communities and Local Government in 2020 for the period 2015-2019. Whilst the results are not currently available to inform the Plan or the Statement of Common Ground, should they in due course indicate a different picture the Statement will be revised to include any additional relevant parties.

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<sup>9</sup> South East Annual Monitoring Report 2018 (South East England Aggregate Working Party, 2019): <https://documents.hants.gov.uk/see-awp/SEEAWP-annual-report-2018.pdf>

3.12 The Aggregate Monitoring surveys shows that in 2009 and potentially to a greater extent in 2014, just over half of the sand and gravel consumed in Berkshire originated from Berkshire and the rest was imported from a range of sources (see Table 2). The largest proportion was from Hampshire which has supplied an increasing amount and in 2014 supplied between 10% to 20% of the land-won sand and gravel consumed.

Table 2: Sources of Sand and Gravel Consumed in Berkshire in 2009 and 2014 (thousand tonnes)

Source	2009		2014	
	Proportion	Tonnage*	Proportion	Tonnage*
Berkshire	56%	507	40-60%**	240-360
Hampshire	10-15%	90.5-135.75	10-20%	60-120
Wiltshire, Oxfordshire	Between 1% and 5% from each area	n/a	10-20%	60-120
Other areas	Between 10% and Less than 1% from each area	n/a	Between 10% and Less than 1% from each area	n/a
*Where known or proportion of known total				
**Combined percentage of two Berkshire Unitary Authorities both supplying 20-30% each				

Source: BGS

#### 4. Future aggregate supply

##### Demand

4.1 Economic and construction aggregate forecasts are considered to be useful for providing an overall contextual picture and an indication of anticipated aggregate demand. In summary, the findings are as follows:

- The Mineral Products Association produces a regular medium-term (three-year) market forecast for construction materials. In 2018, the Mineral Products Association suggested only a 4% increase in primary aggregates between 2018 and 2020 but an 8% increase from 2017 in building sand due to mortar sales<sup>10</sup>.
- The Office for National Statistics Construction Output bulletin for February 2020<sup>11</sup> indicated that there had been a decline of 1.7% in construction output

<sup>10</sup> The Mineral Products Association – Facts at a Glance (2018): <https://mineralproducts.org/documents/Facts-at-a-Glance-2018.pdf>

<sup>11</sup> Construction output in Great Britain: February 2020: <https://www.ons.gov.uk/businessindustryandtrade/constructionindustry/bulletins/constructionoutputingreatbritain/february2020>

which could be partly attributed to adverse weather conditions (the wettest since records began).

- The Office for Budgetary Responsibility (OBR)<sup>12</sup> forecasts for 2020 and 2021 are 1.1% and 1.8% respectively. These figures are below previous estimates due to the ‘deterioration in the global outlook and the slowdown in UK growth at the end of 2019, which was likely partly due to ongoing Brexit-related uncertainty’.
- A review of GVA<sup>13</sup> as an economic indicator forecasts the South East to have the greatest growth between 2019 and 2029 at 1.6% (compared to London’s 1.0%).
- The Berkshire Economic Strategy<sup>14</sup> predicts an increase in GVA in the Thames Valley Berkshire Local Enterprise Partnership (LEP) area of 2.6% between 2020-2025.

4.2 The forecasts indicate a variety of trends but, overall, one of slow growth. The forecasts have outlined that there is uncertainty over the impact of the United Kingdom leaving the European Union (‘Brexit’) on the economy and the effect on growth. More recently, there has been concern over the impact of the international emergency response to the Corona Virus (COV-19) pandemic on the minerals industry. As a result, relevant forecasts will be regularly monitored and kept under review.

4.3 In relation to local infrastructure projects, there are both housing and transport projects that are likely to place an additional demand on future aggregate demand in Central and Eastern Berkshire.

4.4 There are in the region of 55,000 remaining new homes projected within the area over the plan period, up to 2036<sup>15</sup>. Using the updated ‘Standard Method for Housing Need’<sup>16</sup> published in February 2019, the requirement for Central and Eastern Berkshire over the plan period is in the region of 46,000 new homes.

4.5 The Heathrow Expansion is a major future infrastructure scheme in the area. The latest Construction Proposals<sup>17</sup> suggest that a surplus of sharp sand and

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<sup>12</sup> Office for Budget Responsibility – Economic and Fiscal Outlook (March 2020):

[https://cdn.obr.uk/EFO\\_March-2020\\_Accessible.pdf](https://cdn.obr.uk/EFO_March-2020_Accessible.pdf)

<sup>13</sup> Regional and County Indicators – UK Parliament (April 2020)

<sup>14</sup> Thames Valley Berkshire: Delivering national growth, locally – Strategic Economic Plan, 2015/16 – 2010/21 (see Figure 4): [www.lepnetwork.net/modules/downloads/download.php?file\\_name=38](http://www.lepnetwork.net/modules/downloads/download.php?file_name=38)

<sup>15</sup> Berkshire (including South Bucks) Strategic Housing Market Assessment (2016)

<sup>16</sup> Housing and Economic Needs Assessment (2019) – National Planning Practice Guidance:

<https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments>

<sup>17</sup> Construction Proposals – building an expanded Heathrow (June 2019):

<https://aec.heathrowconsultation.com/wp-content/uploads/sites/5/2019/06/Construction-Proposals.pdf>

gravel may be available to feed into the local supply chain. However, the recent High Court challenge and subsequent permission to appeal to Supreme Court by Heathrow Airport Ltd and Arora Holdings mean the future of the proposal and its impact on the Plan Area is unclear.

- 4.6 Other National Infrastructure projects within 30-50 miles of Central and Eastern Berkshire include Crossrail (Elizabeth Line), improvements to the M25, M3 and M4, as well as the Datchet to Teddington flood defences. A distance of 30-50 miles is the estimated distance over which the majority of sand and gravel produced is transported.
- 4.7 All these projects are of significant scale and require the future demand to be accounted for in future aggregate supplies, over and above the annual infrastructure delivery programme. The emerging Infrastructure Delivery Plans contain more information on the level of future development planned for the area, which cumulatively will place additional pressure on aggregate supplies.
- 4.8 The indication, therefore, is of an increase in future infrastructure delivery in the Central and Eastern Berkshire area, leading to an increase in future aggregate demand. However, short-term demand may be subject to uncertainty due to recent national events.

### Landbank

- 4.9 The Local Aggregate Assessment for the period 2018, determined the LAA Rate as 0.628 million tonnes<sup>18</sup>. Based on the 2018 LAA rate the landbank for sand and gravel is 9.3 years (see Table 3).

*Table 3: Central and Eastern Berkshire sand and gravel landbanks*

	<b>Permitted Reserve (Tt)</b>	<b>Landbank based upon 10yr average sales between 2009-2018 (years)</b>	<b>Landbank based upon 3yr average sale between 2016-2018 (years)</b>	<b>Landbank based on 2018 LAA Rate</b>
<b>Total Sand &amp; Gravel</b>	5,857	9.3	12.0	9.3

Source: Aggregate Monitoring survey data.

### Future provision

- 4.10 The proposed Plan period is up to 2036. If the LAA rate is projected forward from 2018 to 2036 a total of 11.304 million tonnes (Mt) of sharp sand and

<sup>18</sup> Central and Eastern Berkshire – Local Aggregate Assessment 2018: [www.hants.gov.uk/berksconsult](http://www.hants.gov.uk/berksconsult)

gravel would be required over the course of the Plan. Current permitted reserves for Central and Eastern Berkshire are 5.857 Mt (not including Star Works Quarry<sup>19</sup>). This means that there is a total remaining requirement of 5.447 Mt of sharp sand and gravel (0.628 Mt per annum).

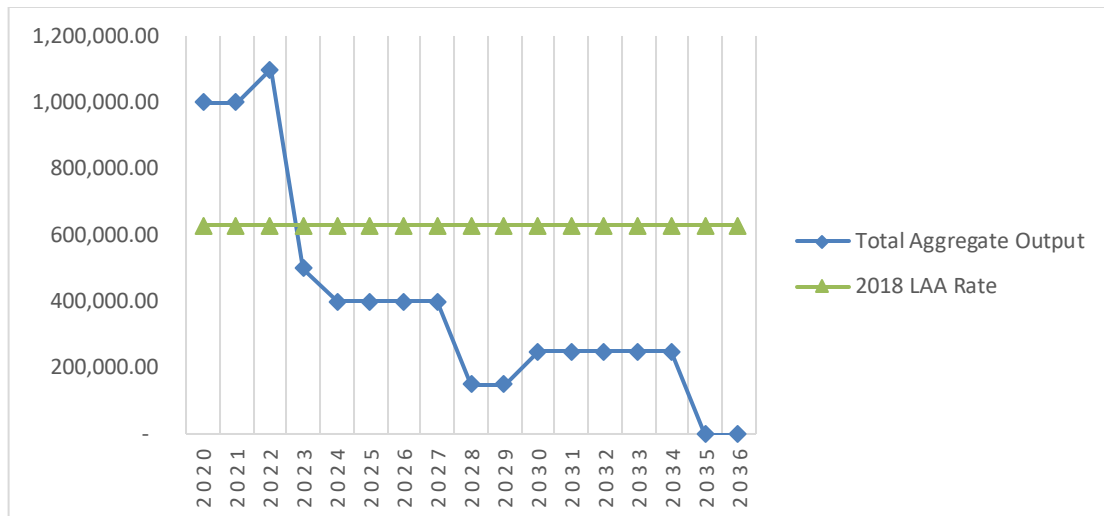
- 4.11 A number of Preferred Areas remain undeveloped from the *Replacement Minerals Local Plan for Berkshire*<sup>20</sup>. There is no certainty that these sites will ever be worked. A number of these are located within West Berkshire, but others are located within Central and Eastern Berkshire and Slough.
- 4.12 The Proposed Submission - Joint Minerals & Waste Plan includes sand and gravel allocations which total a provision of 0.4 Mt (subject to approval by the Berkshire Authorities). In addition, Poyle Quarry was granted permission in January 2019 which will provide 0.8 Mt. Water Oakley (Land south of Windsor Road) was permitted in December 2019 (subject to legal agreements) which includes 1.7 Mt. Neither of these permissions were included in the Reserves at 31<sup>st</sup> December 2018. This means there is a shortfall of 2.5 Mt in total provision.
- 4.13 Each of the existing operations and allocations include an annual throughput which outlines the rate at which the site will deplete. Figure 5 shows the rate of depletion (Total Aggregate Output) of the allocations based on the estimated commencement date of the proposals as well as the remaining reserves of the existing operations (including those recently permitted). This is plotted against the planned provision rate of 0.628 Mt (Target Aggregate Output). Figure 5 demonstrates that despite the allocations, the Plan will experience a shortfall in overall provision from 2023. This is partly due to the fact that the allocations are extensions to existing sites and that other current operational sites are expected to cease, following their completion.

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<sup>19</sup> The reserves at this site are not considered to be viable and there are no known plans for extraction.

<sup>20</sup> Replacement Minerals Local Plan for Berkshire. 2001: [www.bracknell-forest.gov.uk/replacement-minerals-local-plan-for-berkshire-2001.pdf](http://www.bracknell-forest.gov.uk/replacement-minerals-local-plan-for-berkshire-2001.pdf)

Figure 4: Predicted depletion rate of sand and gravel in Central and Eastern Berkshire



4.14 The Central & Eastern Berkshire Authorities are therefore seeking to demonstrate the potential for provision within the Plan area by outlining a sand and gravel ‘Area of Search’.

4.15 Monitoring undertaken by the Mineral Products Association indicates that the average road delivery distance for aggregates has varied between 26 and 35 miles in recent years<sup>21</sup>. However, historically, the average distance has been assumed to be between 30-50 miles. As such, neighbouring mineral planning authorities have been identified as potential future sources of sharp and gravel should suitable proposal not be forthcoming within the Area of Search to meet demand. However, it is recognised that those at a greater distance such as Oxfordshire and Wiltshire may present a less sustainable option due to the potential for greater transport impacts.

4.16 Wiltshire is also included as a potential source of supply based on the 2014 Aggregate Monitoring survey. Although, it is recognised that both Wiltshire and Oxfordshire, may have been supplying West Berkshire rather than Central and Eastern Berkshire due to proximity.

## 5. Local Plans

5.1 Mineral Planning Authorities are required to prepare Plans for providing a steady and adequate supply of minerals. National policy also states that these Plans need to be reviewed at least every five years to determine whether they are effective.

<sup>21</sup> Mineral Products Association - Sustainable Development Report (2018)  
[https://mineralproducts.org/documents/MPA\\_SD\\_Report\\_2018.pdf](https://mineralproducts.org/documents/MPA_SD_Report_2018.pdf)

- 5.2 Table 2 outlines the Local Plan status for the Authorities that have been considered as part of the Soft Sand Study and the current landbank for sharp sand and gravel.
- 5.3 Only Buckinghamshire has a recently updated adopted Plan. West Berkshire is preparing a new Plan. Hampshire, Surrey, and Wiltshire (and Swindon) are currently reviewing or plan to review their Plans.
- 5.4 Whilst it is not possible to determine Buckinghamshire's or Wiltshire's landbank, the only mineral planning authority area which has a landbank below the minimum 7-year requirement is Surrey. Whilst the Plan is currently subject to a review, the ability of Surrey to achieve a landbank of more than 7 years is uncertain.
- 5.5 Oxfordshire adopted their Minerals and Waste Local Plan: Part 1 - Core Strategy in 2017 and are currently working on Part 2: Site Allocations (Sites Plans). Therefore, the provision rate set in the Core Strategy seeks to address Oxfordshire's soft sand requirements, not that of other mineral planning areas.



Table 4 – Mineral Local Plan Status

Planning Authority	Plan Status	Sharp sand & Gravel provision	Current Landbank (2018) <sup>22</sup>	Current focus
Buckinghamshire Council	The Minerals and Waste Local Plan 2016-2036 was adopted in 2019 <sup>23</sup> .	0.81 mtpa of sand and gravel from the Thames and Colne Valleys (primary focus area) and 0.12 mtpa of sand and gravel from the Great Ouse Valley (secondary focus area).	10 years* *MK and Bucks reported jointly	Became a Unitary - on 1 <sup>st</sup> April 2020. Work is starting on a Buckinghamshire Local Plan with the LDS expecting to be approved in December 2020.
Hampshire County Council	Minerals and Waste Plan adopted in 2013 <sup>24</sup> .	1.28mtpa to 2030	9 years	Currently undertaking a 2020 Review of the Plan.
Oxfordshire County Council	Minerals & Waste Local Plan: Core Strategy was adopted 2017 <sup>25</sup>	1.015 mtpa to 2031 / 18.270 mt total reserve	13 years	Currently preparing the Sites Allocation Plan. Preferred Options completed in 2020.
Surrey County Council	Core Strategy and Primary Aggregates Plan adopted in 2011 <sup>26</sup> .	24mt of aggregate between 2009 and 2026 (included soft sand)	5 years	A review of the conformity of the Surrey Minerals Plan with the NPPF was carried out in 2014.  The current anticipated programme for future review and adoption of the Surrey Minerals Plan is: <ul style="list-style-type: none"> <li>• Issues and options – June 2021</li> </ul>

<sup>22</sup> South East Annual Monitoring Report (SEEAWP, 2019) - <https://documents.hants.gov.uk/see-awp/SEEAWP-annual-report-2018.pdf>

<sup>23</sup> Buckinghamshire Council: Minerals & Waste Local Plan - <https://www.buckscc.gov.uk/media/4514370/buckinghamshire-minerals-and-waste-local-plan-2016-2036.pdf>

<sup>24</sup> Hampshire County Council: Minerals & Waste Local Plan - <https://documents.hants.gov.uk/mineralsandwaste/HampshireMineralsWastePlanADOPTED.pdf>

<sup>25</sup> Oxfordshire County Council: Core Strategy - <https://www2.oxfordshire.gov.uk/cms/sites/default/files/folders/documents/environmentandplanning/planning/mineralsandwaste/September2017/AdoptedMineralsWasteCoreStrategySept2017.pdf>

<sup>26</sup> Surrey County Council: Core Strategy & Primary Aggregates Plan - [https://www.surreycc.gov.uk/\\_data/assets/pdf\\_file/0007/81439/Adopted-Core-Strategy-Development-Plan-Document.pdf](https://www.surreycc.gov.uk/_data/assets/pdf_file/0007/81439/Adopted-Core-Strategy-Development-Plan-Document.pdf)

				<ul style="list-style-type: none"> <li>Adoption – Spring/Summer 2024</li> </ul>
West Berkshire Council	<p>Replacement Minerals Local Plan for Berkshire adopted 2001<sup>27</sup></p> <p>Emerging new Minerals and Waste Local Plan.</p>	Proposed Submission <sup>28</sup> : 2.574 million tonnes of construction aggregate (includes soft sand)	14 years <sup>29</sup>	Submission version consultation is (scheduled Jan-Feb 2021 with submission to SoS anticipated in summer of 2021 and examination hearings in autumn/winter of 2021.
Wiltshire Council	<p>Minerals Core Strategy<sup>30</sup> and Minerals Development Control Policies DPD adopted 2009<sup>31</sup>.</p> <p>Wiltshire and Swindon Aggregate Minerals Site Allocation Local Plan was adopted in 2013<sup>32</sup></p>	1.85 million tonnes per annum	Not available.	LDS (2018): A review will be undertaken in 2019/20 in co-operation with Swindon Borough Council. If it is considered necessary to programme a review, this will be set out in the next update to the LDS.

<sup>27</sup> Berkshire: Minerals Local Plan - <https://www.bracknell-forest.gov.uk/sites/default/files/documents/replacement-minerals-local-plan-for-berkshire-2001.pdf>

<sup>28</sup> West Berkshire Council: Proposed Submission <https://info.westberks.gov.uk/CHttpHandler.ashx?id=43657&p=0>

<sup>29</sup> West Berkshire Council: Local Aggregate Assessment - <https://info.westberks.gov.uk/CHttpHandler.ashx?id=47201&p=0>

<sup>30</sup> Wiltshire Council: Core Strategy - <http://www.wiltshire.gov.uk/minerals-core-strategy-june-2009.pdf>

<sup>31</sup> Wiltshire Council: Minerals Development Control Policies - <http://www.wiltshire.gov.uk/adopted-minerals-development-control-policies-dpd-2009-september.pdf>

<sup>32</sup> <http://www.wiltshire.gov.uk/minerals-adopted-sites-local-plan-may-13.pdf>

## 6. Alternative Supplies

### *Crushed rock*

- 6.1 Crushed rock can be used as a substitute for sharp sand and gravel. The geology of Central and Eastern Berkshire means that it does not have its own source of crushed and hard rock minerals such as limestone. Therefore, those minerals that cannot be derived from within the Plan area have to be imported by rail and road in order meet local needs.
- 6.2 The dominant source of crushed rock for Berkshire is Somerset which has some 400 million tonnes of approved reserves (equivalent to 29.9 years)<sup>33</sup>. While not all the quarries in Somerset have rail connections, those that do form a significant proportion. Provided Somerset maintain its productive capacity, it is estimated that there are sufficient reserves available to supply on-going market demand.
- 6.3 There is currently no rail depot to receive crushed rock imports within Central and Eastern Berkshire. As such, it is assumed that the area is served predominately by the rail depots in West Berkshire. The West Berkshire Local Aggregate Assessment (LAA)<sup>34</sup> identifies that a large proportion of the aggregate sold from the rail depots at Theale is then exported out of West Berkshire by road. The LAA also states that there is sufficient capacity at the rail depots for an increase in demand should this occur in the future.
- 6.4 The safeguarding of the rail depots at Theale, West Berkshire will be important for Central and Eastern Berkshire to ensure a supply of crushed rock, unless a suitable rail depot is located within the Plan area.

### *Marine sand and gravel*

- 6.5 The 2014 Aggregate Monitoring Survey records marine aggregate as being received in Berkshire from Hampshire and London via rail. The 2014 import figures are a significant increase from 2009 (152 Tt from 98 Tt) which suggests this could be an increasing source of supply. Whilst neighbouring West Berkshire and Slough have rail depots, there are none within Central and Eastern Berkshire.
- 6.6 The safeguarding of wharves will be critical to any future increase of marine sand and gravel as a source of supply. Hampshire's wharves are safeguarded

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<sup>33</sup> Somerset LAA 2016: [www.somerset.gov.uk/EasySiteWeb/GatewayLink.aspx?allId=112822](http://www.somerset.gov.uk/EasySiteWeb/GatewayLink.aspx?allId=112822)

<sup>34</sup> West Berkshire Local Aggregate Assessment 2018 (April 2019):  
<https://info.westberks.gov.uk/CHttpHandler.ashx?id=46310&p=0>

through the Hampshire Minerals & Waste Plan (adopted 2013)<sup>35</sup>. London's wharves are safeguarded through the London Plan (2016)<sup>36</sup>.

#### *Recycled and secondary aggregate*

- 6.7 Secondary and recycled aggregate do not currently substitute for primary aggregates in structural uses, only in lower specification construction uses, such as the sub-base in roads and car parks. The main use is to provide a fill that substitutes for the lower quality sand and gravel produced within Central and Eastern Berkshire.
- 6.8 There is no secondary aggregate produced within Central and Eastern Berkshire. There is no reliable or comprehensive data on production or use of recycled aggregates. Data on sales of recycled aggregate have historically been recorded on a Berkshire-wide level. Sales specifically attributed to Central and Eastern Berkshire have been recorded for five years and this shows a steady increase from 85 Tt in 2014 to 135 Tt in 2018. It is estimated that the capacity for recycled aggregate production in Central and Eastern Berkshire is in the region of 280 Tt but that the permanent capacity is as little as 40-45 Tt.
- 6.9 The Mineral Products Association undertook aggregate scenarios to determine potential future growth<sup>37</sup>. The study concluded that recycled and secondary materials are likely to continue to make a significant contribution to supply (30%) but that the figure is not expected to continue to grow significantly.

## 7. Common Ground

- 7.1 The Emerging Central and Eastern Berkshire - Joint Minerals & Waste Plan outlines in Policy M3 a requirement of 0.628 Mtpa of sharp sand and gravel throughout the Plan period. However, it also recognises that there is a need for flexibility and therefore, local circumstances will need to be monitored and the provision figure will be adjusted, should this be required.
- 7.2 Policy M2 (Safeguarding sand and gravel resources) states that sharp sand and gravel resources will be safeguarded within the Minerals and Waste

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<sup>35</sup> Hampshire Minerals & Waste Plan (2013):

<https://documents.hants.gov.uk/mineralsandwaste/HampshireMineralsWastePlanADOPTED.pdf>

<sup>36</sup> London Plan (Mayor of London, 20186): <https://www.london.gov.uk/what-we-do/planning/london-plan/current-london-plan/london-plan-2016-pdf>

<sup>37</sup> Long term aggregates demand supply scenarios (2016-30) (MPA, 2017):

[https://mineralproducts.org/documents/MPA\\_Long\\_term\\_aggregates\\_demand\\_supply\\_scenariors\\_2016-30.pdf](https://mineralproducts.org/documents/MPA_Long_term_aggregates_demand_supply_scenariors_2016-30.pdf)

Safeguarding Area. Policy M2 seeks to maximise prior extraction opportunities in the Plan Area to bolster supply.

- 7.3 Policy M4 seeks to facilitate the extraction of sharp sand gravel reserves at the identified allocations and resources in appropriate locations. An appropriate location is situated within the Area of Search (as shown on the Policies Maps) and one that meets all planning policy requirements of the Plan as a whole.
- 7.4 Whilst it is recognised that recycled aggregate can only form a limited substitute to meet the total demand of sand and gravel, Policy M5 seeks to maintain existing aggregate recycling facilities and encourage new facilities in appropriate locations.
- 7.5 Marine sand and gravel and crushed rock currently form part of the aggregate supply to the Area, but these sources are not within the administrative boundaries of the Central and Eastern Berkshire Authorities.
- 7.6 In order to maintain a steady and adequate supply of sharp sand and gravel, and its substitutes sources, to Central and Eastern Berkshire, it will be necessary to monitor current and future supply sources under the Duty to Cooperate obligations. It is intended that this should be used to inform and update this Statement of Common Ground.
- 7.7 Given the shortfall of provision in the Central and Eastern Berkshire area, the parties agree that there is a need to recognise existing movements and take into consideration the sharp sand and gravel needs of Central and Eastern Berkshire in their plan-making, as required by the National Planning Policy Framework.
- 7.8 It is recognised that suitable resources are located within the Plan area as sought to be demonstrated through the Area of Search outlined within the Plan. It is envisaged that during the Plan period (up to 2036) suitable proposals will be forthcoming within the Area of Search and it is hoped that the reliance on external sources will be reduced.
- 7.9 The South East England Aggregate Working Party – Annual Report 2018 highlights that sharp sand and gravel sales have increased since 2009 and there is a regional landbank of 10-years. There is variation in quarry capacity across South East England, although it is only Hampshire that has a capacity margin lower than 25%. However, the report also recognises there has been a decline in the replenishment rate over the last three years.
- 7.10 There is no commitment by any one party to supply the shortfall in sharp sand and gravel to Central and Eastern Berkshire but for parties to plan positively in

order to continue existing supply sources, where sustainable and in compliance with national policy. In the event current supply patterns cannot be maintained alternatives will be explored under the Duty to Cooperate in the preparation of Plans.

- 7.11 As more data on the movement of sharp sand and gravel becomes available, the parties to this Statement will be reviewed subject to the outcome of Duty to Cooperate discussions.

## 8. Additional Strategic Matters

- 8.1 A Statement of Common Ground has also been prepared regarding the strategic movement and supply of Soft Sand to Central and Eastern Berkshire.

## 9. Agreement by the Parties

- 9.1 An initial version of this SoCG was circulated for comment to the Parties and the SEEAWP in 2020. The comments received are outlined in Appendix 1 and have been incorporated into this SoCG. Therefore, the following areas are agreed by the Parties:

- i. The Central & Eastern Berkshire Authorities will continue to monitor sharp sand and gravel supply through the Duty to Cooperate.
- ii. This SoCG will be updated regularly as new data on sharp sand and gravel supply becomes available.
- iii. To plan positively in order to continue existing supply sources, where sustainable and in compliance with national policy.
- iv. A shortfall in sharp sand and gravel supply in Central and Eastern Berkshire may result in supply being sourced from other locations which may include those areas, party to this agreement. However, it is recognised that those located at a greater distance may have result greater transport impacts.
- v. The Parties will take into consideration the sharp sand and gravel supply needs of Central & Berkshire when reviewing and updating their Plans.

- 9.2 This Statement is agreed by the Parties, as represented by the following signatories:

[insert signature]  
[Add title – Bracknell Forest Council]

[insert signature]

[Add title – Buckinghamshire Council]

[insert signature]

[Add title – Hampshire County Council (on behalf of Portsmouth City Council, Southampton City Council and New Forest National Park Authority)]

[insert signature]

[Add title – Oxfordshire County Council]

[insert signature]

[Add title – Reading Borough Council]

[insert signature]

[Add title – Surrey County Council]

[insert signature]

[Add title – West Berkshire District Council]

[insert signature]

[Add title – Wiltshire Council]

[insert signature]

[Add title – The Royal Borough of Windsor & Maidenhead]

[insert signature]

[Add title – Wokingham Borough Council]

- 9.3 This Statement is also agreed by the South East England Aggregate Working Party, as an additional signatory:

[insert signature]

[Tony Cook – Chair, South East England Aggregate Working Party]

Appendix 1: Comments received on the draft Statements and how these have been addressed.

Date received	Respondent	Comment	Action
04/09/2020	Charlotte Simms (Oxfordshire County Council)	We have some comments to make on a number of areas within the Statement of Common Ground (SCG) and would be open to further conversations on these.	Noted.
		Our main area for discussion is the possible reliance on Oxfordshire to deliver the sand and gravel shortfall over the Plan period and the evidence for this approach. Whilst we acknowledge that the Reg 18-Joint Minerals and Waste Local Plan did not put the requirement of supply on any single Authority, the preparation of the SCG acknowledges that six Authorities, including Oxfordshire, will be potentially responsible for delivering the shortfall within CEB. As one of those Authorities, we would like to address some of the points raised within the SCG.	Noted.
		<p><b>Comments on Section 3 -Sharp sand and gravel supply</b></p> <p>Paragraph 3.9 (Imports) includes the sentence “where the demand in Central and Eastern Berkshire (CEB) can be satisfied most efficiently and cost effectively from locations in other areas, such as West Berkshire, Hampshire, Oxfordshire or Buckinghamshire, then it will.” Whilst we recognise that minerals flow across boundaries, this sentence is particularly strong and the naming of the Authorities, based on the information within the SCG and other available evidence, is not required at this stage. It reads as if these four Authorities will be responsible for delivering the shortfall within CEB.</p>	Noted. Para. 3.9 has been amended to remove reference to these locations. The point being made is that supply is driven by cost and efficiency but minerals planning authorities cannot dictate the locations, other than those in their plan area.
		We acknowledge that this is based on the most up to date survey information and the Aggregates Monitoring Survey 2014 shows that Oxfordshire did supply minerals to Berkshire. However, there are two factors that should be considered here. Firstly, as the SCG highlights, mineral movements to the whole of Berkshire (Not just CEB) were reported within this survey in 2014. Secondly it can be considered that 2014 was a particularly high year for sand and gravel sales within Central and Eastern Berkshire (Table 1). 2014 sales were almost twice the current 3-year average and nearly 300,000 tonnes more than the 10-year average. If you look at 2009, Oxfordshire only provided between	<p>It is agreed that the 2014 data is out-of-date and, that based on the current circumstances, the figures are likely to be different but at present this is the best available data.</p> <p>However, the points raised have been noted as context to these figures in Para. 3.10.</p>



		1% and 5% of the mineral required.	
		Therefore, until further information, such as the Annual Monitoring Survey 2019 is published and we can determine whether this movement continues at such a level, I think that the naming of Authorities within 3.9 is not required. It is considered that acknowledging that minerals comes from outside CEB should be sufficient.	Noted. Para. 3.9 has been amended.
		Within this paragraph we would also hope that as well as efficiently and cost effectively, demand is met from the most sustainable locations.	Noted. Para. 3.9 has been amended.
		<b>Section 4 Future Aggregate Supply</b>  Whilst we support the inclusion of an Area of Search, due to the lack of sand and gravel allocations proposed to be included within your draft Joint Minerals and Waste Local Plan, we still raise concerns that the identified shortfall of 2.5mt for your Plan period, will potentially be for other Authorities to deliver.  Your Statement of Common Ground implies that Oxfordshire could be a neighbouring source for supplying Central and Eastern Berkshire with Sharp Sand and Gravel, potentially as soon as 2023, when CEB could first experience a shortfall in provision (Figure 4).  Oxfordshire maintains a sharp sand and gravel landbank to ensure we meet our sharp sand and gravel requirements over our Plan period as set out in our Core Strategy 2017. This is based on the information available at the time of the Core Strategy preparation. Although this is based on sales at the time which would include current cross border supply, it did not include your potential future shortfall.	Noted.
		To help us better understand your future provision requirements, can you clarify on the calculations in Figure 4? Do these projections include the Poyle Quarry permission and Water Oakley, subject to legal agreement? Could you also explain why there is such a significant drop in aggregate output between 2022 and 2023?	Para. 4.13 has been amended to clarify that Figure 4 also includes those sites recently permitted and to provide further explanation. More detail on reserves cannot be provided due to confidentiality.
		We're not clear why paragraph 4.15 is included as this has already been established within Section 3, Table 2.	Noted. This has been removed.
		Paragraph 4.16 states that work undertaken by the Mineral Products Association indicates that the average road delivery distance for aggregates has varied between 26 and 35 miles in recent years, and as	Noted. The issue of sustainability is outlined in Para. 4.16.

		<p>such neighbouring MPAs have been identified as potential future sources of sharp sand and gravel. Referring to your recent Soft Sand Study the road distance from Oxfordshire is 59 miles to the centre of Central and Eastern Berkshire, which is considered by the Soft Sand Study report to be at the end of a reasonable transport range. Therefore, if Central and Eastern Berkshire do rely on imports from Oxfordshire in the longer term, this would raise sustainability concerns.</p>	
		<p><b>Section 5 Local Plans</b></p> <p>Within Section 5, the text does not include a paragraph discussing Oxfordshire Mineral and Waste Local Plan alongside the other Authorities, though it is listed in Table 2.</p>	<p>Noted. This is now set out in Para. 5.5.</p>
		<p><b>Section 7 – Common Ground</b></p> <p>We support the majority of your Common Ground statements within Section 7. We note and support the contingency approach within Policy M4, however we maintain that it would be preferable to make full site provision for the identified need over the Plan period to provide greater certainty. Without this certainty of sites, concern remains that reliance will switch to other Authorities to provide minerals to meet your Authorities demand.</p>	<p>Your concerns are noted. However, during the course of the Plan preparation, insufficient sites have been nominated for inclusion that met the criteria for allocation, for example, a number have standing objections from statutory consultees.</p>
		<p>In relation to paragraph 7.7 the Oxfordshire Minerals and Waste Core Strategy does acknowledge the need to make an appropriate contribution to wider aggregate supply needs in other areas. As mentioned above, our Core Strategy is based on the pattern of supply and demand at the time the evidence base for the Core Strategy was prepared and it does not include making increased provision to meet a shortfall created by a reduction in supply elsewhere in the region. We will continue to use current information available when we review our Core Strategy.</p>	<p>Noted.</p>
		<p>On a purely presentation point at 3.2, why is Poyle Quarry not on the map? I think this would be useful.</p>	<p>Figure 3 shows the active sites rather than those permitted. The data is from 2018 when Poyle was not yet operational.</p>
		<p>To conclude, in light of our comments above, Oxfordshire recognises that Central and Eastern Berkshire needs to maintain a steady and adequate supply of sharp sand and gravel and therefore we are committed to continue working with the Authority to monitor this situation</p>	<p>Noted.</p>

		in the future, using the most up to date information as it becomes available.	
24/11/2020	Charlotte Simms (Oxfordshire County Council)	I have taken a look at your revised Statement of Common Ground and even though we still have concerns about your Plans shortfall, we would be fine signing your SCG at this stage. Your Agreements by the Parties seem fair and we acknowledge the changes that you have made in recognition of our comments. Thank you.	Noted.
07/08/2020	Bryan Geake (Kent County Council)	<b>Central and Eastern Berkshire SoCG on SSG Kent County Council Comments</b>	Noted.
		Having read through the document I have the following comments/observations to make.  The SoCG demonstrates an evidential approach as assessing current sharp sand and gravel reserves and potential future supply in the area. Specifically the use of the 10-year sales average metric in determining LAA Rate for the area is supported, given the uncertainties surrounding predictions of growth as demonstrated by the variation in the cited examples from the MPA and OBR and the uncertainties surrounding the effect of the end of the UK's transition period on leaving the European Union and the ongoing Covid 19 virus pandemic on UK growth and thus construction activity and aggregate demand.	
		The identified shortfall (of 2.5mt) between 2023 and 2036 after consideration of available reserves and reasonably anticipated replenishments (in the form of allocations in the Proposed Submission - Joint Minerals & Waste Plan includes sand and gravel allocations) is stated that it will be addressed by importation of marine aggregates from safeguarded wharves in Hampshire and London via railheads West Berkshire. Other alternative supply would be in the form of crushed hard rock from outside the Plan area (chiefly Somerset) and recycled and secondary aggregates that, though of characteristics that are only suitable for lower specification end uses, can make up, it is anticipated, 30% of overall supply needs. This approach is considered an appropriate alternative to land-won sharp sand and gravel given the 'poor' replenishment rate that may come on stream due to geological scarcity and environmental designation constraints (it is assumed) within the Plan area.	Noted.
		Moreover, the SoCG's reference to an Area of Search approach in the	Noted.

		<p>Joint Minerals &amp; Waste Plan for Central and Eastern Berkshire, will ensure the potential for the area to source remaining land-won viable reserves of sharp sand and gravel resources, as replenishments, is facilitated; as this approach conveys a positively prepared flexibility that an allocation only Plan would arguably lack or be less 'certain' over. The SoCG demonstrates that the planning authorities who are party to it are cooperating in accordance with that obligation, also and the approach to maintaining aggregate supply in the Plan area until 2036 is in accordance with national planning policy.</p>	
		The County Council, as a SEEAWP member, does not recommend any changes to the document and fully endorses the approach being followed by the parties to the SoCG.	Noted.
03/08/2020	Phil Aust (Day Group)	<p>I have a couple of minor comments on the SoCG as below:</p> <p>Table 2 has an error in the 2009 tonnage column for Hampshire. It reads '9.05-13.5' and should read '90-135'.</p> <p>4.6 estimates that the majority of sand &amp; gravel is transported 30-50 miles without referencing the source of this data. This is at odds with the figure later quoted in 4.16 from the MPA of between 26 and 35 miles on average.</p>	<p>Noted. Table 2 has been amended.</p> <p>Para.4.16 has been amended to clarify that historically, the distance of 30-50 miles has been considered but that more recently, the MPA estimates a shorter distance.</p>
12/08/2020	Thoma Light (Surrey County Council)	<p>Please find attached Surrey's comments on the C&amp;E Berkshire SoCG on sharp sand and gravel supply.</p> <p>[Comments provided as track changes to SoCG]</p>	Noted. The amendments have been incorporated into the revised SoCG.
18/11/2020	Ibrahim Mustafa (Surrey County Council)	<p>I have made some minor amendments via tracked changes to the document which you have circulated. For reference please see these changes below: A review of the conformity of the Surrey Minerals Plan with the NPPF was carried out in 2020. The current anticipated programme for future review and adoption of the new Surrey Minerals &amp; Waste Plan is:</p> <ul style="list-style-type: none"> <li>• Issues and options consultation – June 2021</li> <li>• Adoption – Spring/Summer 2024</li> </ul> <p>Aside from the above we have no further comments to make.</p>	Noted, Table 4 has been amended,
06/08/2020	Tony Cook (Chair of South East England Aggregate Working Party)	<p>In line with SEEAWP Meeting 21/07/20 Actions and Richard's email of 22/07/20, comments are requested on the CEB Sharp Sand &amp; Gravel SoCG.</p> <p>I enclose the following personal observations:-</p>	Noted.

		<p>In paragraph 4.2, I feel that it is very useful that the analysis of demand recognises the possible future volatility of forecasts as markets and demand going forward may be affected by the uncertainty of the impact of Brexit on the economy, and, any effects as a result of the Coronavirus pandemic on sales.</p>	
		<p>Paragraphs 7.7 and 7.10 indicate that the parties will, if necessary, take into account the sharp sand and gravel needs of CEB. I wonder whether it would be realistic to include some sort of reference that other authorities may also need to meet their shortfalls of sharp sand and gravel through this wider network ?</p>	<p>As there is no commitment of a single mineral planning authority to meet the shortfall, it is not clear that this will impact on others. The shortfall of other mineral planning authority areas may be met by an update of their Plan, through allocations or through unplanned opportunities. Therefore, it is not an absolute that this is the case and has not been included.</p>
		<p>Two other matters of a more administrative nature (similar to my comments on the soft sand SoCG):</p> <p>Are you going to list the Additional Signatories in the SoCG and include the AWP if agreed?</p>	<p>Yes, please see Para. 9.2.</p>
		<p>Figure 1 states that it showing surrounding Councils. This diagram doesn't in fact clearly identify Slough as a Surrounding Council. Given that Slough is a mineral planning authority and a (non-active) Member of SEEAWP are they to be consulted on the SoCG? Will it be worthwhile including reference to this in the document and on Figure 1?</p>	<p>Noted. The title of Figure 1 has been amended. Slough Borough Council does not have reserves available to supply the Plan area and therefore, has not been included as a Party to the SoCG.</p>
19/11/2020	Emily Brown (Buckinghamshire Council)	<p>I have no comments on the amendments made to the SoCGs. I have provided an update to the Local Plan status on both the SoCG to reflect Buckinghamshire Council current focus; Became a Unitary on 1<sup>st</sup> April 2020. Work in starting on a Buckinghamshire Local Plan with the LDS expecting to be approved in December 2020 The 2018 LAA for Buckinghamshire is available to use instead of SEEAWP annual report to evidence our individual landbank <a href="https://www.buckscc.gov.uk/media/4515887/local-aggregate-assessment-2019.pdf">https://www.buckscc.gov.uk/media/4515887/local-aggregate-assessment-2019.pdf</a></p>	<p>Noted and amended.</p>

23/11/2020	Iliana Todorovska (Hampshire County Council)	I can confirm that at officer level Hampshire County Council are happy with the changes outlined in the SoCGs.	Noted
25/11/2020	Elise Kinderman (West Berkshire District Council)	5.5 However it is acknowledged that some sales from Oxfordshire will supply other Mineral Planning Authority Areas, and therefore will be captured in the Core Strategy Provision rate, but more importantly in the <i>higher</i> rate identified in the 2018 LAA that will be delivered by the Part 2 Site Allocations Plan. This is the basis of our SCG with Oxfordshire so may pay to clarify OCC comments in relation to this.	Noted
		Table 4 amendments: Proposed Submission Submission version consultation is scheduled Jan-Feb 2021 with submission to SoS anticipated in summer of 2021 and examination hearings in autumn/winter of 2021 <sup>[1]</sup> [1] West Berkshire Council: Local Development Scheme - <a href="https://info.westberks.gov.uk/lds">https://info.westberks.gov.uk/lds</a> This information will be public on 26 <sup>th</sup> November in Council papers and the evidence base will be on the website, but a link to the consultation will only be live from 4 <sup>th</sup> January 2021 sorry. I've just included a link to our minerals and waste local plan page for now.	Noted and amended
		Local Plan Newsletter (Feb 2020) - Should this be included as a source and not in this Table?	The newsletter was used to reference information on plan focus. Following the comments provided in your response this section has been updated to reflect the most recent position and so reference to the newsletter has been deleted.
		Section 7 Common Ground – Is there some confusion between the statements in these paragraphs and those in paragraph 9 – which are the statements parties are being asked to agree? 7.7 See above comment.	Section 7 sets out the areas of common ground which are being sought from the parties. Section 9 outlines that these are being agreed to by the parties. They are linked and a reference to section 7 has now been added to section 9.
		7.10 I think this is an important point, as if sales are increasing in one area because of decline in another, then this will be reflected in sales data, and the rate that MPAs plan for. Could this sentiment be moved to	Agreed – additional point added to 9.1 agreement by the parties 'to plan positively in order to continue

		the areas of agreement?	existing supply sources, where sustainable and in compliance with national policy'.
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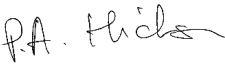



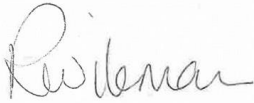
# Agenda Item 3.

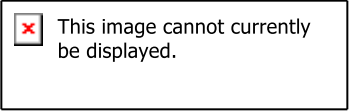
## **West Berkshire Minerals and Waste Local Plan**

### **Statement of Common Ground**

### **Strategic Cross Boundary Matters**

<b>Matters and Signatories</b>			
<b>Matter</b>	<b>Signatories</b>	<b>Additional Signatories</b>	<b>Notes</b>
1. Soft Sand	<p><u>West Berkshire Council</u></p> <p>Cllr Richard Somner (<i>Executive member for Development and Planning</i>) 15<sup>th</sup> July 2021</p> <p><u>Oxfordshire County Council</u></p> <p></p> <p>Rachel Wileman (<i>Assistant Director Strategic Infrastructure and Planning</i>) 26<sup>th</sup> May 2021</p>	<p>South East England Aggregates Working Party</p> <p></p> <p>Tony Cook (<i>Chair, South East England Aggregates Working Party</i>) 8 December 2020</p>	
2. Crushed Rock Supply	<p><u>West Berkshire Council</u></p> <p>Cllr Richard Somner (<i>Executive member for Development and Planning</i>) 15<sup>th</sup> July 2021</p> <p><u>Somerset Council</u></p> <p></p>	<p>South East England Aggregates Working Party</p> <p></p> <p>Tony Cook (<i>Chair, South East England Aggregates Working Party</i>) 8 December 2020</p> <p>South West Aggregates Working Party</p>	

	<p>Paul Hickson (<i>Strategic Commissioning Manager – Economy and Planning</i>) 19<sup>th</sup> April 2021</p>	<p><i>E Inglis-Woolcock</i> <i>(signature redacted as requested)</i></p> <p>Ellie Inglis-Woolcock (<i>Chair, South West Aggregates Working Party</i>) 10<sup>th</sup> May 2021</p>	
<p>3. Non-hazardous Landfill</p>	<p><u>West Berkshire Council</u></p> <p>Cllr Richard Somner (<i>Executive member for Development and Planning</i>) 15<sup>th</sup> July 2021</p> <p><u>Oxfordshire County Council</u></p>  <p>Rachel Wileman (<i>Assistant Director Strategic Infrastructure and Planning</i>) 26<sup>th</sup> May 2021</p> <p><u>Buckinghamshire County Council</u></p> <p>Emily Brown Senior Strategic Planning Policy Officer</p>		<p>Buckinghamshire County Council agreed to the SCG at Officer level (email of 22<sup>nd</sup> Oct 2020), but despite chasing we have been unable to receive formal sign off.</p> <p>Chasing emails sent: 04/02/2021, 10/03/2021, 07/4/2021, 16/04/2021</p> <p>Phone calls made: 09/06/21</p>

<p>4. Non-hazardous Energy Recovery</p>	<p><u>West Berkshire Council</u></p> <p>Cllr Richard Somner (<i>Executive member for Development and Planning</i>) 15<sup>th</sup> July 2021</p> <p><u>Hampshire County Council</u></p> <p><u>Slough Borough Council</u></p> <div data-bbox="432 667 779 778"><p>This image cannot currently be displayed.</p></div> <p>Paul Stimpson (<i>Planning Policy Lead Officer</i>) 24<sup>th</sup> June 2021</p>		
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## **1. Introduction**

- 1.1 This Statement of Common Ground (SCG) is made between West Berkshire District Council (WBDC) and relevant authorities (the parties) regarding their duties as Waste Planning Authorities and Mineral Planning Authorities.
- 1.2 The parties are entering into this SCG to address key strategic cross-boundary issues that have been identified between the plan-making areas.
- 1.3 This SCG is provided without prejudice to other matters of detail that the parties may wish to raise in the ongoing requirement to engage constructively and actively in plan preparation through the Duty to Cooperate, or in subsequent participation in the plan making process.

## **2. Background**

- 2.1 West Berkshire District Council is preparing a new Minerals and Waste Local Plan. The West Berkshire Minerals and Waste Local Plan (MWLP) will replace the Replacement Minerals Local Plan for Berkshire (2011) and the Waste Local Plan for Berkshire (1998), providing an up to date planning framework for minerals and waste development in West Berkshire to 2037. This SCG relates to the preparation of the West Berkshire Minerals and Waste Local Plan, and the cross-boundary strategic priorities that relate to it.
- 2.2 This SCG sets out the areas which WBDC and the parties wish to address to work positively together in order to demonstrate effective and on-going joint working on strategic cross-boundary issues, and to document these matters and progress in cooperating to address them, as required by paragraphs 27 and 35 of the NPPF (Feb 2019). Where relevant it also identifies any areas where the authorities do not agree, and how the parties propose to address this.

## **3. Strategic Matters**

**MATTER 1: Soft Sand Supply**

**MATTER 2: Crushed Rock Supply**

**MATTER 3: Non-hazardous Landfill**

**MATTER 4: Non-hazardous Energy Recovery**

### 3.1 MATTER 1: Soft Sand Supply

#### 3.1.1 Parties Involved

Signatories:

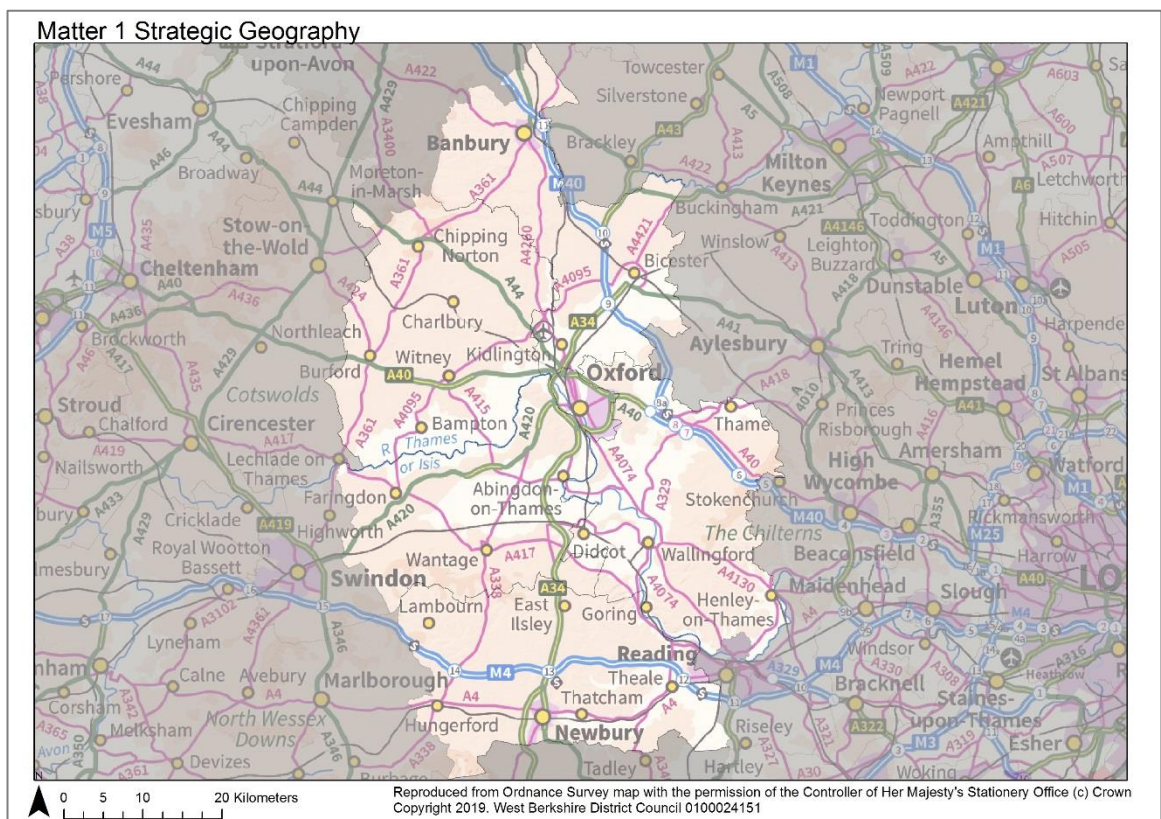
1. West Berkshire District Council
2. Oxfordshire County Council

Additional signatories:

2. South East England Aggregates Working Party

#### 3.1.2 Strategic Geography

- 3.1.3 The strategic geography for Matter 1 is Oxfordshire County and West Berkshire District, as shown in the Figure below:



#### 3.1.4 Strategic Matter Background

- 3.1.5 Although national policy generally requires maintaining separate provision for aggregate materials with distinct and separate markets, determining the quantum of need for soft sand in West Berkshire has always been a key issue for the authority. Due to confidentiality agreements, the authority has historically been unable to publish sales figures for soft sand separate from sharp sand and gravel, and therefore it has not been possible to estimate a separate level of need for soft sand.

- 3.1.6 In addition, in recent years, the only deposits of soft sand that have been worked in West Berkshire have been located in the North Wessex Downs Area of Outstanding Natural Beauty (NWDONB) in particular an outcrop found around Junction 13 of the M4. The NPPF, at paragraph 172 confirms that 'great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty', and that planning permission for major development in these designated areas should be refused except in 'exceptional circumstances' and where it can be demonstrated that the development is in the public interest. Regulation 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 defines the winning and working of minerals as 'major development', although case-law has established that in terms of national policy this needs to be judged on a case by case basis. Paragraph 205 of the NPPF also confirms that as far as practical, mineral planning authorities should provide for the maintenance of landbanks of non-energy minerals from outside (inter alia) Areas of Outstanding Natural Beauty. However, the NPPF also indicates at paragraph 204(b) that mineral planning authorities should aim to source minerals supplies indigenously.
- 3.1.7 The absence of a specific 'need' figure for soft sand and location of the majority of soft sand deposits within the NWDONB has meant that to date sites for the extraction of soft sand have not been proposed for allocation in the West Berkshire Minerals and Waste Local Plan.
- 3.1.8 However, the mineral companies which have been involved in extracting soft sand in West Berkshire have recently indicated that they will forego commercial confidentiality in order that separate soft sand production figures can be published. Therefore, a separate landbank, annual requirement and requirement over the plan period for soft sand can now be determined as part of the authority's Local Aggregates Assessment.
- 3.1.9 This has shown that the 'landbank' (permitted reserves divided by the annual requirement) for soft sand within West Berkshire is zero. National policy requires that a landbank of at least 7 years is maintained for sand and gravel (NPPF 207(f)). As there is no landbank for soft sand, this indicates that additional provision for this mineral needs to be made in line with NPPF paragraph 207(e). The 2020 West Berkshire Local Aggregates Assessment (LAA) identifies that approximately an additional 790,000 tonnes of soft sand would be required over the plan period (to 2037) in order to maintain the current annual requirement rate of 43,730 tonnes per annum.
- 3.1.10 In order to be found sound, the MWLP will need to identify how this shortfall will be provided for over the plan period in order to provide a steady and adequate supply of aggregate minerals as required by NPPF para 207.
- 3.1.11 The issue of soft sand supply has been identified as a strategic issue in the South East, and as such a Joint Position Statement (JPS) on Soft Sand has been prepared by the South East Mineral Planning Authorities (MPAs). The JPS recognises that the geology in the South East means that soft sand has historically been extracted in the region, however not all South East MPA areas contain soft sand resources and, in some areas the resources are constrained by landscape and environmental designations (including the NWDONB). The JPS also indicates that additional sites need to be allocated in minerals plans to ensure a steady and adequate supply of soft sand in the South East, but that this will likely need to be balanced against significant landscape, environmental and recreational constraints. The JPS is

included at Annex 1.

- 3.1.12 The presence of the majority of soft sand deposits with operator interest within the NWDAONB in West Berkshire means that exceptional circumstances will need to be demonstrated if extraction is to take place within this designated landscape, including consideration of the need for development, the alternatives to extracting within the NWDAONB, and any detrimental effect on the environment, landscape and recreational opportunities.
- 3.1.13 Therefore, WBDC commissioned a specific Soft Sand Study to investigate all potential supply options for delivering West Berkshire's identified level of need for soft sand to address this part of the exceptional circumstances test.
- 3.1.14 The study concluded that the preferred option, as an alternative to providing for extraction within the NWDAONB in West Berkshire, would be to supply soft sand from quarries in the south of Oxfordshire. Within the study, it was understood by local soft sand mineral operators that some of West Berkshire's requirement for soft sand was being met from Oxfordshire quarries, so this would be a continuation of the current situation, although if there is no future extraction in West Berkshire then the scale of supply from Oxfordshire would need to increase. However, this option would rely on a formal agreement with Oxfordshire County Council through this SCG.
- 3.1.15 The adopted Oxfordshire Minerals and Waste Local Plan: Part 1 – Core Strategy acknowledges that the county's contribution of primary aggregate towards the needs of other areas is a strategic issue, and Objective 3.4(iii) recognises the need to 'make an appropriate contribution to meeting wider needs for aggregate minerals, having regard to the strategic importance of Oxfordshire's mineral resources, particularly sand and gravel'.
- 3.1.16 The Oxfordshire Local Aggregate Assessment 2019 reveals that the County's reserves of soft sand at the end of December 2018 stood at 3.091 million tonnes, which equated to a landbank of 12.72 years based on the LAA 2019 provision figure of 0.243 mtpa. Sales of soft sand were 0.252 mt in 2018, the highest level since 2004. The 10 year and 3 year sales averages also increased to 0.202 and 0.243 mt respectively. This reflects the fact that sales of soft sand in Oxfordshire have increased in recent years (since 2014). These figures are reviewed annually through the Council's Local Aggregate Assessment.
- 3.1.17 Therefore this indicates that, due to the significant decline in sales of soft sand in West Berkshire demonstrated in the West Berkshire 2020 LAA, the market for soft sand in the district must be being supplied from elsewhere. As Oxfordshire is the next closest source of soft sand it is therefore likely that some of this mineral supply is travelling from Oxfordshire to West Berkshire. In addition, evidence gathered from mineral operators through the Soft Sand Study is that soft sand is travelling from quarries in the south of Oxfordshire to West Berkshire and this has been confirmed by at least one operator of two soft sand quarries in southern Oxfordshire.
- 3.1.18 The Soft Sand Study suggested that part of the current soft sand sales pattern in Oxfordshire included some supply to West Berkshire. Therefore if Oxfordshire makes provision to enable these levels of sales to continue, then it can be inferred that these movements from Oxfordshire to West Berkshire will be able to continue. This will enable, at least some of the identified need for soft sand in West Berkshire to be met from imports, as is currently understood to be the case.



3.1.19 Based on the worst case scenario that West Berkshire is only able to supply 400,000 tonnes of mineral (see Soft Sand Topic Paper), it is assumed that the remainder could continue to be made up of imports from Oxfordshire, because the provision in Oxfordshire will continue to be based on the most recent data in the LAA. If additional sites come forward within the Plan area, or allocated sites in West Berkshire are able to deliver more than 400,000 tonnes then this figure will be revised downwards, this would show up on Oxfordshire's sales figures in future monitoring and the landbanks would be revised.

3.1.20 It should be noted that there is a possibility that there will be future volatility of sales, as markets and demand going forward may be affected by the uncertainty of the impact of Brexit on the economy, and as a result of the Coronavirus pandemic on demand for minerals.

3.1.21 Common Ground:

1. West Berkshire District Council and Oxfordshire County Council understand that as identified through the West Berkshire Soft Sand Study 2019, part of the sales pattern in Oxfordshire included some supply to West Berkshire to meet demand that was not being met from quarries in West Berkshire, and that this cross-boundary movement of soft sand between the authorities is a strategic issue.
2. West Berkshire District Council agrees to meet the identified need for soft sand from within their authority as far as is possible in line with national policy by allocating the Chieveley Services site and identifying Areas of Search in the West Berkshire Minerals and Waste Local Plan, and also including a criteria policy to enable any other suitable sites for soft sand that may come forward to be permitted. This will be over the lifetime of the Plan period to 2037.
3. Oxfordshire County Council agrees to continue making provision for soft sand as set out in the Oxfordshire Minerals and Waste Local Plan: Core Strategy (to 2031), and as identified within their Local Aggregates Assessments. This will be delivered through the preparation and adoption of the Site Allocations Plan.

3.1.22 Signatories:

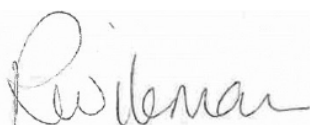
Signed on behalf of West Berkshire District Council:

Name:

Position:

Date:

Signed on behalf of Oxfordshire County Council:



Name: Rachel Wileman

Position: Assistant Director Strategic Infrastructure and Planning  
Date: 26<sup>th</sup> May 2021

3.1.23 Additional Signatories

Signed on behalf of South East England Aggregates Working Party:

A handwritten signature in black ink that reads "Tony Cook". The signature is written in a cursive style and is underlined with a single horizontal line.

Name: Tony Cook  
Position: Chair, South East England Aggregates Working Party  
Date: 18 December 2020

### 3.2 MATTER 2: Crushed Rock Supply

#### 3.2.1 Parties involved

Signatories:

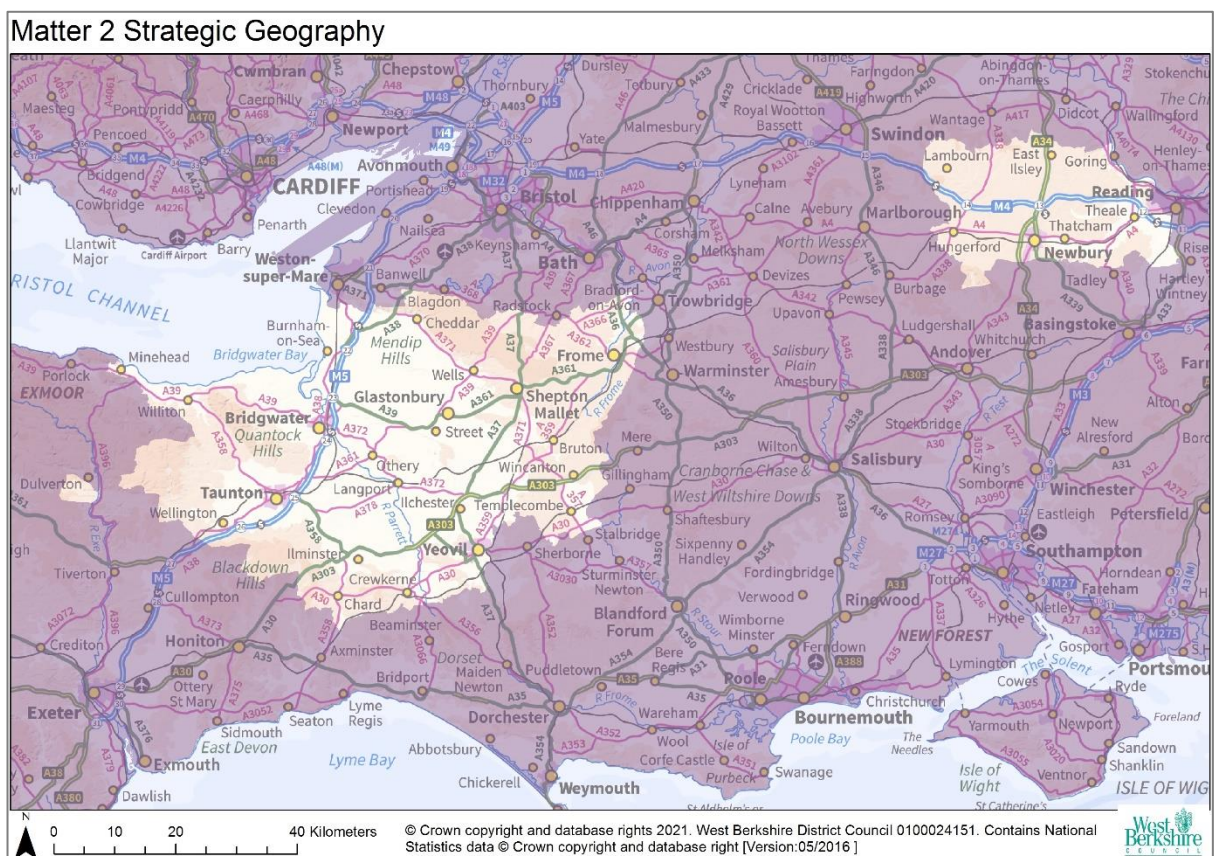
1. West Berkshire District Council
2. Somerset County Council

Additional signatories:

1. South East England Aggregates Working Party
2. South West Aggregates Working Party

#### 3.2.2 Strategic Geography

3.2.3 The strategic geography for Matter 2 is Somerset County (excluding Exmoor National Park) and West Berkshire District, as shown in the Figure below:



#### 3.2.4 Strategic Matter Background

3.2.5 Due to its underlying geology, West Berkshire does not produce any crushed rock indigenously, nor are there any marine landing sites. As such, this aggregate is imported to the district at the rail depots in Theale.

- 3.2.6 Crushed rock is mainly imported from Somerset County, as shown in Table 4.2.1 below. The most recent Somerset Local Aggregates Assessment (LAA) (fifth edition, incorporating data from 2007 – 2016) states that there are approximately 377 million tonnes of permitted reserves for crushed rock and a landbank of at least 28.1 years at the end of 2016. The LAA acknowledges that Berkshire is among the counties importing the largest amount of crushed rock from Somerset due to limited indigenous supply and high development demand, together with the available rail connections. The rail capacity in Somerset is indicated to be sufficient and with capacity to increase the amount moved by rail, subject to demand. In addition, production capacity from crushed rock quarries within Somerset stands at 21.79 million tonnes.
- 3.2.7 Thus, assuming that productive capacity at Somerset quarries is maintained such that supply can continue at levels similar to those currently and recently produced, there does not appear to be any supply issues with continuing to source crushed rock from Somerset over the Plan period.
- 3.2.8 As with other mineral need, there is a possibility that there will be future volatility of sales, as markets and demand going forward may be affected by the uncertainty of the impact of Brexit on the economy, and as a result of the Coronavirus pandemic on demand for minerals.

Table 3.2.1 - Sources of Crushed Rock Imported into Berkshire 2014

Source MPA	Percentage	Tonnes
Somerset County Council	70-80%	812,700 – 928,800
North Somerset Council, South Gloucestershire Council, Leicestershire County Council, Shropshire Council, Powys, Rhondda, Cynon, Taf (Taff), outside England and Wales.	1-10%	11,610 – 116,100
Cornwall Council, Devon County Council, Gloucestershire County Council, Oxfordshire County Council, Cambridgeshire County Council, Yorkshire Dales National Park, Neath Port Talbot.	<1%	<11,610
<b>Total</b>		<b>1,161,000</b>

Source: AM 2014 Source of primary aggregates by sub-region - percentage categories (2016), BGS.

3.2.9 Common Ground:

1. There are currently no known planning reasons why the continued movement of crushed rock from Somerset to West Berkshire, at levels similar to those recorded in the most recent national Aggregates Monitoring Survey, cannot continue over the West Berkshire Minerals and Waste Local Plan period.

3.2.10 Signatories:

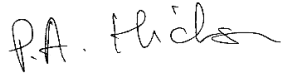
Signed on behalf of West Berkshire District Council:

Name:

Position:

Date:

Signed on behalf of Somerset County Council:



Name: Paul Hickson

Position: Strategic Commissioning Manager – Economy and Planning

Date: 19<sup>th</sup> April 2021

### 3.2.11 Additional Signatories

Signed on behalf of South East England Aggregates Working Party:

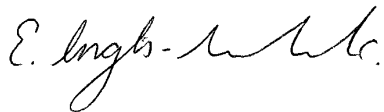


Name: Tony Cook

Position: Chair, South East England Aggregates Working Party

Date: 6 January 2021

Signed on behalf of South West Aggregates Working Party:



Name: Ellie Inglis-Woolcock

Position: Chair, South West Aggregates Working Party

Date: 10<sup>th</sup> May 2021



### 3.3 MATTER 3: Non-hazardous Landfill

#### 3.3.1 Parties Involved

Signatories:

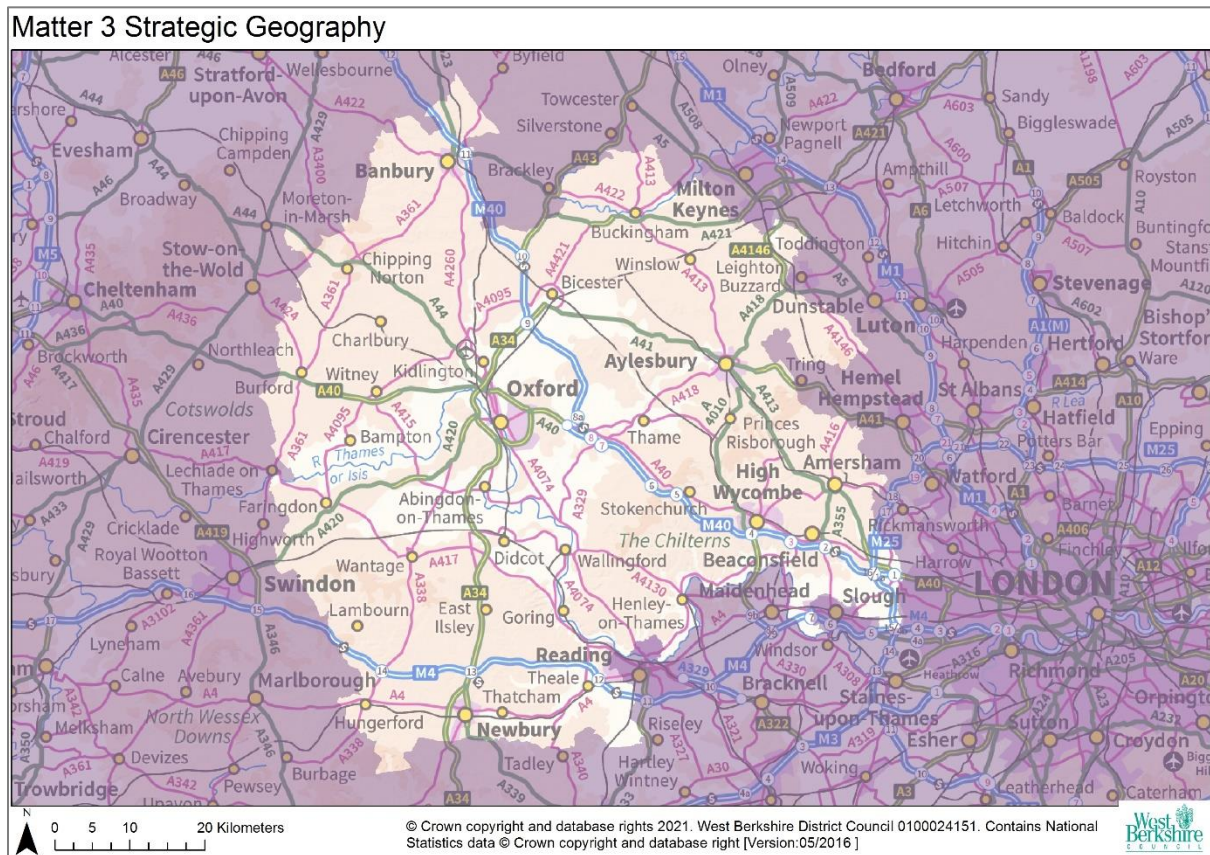
1. West Berkshire District Council
2. Oxfordshire County Council
3. Buckinghamshire County Council

#### 3.3.2 Strategic Geography

3.3.3 The strategic geography for Matter 3 comprises the authority areas for the signatories to this Matter, and are shown in the Figure below. The strategic geography has been defined by identifying authorities which are receiving strategic amounts of non-hazardous waste from West Berkshire to their landfill facilities. 'Strategic' movements in this context are defined by the agreed thresholds of the South East Waste Planning Advisory Group (SEWPAG):

- Non-hazardous waste - 5,000 tpa
- Hazardous waste - 100 tpa
- Inert waste - 10,000 tpa

3.3.4 These thresholds have been applied, as below these levels, it is unlikely that the importation of waste will have a significant impact on the waste management strategy of most authorities.



### 3.3.5 Strategic Matter Background

3.3.6 South East England Planning Advisory Group (SEWPAG) has acknowledged the provision of non-hazardous landfill to be a strategic issue for the South East. There has been a decline in non-hazardous waste being sent to landfill in recent years, due to the drive to manage waste as high up the waste hierarchy as possible. As the existing sites become full, or in some cases close early, and the number of non-hazardous landfill facilities reduces, this has led to a decline in voidspace. Consequently, the remaining facilities might now have to accept waste from a wider area in order to achieve their permitted restoration.

3.3.7 Consequently, SEWPAG has prepared a Joint Position Statement (JPS) on Non-hazardous Landfill in the South East<sup>1</sup> which sets out the background information and overall situation regarding non-hazardous landfill in the South East. It sets out a common understanding of the predicted gap between the need for, and the availability of non-hazardous landfill capacity in the South East of England. The JPS also acknowledges the challenges for delivering new non-hazardous landfill capacity, and supports the fact that while it is the aim to manage waste as high up the hierarchy as possible, there will continue to be a need for some non-hazardous landfill capacity in the short to medium term. The JPS is included in Annex 2.

3.3.8 Historically, mineral extraction sites were used for landfilling waste and in previous decades this was also the predominant waste disposal method in West Berkshire. However, due to changes in the siting criteria for non-inert landfills introduced through the Landfill Directive, the mineral deposits currently worked in West Berkshire (relatively shallow sand and gravel deposits) would not be suitable for non-inert landfill without considerable investment. The last landfill site in West Berkshire permitted to accept non-inert waste ceased accepting such waste in 2005. Therefore, for a number of years all of the non-inert (including non-hazardous) waste requiring landfill in West Berkshire has been exported to landfill sites outside the district, predominantly in neighbouring authority areas.

3.3.9 In 2018, the strategic movements of non-hazardous waste from West Berkshire to non-hazardous landfill facilities in other authority areas were as follows:

Table 3.3.1: West Berkshire Non-hazardous Waste Deposited to Landfill 2018

<b>Authority/Site Name</b>	<b>Tonnes Received – Non-hazardous</b>
<b>Oxfordshire</b>	
Sutton Courtenay Landfill	44,795*
<b>Buckinghamshire</b>	
Springfield Farm Landfill	9,497

Source: Waste Data Interrogator 2018

\*A movement of 201,228 tonnes of 20 03 01 (Mixed Municipal Waste) from West Berkshire to Sutton Courtenay Landfill is recorded in the 2018 WDI. However, upon querying this with the Environment Agency, the movement has confirmed to be only 1,446 tonnes. Therefore the difference has been subtracted from this number.

<sup>1</sup> SEWPAG, (2019). *Joint Position Statement: Non-hazardous Landfill in the South East of England*.

- 3.3.10 By far the most significant movement of non-inert waste to landfill from West Berkshire was to Sutton Courtenay (44,795 tonnes), which represented 79% of non-hazardous waste landfilled from West Berkshire in 2018. This facility is due to close in 2030, and therefore prior to the end of the Plan period (2037). Similarly, Springfield Farm Landfill in Buckinghamshire is due to close in 2029 before the end of the Plan period, although an application to extend the end date to 2044 is currently being determined. Therefore, the movement of non-hazardous waste from West Berkshire to these landfill sites outside of West Berkshire cannot be guaranteed over the plan period.
- 3.3.11 West Berkshire District Council (WBDC) undertook several calls for sites as part of the preparation of the Minerals and Waste Local Plan and although a number of 'waste sites' were submitted for consideration as part of this process, all but one of the sites are existing waste management sites that are 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. None of the sites promoted were for the landfilling of non-hazardous waste.
- 3.3.12 In acknowledgement of challenges to delivering new non-hazardous landfill capacity in the South East, the SEWPAG Non-hazardous Landfill JPS outlines examples of criteria based policy approaches undertaken in adopted Waste Local Plans. These policies acknowledge that sites for non-hazardous landfill facilities may come forward in the future and that policies need to be flexible to deal with any proposals which do come forward.
- 3.3.13 WBDC also intends to include such a criteria based policy in its Minerals and Waste Local Plan.
- 3.3.14 Common Ground:
1. The parties agree that they each need to identify relevant waste management needs for their areas and seek to address these needs through the plan-making process. This will include policies that seek to push waste up the waste hierarchy.
  2. That landfill will continue to be needed for residual waste. Site identification for landfill sites is an ongoing issue, and its availability will be dependent on the amount and type of mineral extraction within the Waste Planning Authority's area.
  3. That the Waste Planning Authorities plan for sites in order to enable their availability, but it is ultimately up to the waste operators as to those sites that are proposed and whether they then get developed.
  4. The parties agree that all efforts need to be made to identify and allocate sufficient suitable landfill sites to meet their Authorities identified need and to achieve net self-sufficiency, for example through comprehensive 'calls for sites' in the plan-making process, repeated as appropriate.
  5. The parties conclude that if, despite best efforts, suitable non-hazardous landfill proposals are not available, or if sites do not come forward for allocation, a criteria based policy is the most sensible remaining option for landfill planning.



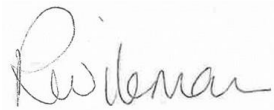
6. Therefore the parties agree, where insufficient landfill capacity is provided through existing and allocated sites, to include a criteria based policy that would guide applicants to suitable sites.
7. Even where all efforts are made to identify and allocate waste management sites, and a criteria based policy for landfill is included, there might still be a shortfall in landfill provision for an individual Waste Planning Authority. This would result in some cross boundary movement of waste to landfill.

3.3.14 Signatories:

Signed on behalf of West Berkshire District Council:

Name:  
Position:  
Date:

Signed on behalf of Oxfordshire County Council:



Name: Rachel Wileman  
Position: Assistant Director Strategic Infrastructure and Planning  
Date: 26<sup>th</sup> May 2021

Signed on behalf of Buckinghamshire County Council:

Name:  
Position:  
Date:

### 3.4 MATTER 4: Non-hazardous Energy Recovery

#### 3.4.1 Parties Involved

Signatories:

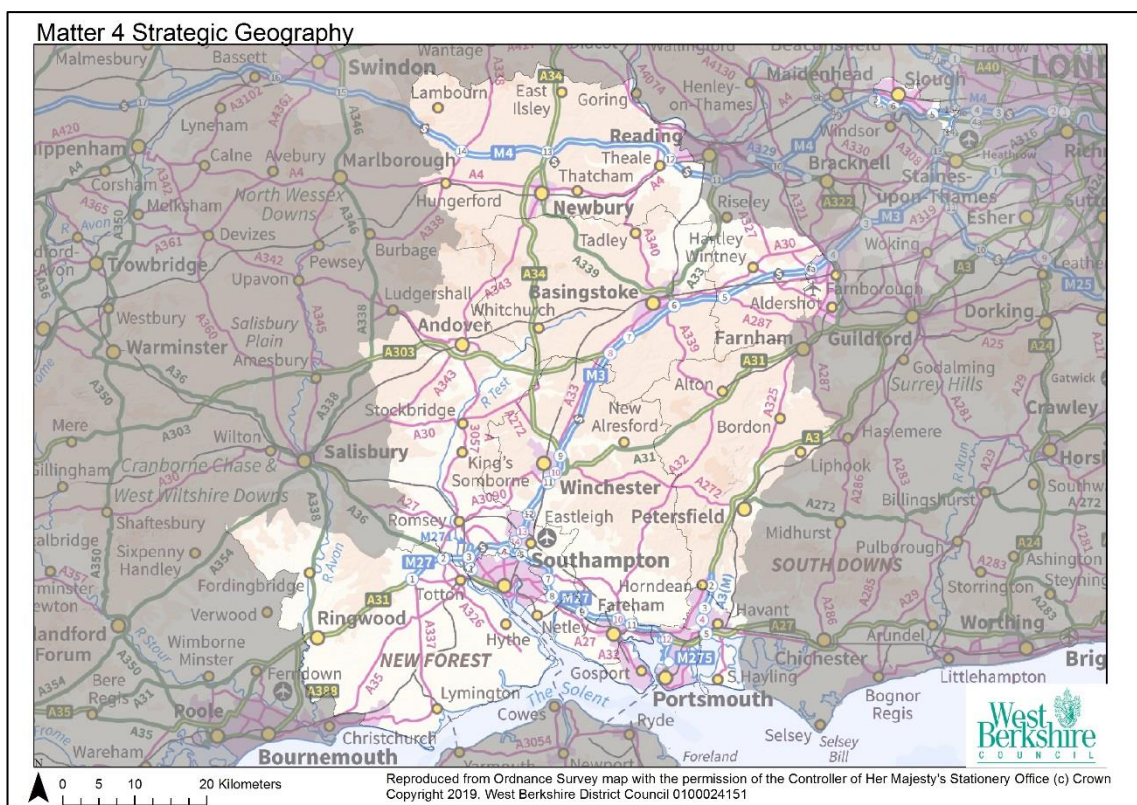
1. West Berkshire Council
2. Hampshire County Council
3. Slough Borough Council

#### 3.4.2 Strategic Geography

3.4.3 The strategic geography for Matter 4 comprises the authority areas for the signatories to this Matter, and are shown in the Figure below. The strategic geography has been identified from authorities which are receiving strategic amounts of non-hazardous waste from West Berkshire to their recovery facilities. 'Strategic' movements in this context are defined by the agreed thresholds of the South East Waste Planning Advisory Group (SEWPAG):

- Non-hazardous waste - 5,000 tpa
- Hazardous waste - 100 tpa
- Inert waste - 10,000 tpa

3.4.4 These thresholds have been applied, as below these levels, it is unlikely that the importation of waste will have a significant impact on the waste management strategy of most authorities.



### 3.4.5 Strategic Matter Background

3.4.6 Energy recovery describes the management of non-hazardous waste to recover the remaining energy from waste after initial sorting and processing higher up the waste hierarchy. This may constitute techniques such as Mechanical Biological Treatment (MBT), gasification or incineration, and generates heat, electricity or fuel.

3.4.7 West Berkshire has limited energy recovery facilities. As a result, the majority of waste from West Berkshire requiring this form of management is currently exported outside of the district.

3.4.8 The below table shows where strategic movements of non-inert (non-hazardous and hazardous) waste arising in West Berkshire were managed at energy recovery facilities in 2018, as reported in the Environment Agency Incinerator Waste Returns.

Table 3.4.1: West Berkshire Waste sent to Energy Recovery 2018

Authority/Site Name	Tonnes Received
<b>Hampshire</b>	
Integra North Energy Recovery Facility	11,448
Integra South West Energy Recovery Facility	4,757
<b>Slough</b>	
Lakeside Energy from Waste Facility	11,090
<b>TOTAL</b>	<b>27,658</b>

Source: Environment Agency, Incinerator Waste Returns, 2018

3.4.9 As can be seen from Table 3.4.1, the majority of strategic waste movements from West Berkshire sent for energy recovery outside of the district went to sites in Hampshire, with the next largest amount travelling to the Lakeside Energy from Waste Facility in Slough.

3.4.10 The facilities in Hampshire, where the majority of waste sent for energy recovery from West Berkshire is sent are known have permanent planning permission, with no known planning reasons why similar waste movements cannot continue in future. However, this situation should be kept under review should circumstances change in future, for instance due to contract changes.

3.4.11 It is known that the Lakeside Energy from Waste Facility falls within the area proposed for an additional runway at Heathrow Airport. As such, it is likely that this facility will not be available to continue to accept waste once the development at Heathrow has commenced. It is understood that alternatives for provision of this capacity are being investigated, and a planning application for a replacement facility has now been submitted to Slough Borough Council. However, for the purposes of certainty over the Plan period it cannot be assumed that this capacity will remain.

3.4.12 The South East Waste Planning Advisory Group is preparing a Joint Position Statement regarding the impact of an additional runway at Heathrow on the Lakeside Energy from Waste Facility and management of waste in the South East. The JPS highlights the regional importance of the facility providing energy from waste capacity in the South East, and outlines the implications if this capacity is not replaced.

3.4.13 Notwithstanding the fact that West Berkshire does not have sufficient capacity to manage residual waste through energy recovery, it is still possible for West Berkshire to be *net self-sufficient* in waste management over the Plan period. This is because even though there is a lack of recovery capacity, there are other forms of waste management in the district that have a surplus of capacity (e.g. inert/CDE recycling). Therefore, the total waste management capacity in the district is still more than the waste generated. In addition, the West Berkshire Minerals and Waste Local Plan does not propose to distinguish between energy from waste facilities and so the general locational criteria policy would apply. This would enable energy from waste facilities to come forward within the district in future if they are required, and provided that all relevant criteria are satisfied.

3.4.14 Common Ground:

1. In the case of the Hampshire Energy from Waste facilities receiving strategic movements of waste from West Berkshire, these are acknowledged to have permanent planning permission, with no known planning reason why similar waste movements cannot continue over the West Berkshire Minerals and Waste Local Plan period. However, this situation should be kept under review should circumstances change, for instance due to contract changes.
2. The parties consider the Lakeside Energy from Waste Facility to be a regionally important facility, and that replacement capacity should be provided ideally in a similar location to the current facility, in a timely manner so as not to interrupt the provision that this facility provides to the waste management strategies in the surrounding region.
3. Notwithstanding the fact that West Berkshire does not have sufficient capacity to manage residual waste through energy recovery, it is still possible for West Berkshire to be *net self-sufficient* in waste management over the Plan period, with a surplus of capacity in other waste streams.

3.4.15 Signatories:

Signed on behalf of West Berkshire Council:

Name:

Position:

Date:

Signed on behalf of Hampshire County Council:

Name:  
Position:  
Date:

Signed on behalf of Slough Borough Council:

A handwritten signature in black ink, appearing to read 'P. Stimpson', with a horizontal line extending to the right.

Name: Paul Stimpson  
Position: Planning Policy Lead Officer  
Date: 24<sup>th</sup> June 2021

#### **4. Governance**

- 4.1 This SCG has been prepared by West Berkshire District Council and consulted upon with the signatories identified for each matter. The SCG will be initially agreed at officer level and then signed off at executive member level, or under relevant delegated powers.
- 4.2 The SCG will be maintained by the authority's party to the SCG, although WBDC will take a leading role in preparing the document, gathering relevant information, and identifying when changes/updates are needed.

#### **5. Timetable for Agreement, Review and Update**

- 5.1 The SCG will be consulted on with the identified signatories and a draft published alongside the proposed submission consultation on the West Berkshire Minerals and Waste Local Plan.
- 5.2 Following this consultation, the SCG will be updated to reflect any comments received and progress to sign off at elected member level (or under relevant delegated powers), with the aim to have the document agreed by the time the MWLP is submitted for independent examination.
- 5.3 Following adoption of the MWLP, the SCG will be updated by WBDC when monitoring shows it is necessary to do so, by way of identifying new strategic matters and/or changes to existing strategic matters, and/or identifying that matters are no longer strategic.

**ANNEX 1: South East Mineral Planning Authorities Joint Position Statement on Soft Sand**

**ANNEX 2: South East Waste Planning Advisory Group Joint Position Statement on Non-hazardous Landfill**



# West Berkshire Minerals and Waste Local Plan Statement of Common Ground

<b>Committee considering report:</b>	Individual Executive Member Decisions
<b>Date of Committee:</b>	29 July 2021
<b>Portfolio Member:</b>	Councillor Richard Somner
<b>Report Author:</b>	Rachael Lancaster
<b>Forward Plan Ref:</b>	ID4108

## 1 Purpose of the Report

- 1.1 The purpose of this report is to present the West Berkshire Minerals and Waste Local Plan Statement of Common Ground for signing by the Executive Member for Planning and Housing.

## 2 Recommendation

- 2.1 That the West Berkshire Minerals and Waste Local Plan Statement of Common Ground is signed on behalf of West Berkshire Council by the Executive Member of Planning and Housing.

## 3 Implications and Impact Assessment

Implication	Commentary
<b>Financial:</b>	There are no financial implications
<b>Human Resource:</b>	There are no HR implications
<b>Legal:</b>	Compliance with the Duty to Cooperate is required to be evidenced at examination of the Minerals and Waste Local Plan. By not signing the Statement of Common Ground, the Duty to Cooperate maybe called in to question and could mean that the Minerals and Waste Local Plan is not found to be sound or legally compliant.
<b>Risk Management:</b>	The risk of not signing the Statement of Common Ground is that West Berkshire may be found not to have evidenced the

	Duty to Cooperate on strategic cross-boundary issues required by the National Planning Policy Framework (paragraph 24). This could mean that the Minerals and Waste Local Plan is not found to be sound or legally compliant at examination.			
<b>Property:</b>	There are no property implications			
<b>Policy:</b>	<p>The Duty to Cooperate is required by paragraph 24 of the National Planning Policy Framework and s.33A of the Planning and Compulsory Purchase Act 2004.</p> <p>Statements of Common Ground are required in line with paragraph 27 of the National Planning Policy Framework.</p>			
	<b>Positive</b>	<b>Neutral</b>	<b>Negative</b>	<b>Commentary</b>
<b>Equalities Impact:</b>				
<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		x		No equality impacts identified
<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		x		No equality impacts identified
<b>Environmental Impact:</b>		x		No environmental impact identified
<b>Health Impact:</b>		x		No health impact identified
<b>ICT Impact:</b>		x		No ICT impact identified

<b>Digital Services Impact:</b>		x		No digital services impact identified
<b>Council Strategy Priorities:</b>		x		Statutory requirement
<b>Core Business:</b>		x		Statutory requirement
<b>Data Impact:</b>		x		No data protection impact
<b>Consultation and Engagement:</b>	West Berkshire Legal Team, Democratic Services, Planning and Transport Policy Manager, Head of Development and Planning, Executive Director – Place.			

## 4 Executive Summary

- 4.1 The National Planning Policy Framework requires strategic policy making authorities, such as local planning authorities, to produce, maintain and keep up to date a Statement of Common Ground (SoCG) to highlight agreement on cross boundary strategic issues with neighbouring authorities and other relevant bodies. The SoCG also forms part of the evidence required to demonstrate compliance with the Duty to Cooperate.
- 4.2 This report is to inform the portfolio member for planning and housing that the West Berkshire SoCG has been agreed at officer level by the identified signatories (Local Authorities) and it is now recommended that it is signed on behalf of West Berkshire Council by the Executive Member for Planning and Housing.
- 4.3 The Statement of Common Ground recognises the following strategic issues with neighbouring authorities and other relevant bodies which are required to support delivery of the Minerals and Waste Local Plan:

Matter	Signatories	Additional Signatories
1. Soft Sand	West Berkshire Council Oxfordshire County Council	South East England Aggregates Working Party
2. Crushed Rock Supply	West Berkshire Council Somerset Council	South East England Aggregates Working Party South West Aggregates Working Party

3. Non-hazardous Landfill	West Berkshire Council Oxfordshire County Council Buckinghamshire County Council	
4. Non-hazardous Energy Recovery	West Berkshire Council Hampshire County Council Slough Borough Council	

- 4.4 The main areas for agreement are outlined in this report and the full SoCG is included as Appendix A. The SoCG has been reviewed and agreed at officer level by all the Signatories and Additional Signatories. The Signing Authorities are currently taking the SoCG through their own official sign off processes, so that the SoCG can be agreed prior to the submission of the Minerals and Waste Local Plan for examination.
- 4.5 Compliance with the Duty to Cooperate is required to be evidenced at the examination of the Minerals and Waste Local Plan. By not signing the Statement of Common Ground, West Berkshire’s compliance with the Duty to Cooperate may be called into question and could mean that the Minerals and Waste Local Plan is not found to be sound and/or legally compliant.

## 5 Supporting Information

### Introduction

- 5.1 This report is to inform the portfolio member for planning and housing that the West Berkshire Minerals and Waste Local Plan Statement of Common Ground (SoCG) has been agreed at officer level with the identified signatories and now needs to be signed on behalf of West Berkshire Council. The Local Authorities identified as signatories of the SoCG are currently all progressing the SoCG through their own sign off processes.
- 5.2 The SoCG sets out the main strategic issues for Minerals and Waste in West Berkshire in order to fulfil our duties under the Duty to Cooperate. The issues and main areas for agreement are outlined in this report and the full SoCG is included as Appendix A.
- 5.3 Compliance with the Duty to Cooperate is required to be evidenced at the examination of the Minerals and Waste Local Plan. By not signing the SoCG the compliance with the Duty to Cooperate may be called into question and could mean that the Minerals and Waste Local Plan is not found to be sound and/or legally compliant.

### Background

- 5.4 The main issues identified in the SoCG are as follows:

## Issue 1: Soft Sand

- 5.5 West Berkshire's Local Aggregates Assessment (LAA) shows that the 'landbank' (permitted reserves divided by the annual requirement) for soft sand is zero. National policy requires that a landbank of at least 7 years is maintained for sand and gravel (NPPF207(f)). As there is no landbank for soft sand this indicates that additional provision for this mineral needs to be made in line with the NPPF paragraph 207(e). The 2020 LAA identifies that an additional 790,000 tonnes of soft sand would be required over the plan period (to 2037) in order to maintain the current annual requirement rate of 43,730 tonnes per annum. The MWLP needs to identify how this shortfall will be provided for over the plan period.
- 5.6 The majority of West Berkshire's soft sand deposits with operator interest are within the North Wessex Downs AONB, meaning that exceptional circumstances would need to be demonstrated if extraction was to take place within this designated landscape.
- 5.7 WBC commissioned a specific soft sand study to investigate all potential supply options for delivering West Berkshire's identified need for soft sand to address this part of the exceptional circumstances test.
- 5.8 The study concluded that the preferred option, as an alternative to providing for extraction within the AONB, would be to supply soft sand from quarries in the south of Oxfordshire. It is understood that some of West Berkshire's soft sand requirement is already being met from quarries in Oxfordshire.
- 5.9 The common ground identified and to be agreed with Oxfordshire County Council are:
- (a) West Berkshire District Council and Oxfordshire County Council understand that as identified through the West Berkshire Soft Sand Study 2019, part of the sales pattern in Oxfordshire included some supply to West Berkshire to meet demand that was not being met from quarries in West Berkshire, and that this cross-boundary movement of soft sand between the authorities is a strategic issue.
  - (b) West Berkshire District Council agrees to meet the identified need for soft sand from within their authority as far as is possible in line with national policy by allocating the Chieveley Services site and identifying Areas of Search in the West Berkshire Minerals and Waste Local Plan, and also including a criteria policy to enable any other suitable sites for soft sand that may come forward to be permitted. This will be over the lifetime of the Plan period to 2037.
  - (c) Oxfordshire County Council agrees to continue making provision for soft sand as set out in the Oxfordshire Minerals and Waste Local Plan: Core Strategy (to 2031), and as identified within their Local Aggregates Assessments. This will be delivered through the preparation and adoption of the Site Allocations Plan.
- 5.10 The South East England Aggregates Working Party have also signed the Statement of Common Ground for Soft Sand as an additional signatory.

## Matter 2: Crushed Rock

5.11 Due to its underlying geology, West Berkshire does not produce any crushed rock indigenously, nor are there any marine landing sites. As such, this aggregate is imported to the district via the rail depots in Theale.

5.12 Crushed rock is mainly imported from Somerset County. The most recent Somerset LAA states that there are approximately 377 million tonnes of permitted reserves for crushed rock and a landbank of at least 28.1 years (at the end of 2016). Therefore, there does not appear to be any supply issues with continuing to source crushed rock from Somerset over the plan period.

5.13 The common ground identified and to be agreed with Somerset Council are:

- (a) There are no known planning reasons why the continued movement of crushed rock from Somerset to West Berkshire, at levels similar to those recorded in the most recent national Aggregates Monitoring Survey, cannot continue over the West Berkshire Minerals and Waste Local Plan period.

5.14 The South East England Aggregate Working Party and the South West Aggregate Working Party have also signed the SoCG for Crushed Rock as an additional signatory.

## Matter 3: Non-hazardous landfill

5.15 The South East England Planning Advisory Group (SEWPAG) has acknowledged the provision of non-hazardous landfill to be a strategic issue for the South East. Although there has been a decline in non-hazardous waste being sent to landfill in recent years, existing sites are becoming full, or have closed resulting in fewer non-hazardous landfill facilities and a decline in voidspace.

5.16 Historically, mineral extraction sites were used for landfilling waste, and in previous decades this was also the predominant waste disposal method in West Berkshire. However, due to changes in the siting criteria for non-inert landfill sites introduced through the Landfill Directive, the mineral deposits currently worked in West Berkshire would not be suitable for non-inert landfill without considerable investment. Therefore, for a number of years all West Berkshire's non-inert (including non-hazardous) waste requiring landfill has been exported to landfill sites outside the district.

5.17 In 2018, the strategic movements of non-hazardous waste from West Berkshire to non-hazardous landfill facilities in other authority's areas were as follows:

- (a) Sutton Courtney Landfill, Oxfordshire (79%)\*
- (b) Springfield Farm landfill, Buckinghamshire (17%)\*

\*Please note that these only include strategic movements and therefore do not total 100%. Addition of non-strategic movements would total 100%.

5.18 The common ground identified and to be agreed with Oxfordshire County Council and Buckinghamshire County Councils are:

- (a) The parties agree that they each need to identify relevant waste management needs for their areas and seek to address these needs through the plan-making process. This will include policies that seek to push waste up the waste hierarchy.
- (b) That landfill will continue to be needed for residual waste. Site identification for landfill sites is an ongoing issue, and its availability will be dependent on the amount and type of mineral extraction within the Waste Planning Authority's area.
- (c) That the Waste Planning Authorities plan for sites in order to enable their availability, but it is ultimately up to the waste operators as to those sites that are proposed and whether they then get developed.
- (d) The parties agree that all efforts need to be made to identify and allocate sufficient suitable landfill sites to meet their Authorities identified need and to achieve net self-sufficiency, for example through comprehensive 'calls for sites' in the plan-making process, repeated as appropriate.
- (e) The parties conclude that if, despite best efforts, suitable non-hazardous landfill proposals are not available, or if sites do not come forward for allocation, a criteria based policy is the most sensible remaining option for landfill planning.
- (f) Therefore the parties agree, where insufficient landfill capacity is provided through existing and allocated sites, to include a criteria based policy that would guide applicants to suitable sites.
- (g) Even where all efforts are made to identify and allocate waste management sites, and a criteria based policy for landfill is included, there might still be a shortfall in landfill provision for an individual Waste Planning Authority. This would result in some cross boundary movement of waste to landfill.

#### **Matter 4: Non-hazardous Energy Recovery**

5.19 Energy recovery describes the management of non-hazardous waste to recover the remaining energy from waste after initial sorting and processing higher up the waste hierarchy. This may constitute techniques such as Mechanical Biological Treatment (MBT), gasification or incineration, and generates heat, electricity or fuel.

5.20 West Berkshire has limited energy recovery facilities, as a result the majority of waste from West Berkshire requiring this form of management is currently exported outside the district.

5.21 In 2018, the strategic movements on non-hazardous waste from West Berkshire to energy recovery in other authority areas were as follows:

- (a) Integra North Energy Recovery Facility, Hampshire (41%)\*
- (b) Integra South West Energy Recovery Facility, Hampshire (17%)\*
- (c) Lakeside Energy form Waste Facility, Slough (40%)\*

\*Please note that these only include strategic movements and therefore do not total 100%. Addition of non-strategic movements would total 100%.

5.22 The common ground identified and to be agreed with Hampshire County Council and Slough District Council are:

- (a) In the case of the Hampshire Energy from Waste facilities receiving strategic movements of waste from West Berkshire, these are acknowledged to have permanent planning permission, with no known planning reason why similar waste movements cannot continue over the West Berkshire Minerals and Waste Local Plan period. However, this situation should be kept under review should circumstances change, for instance due to contract changes.
- (b) The parties consider the Lakeside Energy from Waste Facility to be a regionally important facility, and that replacement capacity should be provided ideally in a similar location to the current facility, in a timely manner so as not to interrupt the provision that this facility provides to the waste management strategies in the surrounding region.
- (c) Notwithstanding the fact that West Berkshire does not have sufficient capacity to manage residual waste through energy recovery, it is still possible for West Berkshire to be *net self-sufficient* in waste management over the Plan period, with a surplus of capacity in other waste streams.

### **Governance**

5.23 This SoCG has been prepared by West Berkshire Council and consulted upon and agreed at officer level with the signatories identified for each matter. Sign off for the identified signatories is at Executive Member level, or under relevant delegated powers as agreed by each Local authority.

5.24 The SoCG will be maintained by the authority's party to the SoCG, although West Berkshire Council will take a leading role in preparing the document, gathering relevant information and identifying when changes/updates are needed.

### **Timetable for Agreement, Review and Update**

5.25 The SoCG will be submitted alongside the Minerals and Waste Local Plan for independent examination.

5.26 Following adoption of the Minerals and Waste Local Plan, the SoCG will be updated by West Berkshire Council when monitoring shows it is necessary to do so, by way of identifying:

- (a) New strategic matters; and/or
- (b) Changes to existing strategic matters; and/or
- (c) Identifying that matter are no longer strategic.

### **Proposals**

5.27 The West Berkshire Statement of Common Ground is signed on behalf of West Berkshire Council by the Executive Member of Planning and Housing.



## 6 Other options considered

6.1 The only alternative identified is not to sign the Statement of Common Ground which would risk the West Berkshire Minerals and Waste Local Plan being found unsound and/or not legally compliant at examination.

## 7 Conclusion

7.1 The Statement of Common Ground sets out the strategic issues for minerals and waste planning in West Berkshire. It sets out where supply or capacity cannot be identified indigenously and therefore, there is a reliance on other authorities to provide minerals or accept residual waste. The issues identified have been set out over four matters and agreed by the identified authorities.

7.2 It is recommended that the Statement of Common Ground is signed by the executive member of planning and housing.

## 8 Appendices

8.1 Appendix A – West Berkshire Minerals and Waste Local Plan Statement of Common Ground

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### Subject to Call-In:

Yes:  No:

- |  |                          |
|--|--------------------------|
| The item is due to be referred to Council for final approval   | <input 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 Committee 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"/> |

**Wards affected:** The Statements of Common Ground apply to West Berkshire so all wards affected although no specific impacts are identified.

### Officer details:

Name: Rachael Lancaster  
Job Title: Principal Planning Officer (Minerals and Waste)  
Tel No: 01635 519971  
E-mail: [Rachael.lancaster@westberks.gov.uk](mailto:Rachael.lancaster@westberks.gov.uk)

### Document Control

Document Ref:		Date Created:	
Version:		Date Modified:	
Author:			
Owning Service			

### Change History

Version	Date	Description	Change ID
1			
2			