Staffordshire County Council


June 2015
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Introduction to the Duty to Cooperate

1. The Localism Act introduces a 'Duty to Cooperate', whereby local planning authorities are required to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.\(^1\) National policy indicates that strategic priorities include policy for the provision of minerals.\(^2\) The duty to cooperate is not a duty to agree. But local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination.\(^3\)

2. This statement is prepared to identify strategic cross boundary priorities relevant to the new Minerals Local Plan and the steps taken to address those issues.

Strategic context

3. A special characteristic for the supply of minerals is that minerals can only be worked (i.e. extracted) where they naturally occur and this can result in significant geographical imbalances in the occurrence of suitable mineral resources, and the areas where they are most needed.

4. Staffordshire is an important mineral producing area and chapters 2 to 5 of the draft Minerals Local Plan explain the key mineral development issues that are anticipated over the next 15 years.

5. Staffordshire’s proximity to the West Midlands conurbation (refer to figure 1) and its location within central England provides access to significant markets for construction minerals and associated industries e.g. cement manufacturing plant. A key issue that has cross border implications is the supply of aggregate minerals and in particular, sand and gravel.

6. In connection with the provision of minerals, there is a need to safeguard mineral resources from other development that could sterilise mineral resources. Consequently, there is a requirement to engage with district planning authorities particularly where minerals are situated on the urban periphery where there is pressure for built development e.g. clay minerals around the North Staffordshire conurbation.

7. The restoration of mineral sites provides significant opportunities for landscape regeneration and for enhancement of biodiversity/ geodiversity as well as opportunities for recreation. A landscape scale approach to enhancing biodiversity is encouraged by national policy and co-operation with environmental organisations such as the Local Nature Partnership, other

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1 Refer to Section 110 Localism Act/ Section 33A Planning & Compulsory Purchase Act
2 Refer to paragraph 156 of the NPPF
3 Refer to paragraph 001 Reference ID: 9-001-20140306 of the PPG.
the industry can identify opportunities for preserving, restoring and re-creating habitat and ecological networks.

8. The table below summarises those strategic priorities for the Plan that have required working with other parties and further detail is provided in appendix 1.
### Summary table of strategic working

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<th>Local plan’s strategic priorities</th>
<th>Management and working arrangements</th>
<th>Evidence Base</th>
<th>Outcome</th>
<th>Ongoing cooperation</th>
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<tr>
<td>Provision of aggregate minerals:</td>
<td>Members of the West Midlands Aggregates Working Party (WMAWP); East Midlands Aggregates Working Party (EMAWP) (The AWPs are required to operate in accordance with national guidance(^4)) Members of the West Midlands Resource Technical Advisory Body (WMRTAB) (The WMRTAB operate in accordance with an agreed protocol signed by Members)</td>
<td>Refer to Local Aggregate Assessments (LAAs)/ Annual reports produced by AWP/ Aggregate Mineral Surveys produced on behalf of DCLG</td>
<td>Agreement for basis of assessment for the provision of aggregate minerals in LAAs. Initial LAAs have been considered and comments given on “lessons learnt” to take into account in production of future LAAs.</td>
<td>Agreed focus of MPAs to consider resilience of landbanks to meet levels of provision. This requires ongoing monitoring as part of production of LAAs and testing of options through local plans. This will identify shortfalls in areas that need to be addressed through co-operation. Agreed that there is a need for further studies on efficient use of aggregate materials and to improve data relating to use of recycled aggregates.</td>
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\(^4\) Refer to paragraphs 071 to 076 (Reference ID: 27-071-20140306 to 27-076-20140306) of the national PPG
### Local plan’s strategic priorities

<table>
<thead>
<tr>
<th>Provision of industrial minerals (cement/ clay)</th>
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<tr>
<td>• Assessment of provision levels of primary minerals</td>
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<tr>
<td>• Assessment of reserves/ resources.</td>
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### Management and working arrangements

| Other MPAs (neighbouring/ national); Mineral operators (informal contact has been made with relevant organisations) |
| Neighbouring MPAs; District Planning Authorities; Coal Authority; BGS |

### Evidence Base

| BGS factsheets; Minerals Product Association data; SCC records; Planning ata from other MPAs |
| Mineral resource data produced by BGS/ CA; SCC records; Data on site infrastructure (mineral operators) |

### Outcome

| Co-operation on data provides evidence for Plan in relation to movement of clays and use of cement minerals. |
| Preparation of mineral safeguarding area mapping; Preparation of list of exempt applications where mineral safeguarding will not apply; To check consistency of mapping along boundaries with other MPAs |

### Ongoing cooperation

| Need for ongoing monitoring and co-operation in monitoring between MPAs and industry. |
| To monitor effectiveness of mineral safeguarding policies. |

### Safeguarding important mineral resources and mineral site infrastructure

| Neighbouring MPAs; District Planning Authorities; Coal Authority; BGS |

### Enhancing local amenity and the environment through mineral restoration

| Local Nature Partnership Nature After Minerals (RSPB); Central Rivers Initiative including relevant district |

### Evidence Base

| Data relating to environmental initiatives; Documents relating to minerals |

### Outcome

| Consider restoration principles for local policy; Highlight initiatives to provide |

### Ongoing cooperation

<p>| Monitor contribution of restoration strategies/ schemes to initiatives. |</p>
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<tr>
<td>councils</td>
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<td>restoration.</td>
<td>opportunities for mineral restoration to contribute to those initiatives.</td>
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</table>
Figure 1: Strategic planning area
# Appendix 1: Strategic Planning Issues

## 1. Strategic Planning issue

**To plan for a steady and adequate supply of aggregates.**
- Assessment of provision levels of primary minerals
- Assessment of reserves/resources.

## 2. Evidence base

- Local Aggregate Assessments (LAA) including data derived from surveys undertaken on behalf of the Aggregates Working Party;
- Annual report produced by WMAWP;
- Aggregate Minerals Survey undertaken on behalf of DCLG.

## 3. Strategic Partners

Members of the West Midlands Aggregates Working Party (WMAWP) including:

- Other MPAs including Shropshire, Warwickshire, Worcestershire, Walsall and Solihull;

**East Midlands Aggregates Working including Derbyshire County Council**

**West Midlands Resource Technical Advisory Body**

## 4. Actions

Action: Consultation on draft LAA (with 2011 survey data)

**Partners:** WMAWP, EMAWP, Staffordshire District Planning Authorities

**Outcome:** Availability of report considered at WMAWP officers’ meeting (18-10-13). Feedback from consultation reported to Planning Committee (5-12-13). Opportunity to engage with other MPAs through preparation of LAA was highlighted taking into account the need to consider issues for growth within the West Midlands conurbation. The local LEP was informed of opportunity to comment.

Draft was revised in preparation of first draft of new Minerals Local Plan taking into account comments received and reviewing evidence for aggregates relevant to the City council area.

**Date:** October 2013 – December 2013
### Action: Preparation of LAA to support consultation on first draft of new Minerals Local Plan (with 2012 survey data)

**Partners:** WMAWP, other neighbouring MPAs

Outcome: Presentation on revised LAA made to WMAWP (24-6-15) where invitation was made for members of the WMAWP to comment on the LAA which was also made available as a supporting document to the consultation on the first draft of the Minerals Local Plan (May – July 2014). Comments on the LAA compiled by the AWP secretary were made available (23-1-15) and these comments were discussed at the WMAWP meeting (27-3-15). Prior to this meeting of the WMAWP, officers from West Midlands MPAs met 10-2-15 to discuss LAAs and assessment of aggregate minerals provision.

**Key findings are that:**
- the rolling 10-years sales average is currently regarded as the best guide to the quantities needed;
- averages for the last three years should be presented as an early steer or ‘direction of travel’ for possible changes;
- housing numbers on their own are not an appropriate “proxy” indicator of the future demand for aggregate minerals;
- Landbanks for different types of aggregates is not currently practical

**Date:** April 2014 – March 2015

### 5. Outcomes from strategic working

Refer to policy 1 and the level of provision which relies on evidence provided in the Local Aggregate Assessments. The requirement for the production of LAAs as introduced by the NPPF has required the Council to work cooperatively with other authorities including Districts and the industry in gathering relevant data. Discussion with the AWP has assisted in confirming the content of initial LAAs and best practice in the use of the rolling 10 years sales average.

### 6. Ongoing cooperation

*How will the strategic issues be managed on an ongoing basis? What are the mechanisms/structures being used to do this? How will this be monitored?*

National policy requires that national guidelines for provision (2009) are considered as well as other relevant local information in determining the level of provision but more assessment is required in determining the extent to which other factors can influence the level of provision. Industry is concerned that the 10 years sales average is overly influenced by the effect of the recent downturn in construction activity and effective up to date monitoring is necessary to address these concerns.

The LAA takes into account supply from alternative sources such as recycling construction and demolition waste. Monitoring this source of aggregate is difficult and is an aspect of monitoring that needs to be addressed by the WMAWP/RTAB.
1. **Strategic Planning issue**

Provision of industrial minerals (cement/ clays)

2. **Evidence base**

- SCC records relating to cement minerals (refer to appendices to Plan);
- Enquiries made to other MPAs;
- BGS factsheets; and
- Data produced the industry.

3. **Strategic Partners**

Other MPAs – Derbyshire, Peak District, Rutland, Lancashire, Flintshire and Warwickshire (concerning cement production); and Cumbria, Nottinghamshire, Leicestershire and East Sussex (concerning anhydrite/ gypsum production)

Mineral operators – Lafarge Tarmac; British Gypsum (cement minerals); Wienerberger and Ibstock (shale/ clay)

4. **Actions**

**Action:** Enquires for data to check on supply issues for cement minerals as indicated in BGS factsheet.

**Partners:** Other MPAs

**Outcome:** No significant planning issues have been identified that indicate potential changes to the local provision of cement minerals.

**Date:** September 2014

**Action:** Enquires for data to check on supply issues for clay

**Partners:** Other MPAs – Walsall, Telford and Wrekin, Stoke-on-Trent City Council.

**Outcome:** No significant issues are identified but recent proposals for the importation of clays to supplement clay used at a works in Walsall highlight the need to monitor cross border movements of clay.

**Date:** March – April 2015

5. **Outcomes from strategic working**

No significant strategic issues requiring strategic cooperation have been identified for immediate action.

6. **Ongoing cooperation**

For cement rock production, potential changes to the availability of DSG from power stations could affect demand for primary mineral as well as changes to cement manufacturing capacity. These potential changes need to be monitored with the co-operation of industry.

As identified above, there will be a requirement to work co-operatively with the industry and other MPAs to monitor whether demand outside the county for clay requires additional reserves.
1. **Strategic Planning issue**

To ensure that important economic mineral resources are not needlessly sterilised and that important mineral site infrastructure is safeguarded.

2. **Evidence base**

- Surface Coal Resource Mapping – Coal Authority (2014);
- Minerals site infrastructure – SCC records

3. **Strategic Partners**

Staffordshire District Planning Authorities  
Coal Authority

4. **Actions**

**Action :** Informal consultation on exemptions to be applied to mineral safeguarding policy  
**Partners:** Staffordshire District Planning Authorities  
**Outcome:** Feedback received in response to consultation on first draft of the new Minerals Local Plan highlighted a need for clarification on the use of mineral safeguarding areas particularly within the urban areas. In addition, the Coal Authority sought clarification that the latest mapping for surface coal resources is being used. Further correspondence with the Coal Authority has confirmed updates to the mapping. Based on a review of the best practice guide produced by the BGS/ CA, a note was prepared on exemptions to be applied to the proposed mineral safeguarding policy to be used in consultation with the district planning authorities as well as an invitation to discuss safeguarding requirements for minerals site infrastructure.  
**Date:** March 2015

5. **Outcomes from strategic working**

Comments were received from some of the District Planning Authorities and this has assisted in producing a list of exemptions that is now referred to under policy 3 (refer to appendix 6). No enquiries were received in relation to safeguarding mineral site infrastructure sites in accordance with national guidance.
### 6. Ongoing cooperation

The monitoring framework requires that consultations between the districts and the MPA are monitored to check the effect of the policy. A key aspect of safeguarding policy will be also to ensure that local plan proposals are assessed in terms of the coincidence with mineral safeguarding areas and proximity to mineral site infrastructure.
1. **Strategic Planning issue**

To ensure that Staffordshire’s mineral sites are restored and managed in a way that enhances local amenity and the environment.

2. **Evidence base**

- Information from Local Nature Partnership relating to local environmental initiatives;
- Strategies/ documents produced by CRI/ Nature After Minerals RSPB/ National Forest

3. **Strategic Partners**

Local Nature Partnership  
Nature After Minerals (RSPB)  
Central Rivers Initiative including relevant district planning authorities;  
Adjoining MPAs  
Sport across Staffordshire

4. **Actions**

Action: Discussion of restoration principles for quarrying along Trent and Tame Valley  
Partners: Local Nature Partnership/ RSPB/ Central Rivers Initiative including relevant district planning authorities/ Adjoining MPAs  
Outcome: The Trent/ Tame Valley area is a concentrated area of sand and gravel working where the Central Rivers Initiative seeks to guide quarry restoration in the regeneration of the valleys. The project also fits within a wider project managed by the Nature After Minerals project and funded by the EU – Life Nature programme, for enhancing wildlife habitat along the Trent Valley. Discussions have taken place with the CRI at a conference in March 2013 which was followed by presentations by the council to the CRI Board in June 2013 and September 2013. The CRI commented on the first draft of the Plan and have responded to consultations on proposals for extensions to both Newbold and Alrewas quarries. In relation to the Trent and Tame River Valleys Futurescape, the Council has participated at workshops held with other stakeholders including relevant MPAs, in July 2013 and July 2014. In October 2014, the council reviewed a document that will promote restoration principles.  
Date: March 2013 ongoing
## 5. Outcomes from strategic working

Strategic working has clarified opportunities for the environmental initiatives through the plan making process and in consideration of individual proposals for mineral working. The Plan can raise awareness of the initiatives including biodiversity opportunity mapping that can be used to inform restoration schemes. Discussion also highlighted opportunities for sport, recreation and improved public access which in relation to Newbold Quarry has been discussed with Sport across Staffordshire. Future work within the area could also identify specific targets for habitat creation associated with future mineral working.

## 6. Ongoing cooperation

Restoration schemes will be monitored to assess the contribution made to local environmental initiatives and it will be beneficial for ongoing co-operation to continue so that opportunities can be realised.