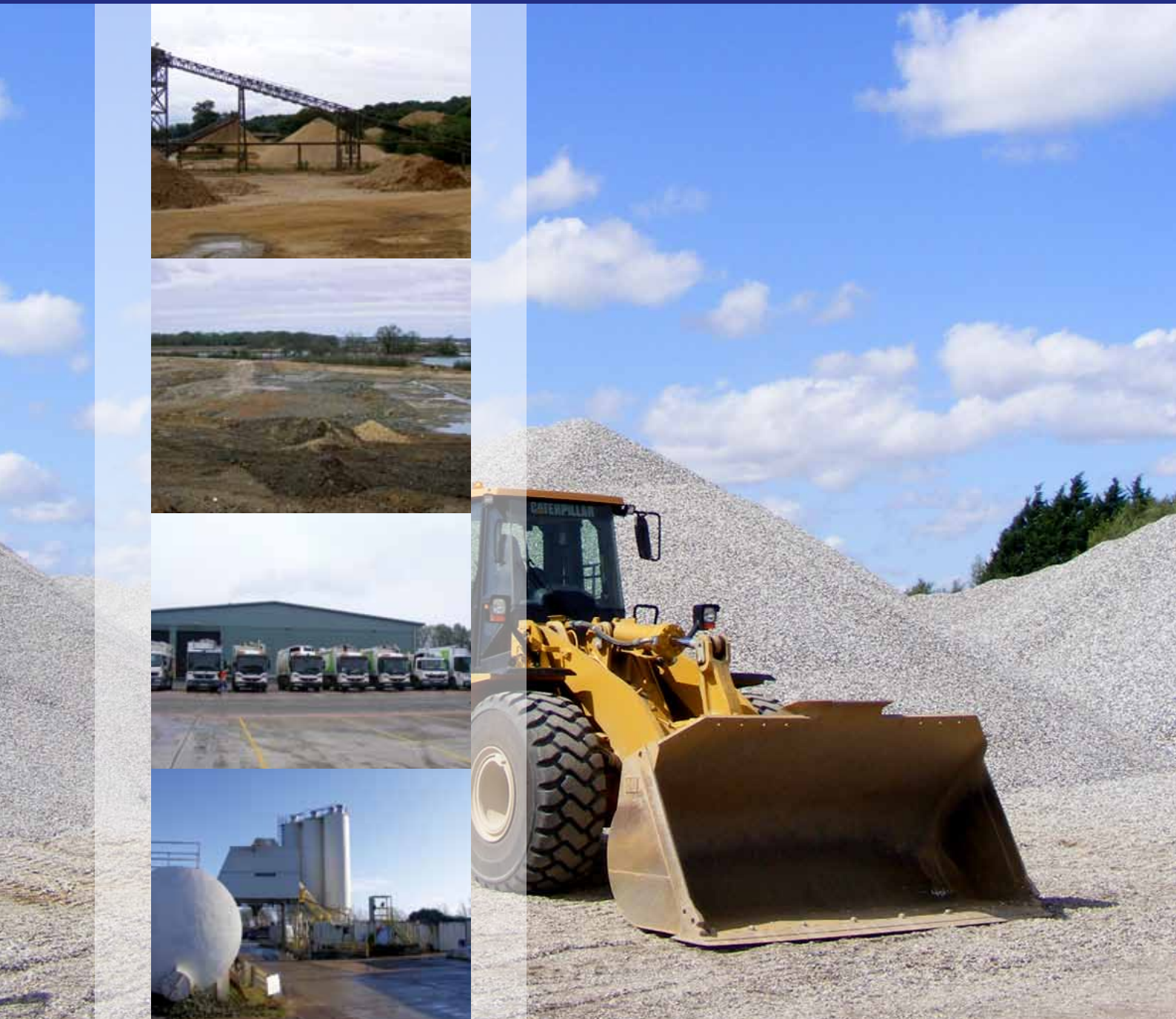


# West Berkshire Minerals and Waste Local Plan Duty to Cooperate Statement November 2020

## West Berkshire Local Plan



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## 1.0 Introduction

### Background to the Duty to Cooperate

- 1.1 Section 110 of the Localism Act <http://www.legislation.gov.uk/ukpga/2011/20/section/110> (which amended the Planning and Compulsory Purchase Act 2004 <http://www.legislation.gov.uk/ukpga/2011/20/section/110/enacted>) places a legal duty on local planning authorities and other prescribed bodies to ‘engage constructively, actively and on an ongoing basis’ with other local planning authorities, county councils and other prescribed bodies<sup>1</sup> when preparing development plan documents in order to address strategic planning issues relevant to their areas. This ‘duty to cooperate’:
- relates to development or use of land that would have a significant impact on at least two local planning areas;
  - requires that councils set out planning policies to address such issues;
  - requires that councils and other bodies ‘engage constructively, actively and on an ongoing basis’ to develop strategic policies; and
  - requires councils to consider joint approaches to plan making.
- 1.2 The preparation of development plans are governed by the Town & Country Planning (Local Planning) (England) Regulations 2012 (as amended) <http://www.legislation.gov.uk/uksi/2012/767/contents/made>. Regulation 4 sets out the list of prescribed bodies to which the Duty to Cooperate also applies.
- 1.3 Relevant planning policy issues to be considered under the Duty to Cooperate are explained in the NPPF under the ‘Maintaining Effective Cooperation’ section in paragraphs 24 to 27) <https://www.gov.uk/government/publications/national-planning-policy-framework--2>. Specifically, it states that “Strategic policy-making authorities should collaborate to identify the relevant strategic matters which they need to address in their plans” (paragraph 25). It highlights the importance of joint working to meet development requirements that cannot be wholly met within a single local planning area where it is practical to do so. “Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere” (paragraph 26).
- 1.4 Paragraph 20(b) of the NPPF includes waste management and provision of minerals as strategic priorities to which the Duty to Cooperate applies where they cross administrative boundaries. The Duty to Cooperate is tested at examination whenever an Authority prepares or reviews a Development Plan Document (DPD) as part of its Local Plan.
- 1.5 The West Berkshire Minerals and Waste Local Plan (MWLP) is likely to impact on adjoining minerals and waste planning authorities and possibly on some other more

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<sup>1</sup> Prescribed Bodies are defined in Regulation 4 of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

distant authorities. It may also have implications for some of the prescribed bodies, as listed in Regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

- 1.6 It is therefore clear that the Duty to Cooperate applies to West Berkshire District Council (WBDC) in the preparation of the Minerals and Waste Local Plan. This statement has been prepared to show how work undertaken by the Council in the preparation of the MWLP meets the Duty to Cooperate requirement.

### **West Berkshire Strategic Context**

- 1.7 West Berkshire is a unitary authority of 704 square kilometres (272 square miles), located in South East England. Approximately 90% of the district is considered to be rural in character. The North Wessex Downs Area of Outstanding Natural Beauty (AONB) is a nationally important and legally protected landscape, designated for the quality of its scenic beauty, covering approximately 74% of the district.
- 1.8 Approximately 44% of the population live in rural areas of the district, dispersed across a large number of towns, villages and smaller settlements. The remainder of the population are focused in the urban areas of Newbury and Thatcham and the urban areas of Calcot, Tilehurst and Purley-on-Thames to the east of the district.
- 1.9 West Berkshire is part of the Thames Valley which is recognised as the most productive sub-region in the UK<sup>2</sup>. Employment provision in West Berkshire is diverse and employment rates remain high.
- 1.10 West Berkshire is well connected in transport terms. At the centre of the district is an important road interchange where the east-west M4 motorway intersects with the north-south A34. There are road connections to larger centres such as Reading, Oxford, Swindon, Basingstoke and London. Mainline railway services to London and the south west of England run through the south of the District.

### **Preparation of the West Berkshire Minerals and Waste Local Plan**

- 1.11 The Minerals and Waste Local Plan, when adopted will replace the existing saved minerals and waste planning policies as set out in the Replacement Minerals Local Plan for Berkshire (incorporating alterations adopted in 1997 and 2001) and the Waste Local Plan for Berkshire (adopted 1998).
- 1.12 The Minerals and Waste Local Plan will cover the period to 2036, setting out new and comprehensive policies to guide minerals and waste development in West Berkshire. It also proposes the allocation of sites for mineral development to meet the Council's mineral need over the plan period based on evidence collected, site assessment work and the outcomes of consultation.
- 1.13 Preparation of the Minerals and Waste Local Plan commenced in 2013 and several stages of consultations have already taken place giving members of the public and stakeholders the opportunity to have a say in the plan making process and guide the direction of the MWLP to ensure it covers minerals and waste issues specifically relevant in West Berkshire:
- Regulation 18<sup>3</sup> and Issues and Options, including a “call for sites” (early 2014)

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<sup>2</sup> Thames Valley Berkshire LEP: <http://thamesvalleyberkshire.co.uk/>

<sup>3</sup> DCLG (2012) The Town and Country Planning (Local Planning) (England) Regulations 2012  
<http://www.legislation.gov.uk/ukSI/2012/767/regulation/18/made>

- Sites consultation on all sites submitted as part of the “call for sites” (Summer 2016)
- Preferred Options consultation (Spring 2017)

### **Strategic Minerals and Waste Issues in West Berkshire**

1.14 Specific strategic issues that relate to the preparation of the West Berkshire MWLP and that the Council has engaged on under the Duty to Cooperate include:

- Strategic movements of minerals/waste
- Non-hazardous landfill and recovery capacity
- Soft sand supply
- Crushed rock supply

1.15 Engagement and cooperation on the strategic and cross boundary minerals and waste issues affecting West Berkshire has shaped and influenced the contents of the MWLP, in particular the policy wording, the spatial strategy, background evidence documents and identification of the allocated sites. Further details of how the MWLP has been shaped following engagement and cooperation is given in the Council’s Statement of Consultation.

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

1.16 A Statement of Common Ground (SCG) has also been prepared setting out strategic matters that the Council has actively engaged with other Minerals and Waste Planning Authorities on. The SCG outlines particular areas of agreement (and disagreement if applicable) and has been produced to help evidence the Council’s engagement on these cross-boundary strategic matters.

## 2.0 Cooperation on Strategic Minerals Planning Issues

### South East England Aggregate Working Party (SEEAWP)

- 2.1 SEEAWP is a technical advisory group on planning for aggregates supply. The Aggregate Working Parties (AWPs) were established by Central Government some years ago and all the AWP's remain responsible to DCLG.
- 2.2 The purpose of SEEAWP is to produce fit for purpose and comprehensive data on aggregate demand and supply in the former South East region and provide advice to mineral planning authorities and the national Aggregate Co-ordinating Group.
- 2.3 Membership of SEEAWP includes officer representatives from the Mineral Planning Authorities within the former South East region and representatives of the minerals industry (Mineral Products Association, British Aggregates Association and British Marine Aggregate Producers Association) and representatives from DCLG. Meetings are also attended by the Port of London Authority, The Crown Estate, the East of England AWP and the London AWP.
- 2.4 The NPPF (paragraph 207) suggests that MPAs should participate in the operation of an AWP and National Planning Practice Guidance advises that each MPA should be a member of an AWP.
- 2.5 The NPPF confirms that the role of each AWP is three-fold:
- to consider, scrutinise and provide advice on the Local Aggregate Assessment (LAA) of each mineral planning authority in its area;
  - to provide an assessment on the position of overall demand and supply for the Aggregate Working Party area, including whether, in its view, the area is making a full contribution towards meeting both national and local aggregate needs. This assessment should be based on local aggregate assessments and should be informed by other economic data. It should also include an indication of emerging trends of demand in the AWP area; and
  - to obtain, collect and report on data on minerals activity in their area. This includes annual data on sales, permissions and mineral reserves in their area, and data on recycled and secondary sources.
- 2.6 As part of its role SEEAWP undertakes an annual monitoring survey of aggregate sales and reserves across the South East and has completed other studies that individual authorities could not undertake on their own. It has contributed to work that has been undertaken on national and regional requirements for the supply of aggregates, including the sub-regional apportionment of land-won aggregate supply in the South East. Previously, this work informed preparation of the (now revoked) South East Plan.
- 2.7 WBDC is an active member of SEEAWP and officers attend the SEEAWP meetings that are usually held three times a year. Officers also receive and respond on SEEAWP matters in between the formal meetings as necessary.
- 2.8 Following the dissolution of the Regional Assembly and revocation of the South East Plan, and the changes to the Managed Aggregate Supply System (MASS) brought in by the NPPF, the role of SEEAWP changed. As detailed above one of the key roles carried out by the AWP is providing advice to MPA's on the preparation of their Local Aggregate Assessments (LAA). LAA's are an annual assessment of the level of demand for, and supply of aggregates in a MPA's area. Such assessments are

clearly important in the delivery of the West Berkshire Minerals and Waste Local Plan. The Council's involvement in SEEAWP is, therefore, very relevant to the requirements of the DtC.

- 2.9 The first LAA for West Berkshire was published by the Council as one of the suite of documents that accompanied the initial "Issues and Options" Consultation on the West Berkshire Minerals and Waste Local Plan. This LAA (December 2013) was the first LAA completed by West Berkshire and whilst similar data had previously been produced and published within a Berkshire wide Annual Monitoring Report this was the first time that an attempt had been made to assess and predict the level of aggregate need for the Mineral Planning Authority of West Berkshire.
- 2.10 As such this first LAA included historical data and information not previously published at the MPA level (as such data had previously been published in an aggregated form as part of Berkshire wide assessments). This, coupled with the LAA (December 2013) being a document supporting a plan making consultation, meant that the LAA was both detailed and extensive. The LAA included an assessment of numerous demand related factors and the consideration of various methods of determining aggregate supply requirements for the authority.
- 2.11 A draft of the LAA (December 2013) for West Berkshire was reported to SEEAWP on the 13<sup>th</sup> November 2013. SEEAWP complemented the authority on the preparation of an LAA despite the data constraints and supported the provision of land-won sand and gravel at the 10 year sales average which gives headroom for growth in the economy.
- 2.12 WBDC also consulted the South West Aggregates Working Party as well as all the other MPA's that make up the former County of Berkshire when the LAA was in draft format. The comments received, and a response from the Council to the comments made is recorded within the final published version of the LAA (December 2013).
- 2.13 The second LAA for West Berkshire (December 2014) was prepared by WBDC and prior to publication it was subject to limited consultation with the following bodies: The South East England Aggregates Working Party, The South West Aggregates Working Party, The Berkshire Unitary Authorities, Neighbouring County and District Councils, Somerset County Council, North Somerset Council, Gloucestershire County Council and South Gloucestershire Unitary Authority.
- 2.14 SEEAWP considered the second LAA for West Berkshire on the 27<sup>th</sup> October 2014 and subsequently confirmed the LAA (December 2014) was approved by the AWP. The comments received, and a response from the Council to the comments made is recorded within the final published version of the LAA.
- 2.15 The third LAA for West Berkshire (December 2015) was prepared by WBDC and prior to publication it was subject to limited consultation with the following bodies: The South East England Aggregates Working Party, The South West Aggregates Working Party, The Berkshire Unitary Authorities, Neighbouring County and District Councils, Somerset County Council, North Somerset Council, Gloucestershire County Council and South Gloucestershire Unitary Authority.
- 2.16 SEEAWP considered the third LAA for West Berkshire on the 10<sup>th</sup> November 2015 and subsequently confirmed the LAA (December 2015) was agreed by the AWP. The comments received, and a response from the Council to the comments made is recorded within the final published version of the LAA (December 2015).



- 2.17 The fourth LAA for West Berkshire (2016) was prepared by WBDC and prior to publication it was subject to limited consultation with the following bodies: the South East England Aggregates Working Party, the South West Aggregates Working Party, the Berkshire Unitary Authorities, neighbouring county and district councils, Somerset County Council, North Somerset Council, Gloucestershire County Council and South Gloucestershire Unitary Authority.
- 2.18 SEEAWP considered the fourth LAA for West Berkshire on the 21<sup>st</sup> November 2016 and the AWP subsequently confirmed that the LAA (2016) was agreed by the AWP. The comments received and a response from the Council to the comments made is recorded within the final published version of the LAA (December 2016).
- 2.19 The fifth LAA for West Berkshire (2017) was prepared by WBDC and prior to publication it was subject to limited consultation with the following bodies: the South East Aggregates Working Party, the South West Aggregates Working Party, the Berkshire Unitary Authorities, neighbouring county councils, Gloucestershire County Council, Somerset County Council, Hertfordshire County Council, Leicestershire County Council, Shropshire Council, North Somerset Council, South Gloucestershire Council, Rhondda, Cynon Taff County Borough Council and Powys County Council.
- 2.20 SEEAWP considered the fifth LAA for West Berkshire on 16<sup>th</sup> July 2018 and the AWP subsequently confirmed that the LAA (2017) was agreed by the AWP. The comments received and a response from the Council to the comments made is recorded within the final published version of the LAA (2017).
- 2.21 The sixth LAA for West Berkshire (2018) was prepared by WBDC and prior to publication it was subject to limited consultation with the following bodies: the South East Aggregates Working Party, the South West Aggregates Working Party, the Berkshire Unitary Authorities, neighbouring county councils, Gloucestershire County Council, Somerset County Council, Hertfordshire County Council, Leicestershire County Council, Shropshire Council, North Somerset Council, South Gloucestershire Council, Rhondda, Cynon Taff County Borough Council and Powys County Council.
- 2.22 SEEAWP considered the sixth LAA for West Berkshire on 19<sup>th</sup> November 2018 and the AWP subsequently confirmed that the LAA (2018) was agreed by the AWP. The comments received and a response from the Council to the comments made is recorded within the final published version of the LAA.
- 2.23 The seventh LAA for West Berkshire (2019) was prepared by WBDC and prior to publication it was subject to limited consultation with the following bodies: the South East Aggregates Working Party, the South West Aggregates Working Party, the Berkshire Unitary Authorities, neighbouring county councils, Gloucestershire County Council, Somerset County Council, Hertfordshire County Council, Leicestershire County Council, Shropshire Council, North Somerset Council, South Gloucestershire Council, Rhondda, Cynon Taff County Borough Council and Powys County Council.
- 2.24 SEEAWP considered the seventh LAA for West Berkshire on 14<sup>th</sup> November 2019 and the AWP subsequently confirmed that the LAA (2019) was considered by the AWP and the discussion that took place was taken into consideration in finalising the LAA. The comments received and a response from the Council to the comments made is recorded within the final published version of the LAA.

- 2.25 The eighth LAA for West Berkshire (2020) was prepared by WBDC in conjunction with BPP consulting. Prior to publication it was subject to limited consultation with the following bodies: the South East Aggregates Working Party, the South West Aggregates Working Party, the Berkshire Unitary Authorities, neighbouring county councils, Gloucestershire County Council, Somerset County Council, Hertfordshire County Council, Leicestershire County Council, Shropshire Council, North Somerset Council, South Gloucestershire Council, Rhondda, Cynon Taff County Borough Council and Powys County Council.
- 2.26 SEEAWP considered the seventh LAA for West Berkshire on 24<sup>th</sup> November 2020.
- 2.27 Details of officer involvement at SEEAWP meetings as well as a summary of the main issues discussed is given in Appendix 1.

### **Cooperation with South East Mineral Planning Authorities**

#### *South East Mineral Planning Officer Meetings*

- 2.28 In addition to the liaison that takes place with other South East MPAs through SEEAWP, meetings of officers from all the South East MPAs have been held on a regular basis since September 2013. These meetings take place in the morning of days when SEEAWP is held, and discussions include draft LAAs, emerging minerals local plans and other strategic issues affecting the South East of England, for example soft sand supply.
- 2.29 WBDC officers have regularly attended these meetings and details of officer involvement at these meetings as well as a summary of the main issues discussed is given in Appendix 1.

#### *Draft South East Joint Position Statement on Soft Sand*

- 2.30 The South East Mineral Planning Authorities Soft Sand Joint Position Statement (JPS) is intended to provide an agreed source of evidence and current policy on the issue of soft sand supply in the South East of England.
- 2.31 The JPS recognises that the supply of soft sand within the South East is a strategic planning issue. It acknowledges that soft sand is an important aggregate mineral present in the South East of England, but that the geology of soft sand bearing deposits mean that not all MPAs in the South East of England contain soft sand resources. In addition, in some areas of the South East, this resource is constrained by landscape and environmental designations. The JPS indicates that additional sites will need to be allocated in minerals plans and permitted by Mineral Planning Authorities to ensure that a steady and adequate supply of soft sand can be maintained in the South East, but that this need for future supply will need to balance conflict with significant landscape, environmental and recreational constraints. The JPS also recognises that there are alternatives to land-won supply for soft sand, but that these alternatives are currently limited and also have constraints of their own which could impact the supply of soft sand – any reliance will need to be justified through evidence and agreements with other authorities.
- 2.32 In the case of West Berkshire, it is acknowledged that historically most of the soft sand deposits from the Reading Bed Formation that have been worked are found within the North Wessex Downs Area of Outstanding Natural Beauty. Therefore this

is an issue that could trigger the need for cooperation with other Mineral Planning Authorities or the consideration of alternatives to land-won supply.

- 2.33 The JPS is a statement of fact, and is intended to form the basis of further cooperation between individual Mineral Planning authorities, for example statements of common ground. The JPS is included as Annex A.

*West Berkshire Soft Sand Study*

- 2.34 In order to inform the supply strategy for soft sand within the West Berkshire Minerals and Waste Local Plan, the Council commissioned a specific Soft Sand Study to investigate all potential supply options for delivering West Berkshire's identified level of need for soft sand.

- 2.35 As part of this study, those authorities within the study area were contacted in order to understand the nature of soft sand supply between West Berkshire and the relevant authorities. The authorities contacted were: other Berkshire Unitary Authorities (Bracknell Forest, Royal Borough of Windsor and Maidenhead, Reading, Slough and Wokingham), Hampshire County Council, Oxfordshire County Council, Surrey County Council and Wiltshire County Council. The following questions were asked:

1. For currently adopted plans - does your plan make provision for soft sand provision of wider than local supply, either specifically or as part of a contribution to national supply outlined in national planning guidance on the managed aggregates supply system (Paragraph: 060 Reference ID: 27-060-20140306)? If so, could you provide the details of this?
2. For emerging plans - is your plan considering the option of soft sand provision of wider than local supply, either specifically or as part of a contribution to national supply outlined in national planning guidance on the managed aggregates supply system (Paragraph: 060 Reference ID: 27-060-20140306)? If so, could you provide the details of this?
3. Do you know of any evidence that soft extracted within your authority area has been travelling to supply areas outside of the authority?
4. Are you aware of any constraints that would prevent soft sand extracted within your authority area from travelling to supply areas outside the authority?
5. Would you consider that West Berkshire is within the range that minerals extracted from your authority could travel?
6. Do you agree that mineral movements are largely dictated by market conditions, and mineral planning authority boundaries do not influence the flow of minerals?
7. Is there anything else relevant to this matter that you may be aware of, or that you consider would assist us?

- 2.36 All authorities that were contacted provided responses and these were used to inform the outcomes and conclusions of the Soft Sand Topic Paper. An example of the letter sent is given in Appendix 2.

## Cooperation with other Mineral Planning Authorities

### *Soft Sand*

- 2.37 The West Berkshire Soft Sand Study has identified that currently the only realistic alternative to providing for extraction within the AONB in West Berkshire would be to supply soft sand from quarries in the south of Oxfordshire, which would be a continuation of the current situation as understood by relevant mineral operators. However, this option would rely on a formal agreement with Oxfordshire County Council.
- 2.38 Therefore, a specific meeting was held with Oxfordshire County Council on 5<sup>th</sup> June 2019, with a view to discuss the strategic issue of soft sand supply between the two authorities. Due to the significant decline in sales of soft sand in West Berkshire identified in the 2018 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 is travelling from Oxfordshire to West Berkshire. In addition, evidence gathered from mineral operators through the West Berkshire 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.
- 2.39 The Soft Sand Study suggests that part of the current sales pattern in Oxfordshire comprises supply to West Berkshire. Therefore, if Oxfordshire makes provision to enable the current levels of supply to continue, then it can be inferred that current movements of soft sand from Oxfordshire to West Berkshire will be able to continue, and that this would enable some of the identified need for soft sand in West Berkshire to be met by imports from Oxfordshire as is currently understood to be the case. However, this would rely on a formal agreement with Oxfordshire County Council to make provision for supplying West Berkshire as well as addressing its own requirements.
- 2.40 Liaison has therefore been undertaken through the Duty to Cooperate regarding whether Oxfordshire County Council could make provision to enable current levels of soft sand supply to continue through their emerging Site Allocations Document. A Statement of Common Ground has also been agreed regarding the arrangement of soft sand supply between the authorities and outlining agreement from Oxfordshire County Council to make provision to enable current levels of supply to continue.

### *Crushed Rock*

- 2.41 The geological composition in West Berkshire means that the area needs to import supplies of crushed rock, as there are no sources of crushed rock in the authority area. This is done through the main aggregate railheads at Theale, where three are currently operational.
- 2.42 Due to this lack of available geology, the West Berkshire LAA has consistently identified a reliance on Somerset County Council for the provision of crushed rock. Therefore, Somerset County Council are regularly consulted on the West Berkshire LAA and no issues have been identified regarding this supply situation.
- 2.43 The most recent Somerset LAA (fourth edition, incorporating data from 2006 – 2015<sup>12</sup>) states that there are approximately 380 million tonnes of permitted reserves for crushed rock and a landbank of at least 28.4 years at the end of 2015. 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 over 21.8 million tonnes. Thus there does not appear to be any supply issues with continuing to source crushed rock from Somerset.

- 2.44 A Statement of Common Ground between the two authorities on this matter has been drafted, confirming the supply arrangements for crushed rock between West Berkshire and Somerset.

*Annual Duty to Cooperate Letters*

- 2.45 WBDC has contacted all Mineral Planning Authorities with strategic movements of minerals to or from the authority every year since 2014 (updated as data allows), asking the following questions regarding the movements:

1. Do you consider the information enclosed is accurate? Do you have any additional minerals or waste movement data or site specific information?
2. Are you aware of any planning reasons as to why minerals or waste movements similar to those enclosed cannot continue in the future? Please provide facility end dates where these are known.
3. Do you consider that sites within your waste planning area have the capacity to continue to accept or transfer minerals or waste movements to/from West Berkshire similar to those enclosed over our plan period?
4. Do you consider the cross boundary movements identified in the appendix to be a strategic matter for your authority?
5. Please identify if you have, or are likely to, safeguard specific sites?
6. Do you have any general comments or further additional information on the movement of minerals or waste to West Berkshire from your planning area or vice versa?

- 2.46 These consultations facilitate dialogue between West Berkshire and other Mineral Planning Authorities concerning strategic movements of minerals and allow consideration of this strategic issue, whether there are any concerns, and how these could be addressed. Details of the consultations are included in Appendix 1, and an example of the letter is given in Appendix 3.

*Surrounding Minerals and Waste Planning Authorities*

- 2.47 To support the preparation of the MWLP, WBDC held initial Duty to Cooperate meetings with surrounding Mineral and Waste Planning Authorities in September 2014 – April 2015. These meetings were held as follows:

<b>Authority</b>	<b>Date</b>
Wokingham Borough Council	20 April 2015
Wiltshire County Council	11 December 2014
Slough Borough Council	23 September 2014

Reading Borough Council	17 October 2014
Royal Borough of Windsor and Maidenhead	22 September 2014
Oxfordshire County Council	07 November 2014
Hampshire County Council	11 December 2014
Bracknell Forest Borough Council	25 September 2014

2.48 Details of these meetings as well as a summary of the main issues discussed are given in Appendix 1.

2.49 Additional meetings were held with all of these authorities again after the Preferred Options consultation to discuss any matters arising from the consultation and how these could be addressed. The Central and Eastern Berkshire Authorities (including Wokingham Borough Council, Reading Borough Council, Royal Borough of Windsor and Maidenhead and Wokingham Borough Council) are now preparing a joint Minerals and Waste Local Plan, and so this meeting was held with representatives from these authorities. The meetings were held as follows:

Authority	Date
Joint Central and Eastern Berkshire Authorities	11 October 2018
Wiltshire County Council	14 November 2018
Hampshire County Council	27 September 2018
Oxfordshire County Council	16 October 2018

2.50 Details of these meetings as well as a summary of the main issues discussed are given in Appendix 1.

2.51 In addition, meetings between Hampshire County Council and the Joint Central and Eastern Berkshire Authorities were held on the 12<sup>th</sup> January and 11<sup>th</sup> September 2017 respectively. Details of these meetings as well as a summary of the main issues discussed are given in Appendix 1.

*Memorandum of Understanding between the six Berkshire Unitary Authorities on Minerals and Waste Planning*

2.52 This MoU was prepared in response to the Duty to Cooperate introduced in the Localism Act of 2011. The purpose of the MoU is to provide a statement on the six Berkshire Unitary Authorities' understanding of how joint working on strategic minerals and waste planning will proceed. A copy of the MoU is provided in Appendix 4.

## 3.0 Cooperation on Strategic Waste Planning Issues

### South East Waste Planning Advisory Group (SEWPAG)

- 3.1 SEWPAG (South East Waste Planning Advisory Group) is a group that has evolved following the dissolution of the Regional planning system and demise of the South East Regional Technical Advisory Body (SERTAB), which was a group set up in accordance with historic government policy on waste planning. SEWPAG is a voluntary group that is funded entirely by subscriptions from its members. It is a technical group that is composed of officers from the waste planning authorities that make up the former South East Region as well as representatives from the Environment Agency and the waste industry. WBDC is an active member of SEWPAG and attends the meetings that take place 3-4 times per year. SEWPAG meetings provide a forum for members to discuss strategic waste matters and common planning problems and solutions. They also offer the opportunity to review emerging waste plans within the South East, and consider the impact of emerging policies and decisions in member authority areas and adjoining areas, particularly London.
- 3.2 WBDC officers have regularly attended these meetings and details of officer involvement as well as a summary of the main issues discussed is given in Appendix 1.

#### *SEWPAG Thresholds for Consultation on Strategic Waste Movements*

- 3.3 SEWPAG has assisted in setting thresholds to help decide where movements of waste that cross local authority boundaries may be of a strategic nature. These thresholds were agreed at the meeting on 10 April 2014 and adopted for use by all SEWPAG authorities. The thresholds are shown in Table 3.1, and confirm that movements of waste below these levels do not need to be considered to be of strategic significance.

Table 3.1 - SEWPAG Thresholds for consultation under the Duty to Cooperate

Waste Type	Movement (tonnes per annum) prior to 2020	Movement (tonnes per annum) from 2020
Non-hazardous Waste	2,500	5,000
Inert Waste	5,000	10,000
Hazardous Waste	100	100

- 3.4 WBDC uses these thresholds in determining which authorities to consult under the Duty to Cooperate on strategic waste planning movements, as outlined in 3.30 below.

#### *SEWPAG Statement of Common Ground*

- 3.5 In order to fulfil the new requirements of the NPPF, SEWPAG has built on the previous memorandum of understanding to produce a Statement of Common Ground on cross-boundary strategic waste issues in the South East.

The members of SEWPAG are party to a Statement of Common Ground (SCG) that aims to:

- Ensure that planned provision for waste management in the South East of England is co-ordinated; and
- Ensure that the approach to waste planning throughout the South East is consistent between authorities.

- 3.6 The SCG was prepared in 2019/2020. It confirms that authorities should aim to be net self-sufficient in meeting their needs for the principal waste streams (i.e. municipal waste, commercial and industrial waste and construction, demolition and excavation waste). The basis of net self-sufficiency is that within each waste local plan area, Waste Planning Authorities will plan for the management of an amount of waste which is equivalent to the amount arising in that plan area. Planning on this basis recognises that there will be cross-boundary movements of waste, but that by providing for waste management capacity equivalent to arisings the distance waste travels will be minimised.
- 3.7 Although the SCG includes an overall aspiration for net self-sufficiency, it allows for separate agreement to be reached by individual authorities where the strategic needs of a particular authority may need to be met by another, for example because of difficulty in delivering sufficient recovery or disposal capacity. The SCG is included in Annex B.
- 3.8 The West Berkshire MWLP has included net self-sufficiency in waste management as a principle in Policy 3. In addition to this, the authority has drafted a statement of common ground between relevant authorities on the matters of non-hazardous landfill and non-hazardous recovery in the recognition that there is no such capacity within the authority area, and therefore all waste destined for this treatment is sent outside of the county (see discussion on Non-hazardous Landfill and Recovery below). The MWLP also includes a criteria based policy to allow for landfill proposals to come forward in certain circumstances.

*SEWPAG Joint Position Statement on Non-hazardous Landfill*

- 3.9 In addition to the Memorandum of Understanding, SEWPAG has produced a Joint Position Statement (JPS) on non-hazardous landfill (see Annex C). The JPS is primarily intended to set 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 and enables the issue to be looked at strategically. This is in acknowledgement that the number of non-hazardous landfill facilities is declining across the South East of England and consequently the remaining available void space. In addition there is a lack of new capacity being allocated in Local Plans and/or being promoted and developed as well as early closures of existing facilities. At the same time, the amount of non-hazardous waste being sent to landfill has decreased over the past ten year.
- 3.10 The JPS sets out the baseline information for non-hazardous landfill across the South East, and enables a shared evidence base from which future agreements between Waste Planning Authorities in the South East can be formed regarding planning for non-hazardous landfill within their authority areas. WBDC has been involved in the preparation of this JPS, and has, along with the other members of SEWPAG agreed its content.

*Draft SEWPAG Joint Position Statement on the Permanent Deposit of Inert Waste*

- 3.11 SEWPAG has also prepared a Joint Position Statement on the Permanent Deposit of Inert Waste in the recognition that this is a strategic matter shared by authorities in the South East.



- 3.12 This JPS has been prepared with a similar purpose to the non-hazardous JPS, in that it sets out a common understanding of the issues and baseline information for inert landfill in the South East to support the preparation and implementation of waste planning policies.
- 3.13 The JPS clarifies the difference between ‘recovery’ and ‘disposal’ (landfill) of inert waste and provides guidance over when each should be used. The restoration of mineral voids with inert waste can be viewed as either disposal or recovery in different circumstances, which affects the availability of remaining inert landfill in the South East. In addition, the requirements for inert landfill and recovery operations have become more onerous and increased rates of inert waste recycling has meant that less inert material is available for the restoration of mineral voids, either by landfill or recovery. Therefore, similar to non-hazardous landfill, the capacity for inert deposit of waste to land is declining in the region.
- 3.14 The JPS highlights the importance of Local Plans providing for the permanent deposit of inert waste to land, through the allocation of mineral sites with restoration by inert fill, and through criteria based policies to enable the permanent deposit of waste to land, particularly where it is considered to be recovery. The JPS will form the basis for specific agreements between Waste Planning Authorities where there is a need to address the strategic issue of the permanent deposit of inert waste. The JPS is included at Annex D.

#### **NuLeaf**

- 3.15 NuLeAF (the Nuclear Legacy Advisory Forum) is Special Interest Group of the Local Government Association supported by 110 local authorities and 3 national park authorities across England and Wales. The remit of NuLeAF encompasses all aspects of the management of the UK’s nuclear waste legacy, including spent nuclear fuel and waste management from prospective new nuclear generating capacity.
- 3.16 The primary objectives of NuLeAF:
- to provide a mechanism to identify, where possible, a common, local government viewpoint on nuclear legacy management issues;
  - to represent that viewpoint, or the range of views of its member authorities, in discussion with national bodies, including Government, the NDA and the regulators;
  - to seek to influence policy and strategy for nuclear legacy management in the interests of affected communities; and
  - to develop the capacity of its member authorities to engage with nuclear legacy management at a local level.
- 3.17 A Steering Group of officers and councillors meets quarterly as does a Radioactive Waste Planning Group (RWPG) comprised of officers. Ad hoc meetings are also arranged to bring together representatives from waste planning authorities, the nuclear industry, Nuclear Decommissioning Authority, Environment Agency and other regulators. WBDC is a corresponding member of NuLeAF and since the commencement of the development of the MWLP WBDC has become a regular contributor to and attendee at meetings of RWPG.
- 3.18 The RWPG meeting brings together officers from the majority of MPAs across the Country that host nuclear facilities as well as representatives from the nuclear industry. West Berkshire has two large scale sites that are involved in the nuclear

industry, AWE Aldermaston and AWE Burghfield. AWE Aldermaston produces radioactive waste and also stores a limited volume of radioactive material that is generated at the site and has some limited radioactive waste management facilities.

- 3.19 Attendance at the RWPG therefore enables discussions to take place with those authorities hosting facilities that ultimately manage the radioactive waste produced in West Berkshire as well as providing regular opportunities to discuss strategic matters that are relevant to the radioactive waste management stream.
- 3.20 Details of officer involvement at NuLeaf meetings as well as a summary of the main issues discussed is given in Appendix 1.

### **Cooperation with other Waste Planning Authorities**

#### *Non-hazardous Landfill and Recovery*

- 3.21 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 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 waste requiring landfill in West Berkshire has been exported to landfill sites, predominantly in neighbouring authority areas.
- 3.22 West Berkshire also has limited energy recovery capacity, although there is permission for two small biomass boilers for waste wood. As a result, similar to non-inert landfill, waste from West Berkshire requiring this form of management is currently exported outside of the district.
- 3.23 Through the annual Duty to Cooperate Letters (outlined in section 3.30 below), WBDC contacts authorities to which it sends strategic volumes of waste for non-hazardous landfill and energy recovery.
- 3.24 In terms of non-hazardous landfill, the main receiving authorities are Sutton Courtenay landfill in Oxfordshire, and Springfield Farm Landfill in Buckinghamshire (strategic movements in line with the SEWPAG strategic movement thresholds for non-hazardous waste outlined previously).
- 3.25 Responses from the relevant authorities regarding these facilities indicate that they are due to be closed in line with the following timescales:
- Sutton Courtenay (Oxfordshire): 2030
  - Springfield Farm (Buckinghamshire): 2029. Application to extend end date to 2044 currently under consideration.
- 3.26 In terms of energy recovery, West Berkshire sends strategic amounts of waste to two sites in Hampshire – Integra North Energy Recovery Facility and Integra South West Energy Recovery Facility and one site in Slough – Lakeside Energy from Waste Facility.
- 3.27 As part of the Duty to Cooperate, West Berkshire has contacted authorities with identified 'strategic' movements of waste to understand the nature of these

movements, and the likelihood of their being able to continue over the Plan period. The facilities in Hampshire and Portsmouth, where the majority of waste sent for energy recovery from West Berkshire, are known to be permanently operational facilities, with no known planning reason why similar waste movements cannot continue in future.

- 3.28 It is known that the Lakeside Energy from Waste Facility falls within the area proposed for the expansion 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 an application for a replacement facility has been submitted. However, for the purposes of certainty over the Plan period it is not assumed that this capacity will remain. It is understood that due to contractual arrangements this facility is not a preferred facility for sending waste from West Berkshire, and is only used when other facilities are not available.
- 3.29 WBDC has drafted a statement of common ground with other relevant authorities on the matters of non-hazardous landfill and non-hazardous recovery in the recognition that there is no such capacity within the authority area.

*Annual Duty to Cooperate Letters*

- 3.30 WBDC has contacted all Waste Planning Authorities with strategic movements of waste to or from the authority every year since 2014, asking the following questions regarding the strategic movements:
1. Do you consider the information enclosed is accurate? Do you have any additional minerals or waste movement data or site specific information?
  2. Are you aware of any planning reasons as to why minerals or waste movements similar to those enclosed cannot continue in the future? Please provide facility end dates where these are known
  3. Do you consider that sites within your waste planning area have the capacity to continue to accept or transfer minerals or waste movements to/from West Berkshire similar to those enclosed over our plan period?
  4. Do you consider the cross boundary movements identified in the appendix to be a strategic matter for your authority?
  5. Please identify if you have, or are likely to, safeguard specific sites?
  6. Do you have any general comments or further additional information on the movement of minerals or waste to West Berkshire from your planning area or vice versa?
- 3.31 These consultations facilitate dialogue between West Berkshire and other Waste Planning Authorities with strategic movements of waste and allow consideration of strategic issues, whether there are any concerns, and how these can be addressed. Details of the consultations are included in Appendix 1, and an example of the letter is given in Appendix 3.

*Surrounding Waste Planning Authorities*

- 3.32 To support the preparation of the MWLP, WBDC held initial Duty to Cooperate meetings with surrounding Mineral and Waste Planning Authorities in September 2014 – April 2015. These meetings were held as follows:

<b>Authority</b>	<b>Date</b>
Wokingham Borough Council	20 April 2015
Wiltshire County Council	11 December 2014
Slough Borough Council	23 September 2014
Reading Borough Council	17 October 2014
Royal Borough of Windsor and Maidenhead	22 September 2014
Oxfordshire County Council	07 November 2014
Hampshire County Council	11 December 2014
Bracknell Forest Borough Council	25 September 2014

- 3.33 Details of these meetings as well as a summary of the main issues discussed are given in Appendix 1.

- 3.34 Additional meetings were held with all of these authorities again after the Preferred Options consultation to discuss any matters arising from the consultation and how these could be addressed. The Central and Eastern Berkshire Authorities (including Wokingham Borough Council, Reading Borough Council, Royal Borough of Windsor and Maidenhead and Wokingham Borough Council) are now preparing a joint Minerals and Waste Local Plan, and so this meeting was held with representatives from these authorities. The meetings were held as follows:

<b>Authority</b>	<b>Date</b>
Joint Central and Eastern Berkshire Authorities	11 October 2018
Wiltshire County Council	14 November 2018
Hampshire County Council	27 September 2018
Oxfordshire County Council	16 October 2018

- 3.35 Details of these meetings as well as a summary of the main issues discussed are given in Appendix 1.

- 3.36 In addition, meetings between Hampshire County Council and the Joint Central and Eastern Berkshire Authorities were held on the 12<sup>th</sup> January and 11<sup>th</sup> September 2017. Details of these meetings as well as a summary of the main issues discussed are also given in Appendix 1.

## 4.0 Cooperation with Prescribed Bodies

### Environment Agency

- 4.1 The Environment Agency (EA) has responsibility for water quality and resources and WBDC primarily works with it at an officer rather than member level. The EA has provided comments on the Strategic Flood Risk Assessment (SFRA) and potential mineral and waste sites in advance of any formal public consultation and has also been involved at all formal stages of the process to date.
- 4.2 An initial Duty to Cooperate request was sent in March 2014 (see Appendix 5) during the preparation of the issues and options for the MWLP, and a meeting was held with the EA in November 2014. The meeting gave a broad overview of the preparation of the MWLP, and a wide range of environmental issues regarding minerals and waste development were discussed, including restoration benefits, flood risk, impacts on groundwater, and preliminary feedback was given on the site nominations submitted for inclusion within the Plan. Details of this meeting as well as a summary of the main issues discussed is given in Appendix 1.
- 4.3 The EA have been consulted on and responded to all formal stages of consultation on the MWLP, including the issues and options in 2014, sites consultation 2016, and preferred options in 2017. Their comments have fed into the site selection process, and have influenced the development of policies within the plan, specifically the flooding, climate change and restoration policies.
- 4.4 The EA have also advised on the preparation of the Level 1 SFRA, and have provided comments on several versions of the draft document before it has been finalised.

### Historic England

- 4.5 An initial Duty to Cooperate request was sent in March 2014 (see Appendix 5) during the preparation of the issues and options for the MWLP, and meetings were held with Historic England (HE) (formerly English Heritage) in May and November 2014. In the May meeting, WBDC officers gave an overview of the preparation of the MWLP and outlined the current and proposed evidence that would underpin the Plan. HE comments on the MWLP to date were also discussed.
- 4.6 In the November 2014 meeting, an update was given on the progress of the MWLP, and an initial discussion was had between WBDC officers and EH about the site nominations submitted for inclusion within the MWLP. Details of these meetings, as well as a summary of the main issues discussed is given in Appendix 1.
- 4.7 HE have been consulted on and responded to all formal stages of consultation on the MWLP, including the issues and options in 2014, sites consultation 2016, and preferred options in 2017, as well as providing informal preliminary comments on the proposed sites. The comments have fed into the site selection process, and have influenced the development of policies within the plan, specifically the historic environment policy, and also the vision and objectives.

### Natural England

- 4.8 Initial Duty to Cooperate meetings were held between WBDC and Natural England (NE) in March and November 2014. A further meeting was offered in 2018, but was

not felt by Natural England to be necessary. In the March 2014 meeting, WBDC officers gave an overview of the preparation of the MWLP and outlined the current and proposed evidence that would underpin the Plan. NE comments on the MWLP to date were also discussed.

- 4.9 In the November 2014 meeting, an update was given on the progress of the MWLP, and an initial discussion was had between WBDC officers and NE about the site nominations submitted for inclusion within the MWLP. Details of these meetings, as well as a summary of the main issues discussed is given in Appendix 1.
- 4.10 NE have been consulted on and responded to all formal stages of consultation on the MWLP, including the issues and options in 2014, sites consultation 2016, and preferred options in 2017, as well as providing informal preliminary comments on the proposed sites. The comments have fed into the site selection process, and have influenced the development of policies within the plan, specifically the landscape and protected landscape policies, biodiversity policy and also the vision and objectives.
- 4.11 Natural England have also advised on the preparation of the Habitats Regulation Assessment (HRA) screening report, and provided comments on the draft document before it has been finalised.

#### **Mayor of London**

- 4.12 A Duty to Cooperate request was sent to the Mayor of London in March 2014 (see Appendix 5) setting out West Berkshire's strategic issues in relation to minerals and waste. The request asked whether these strategic issues were felt to be relevant to the organisation, whether any strategic issues had been omitted, and whether it was considered that meetings were necessary/not necessary to discuss these issues.
- 4.13 The Mayor of London responded to this request, and given the low level of waste West Berkshire imported from London it was not considered necessary to have a meeting to discuss the matter further.
- 4.14 The Mayor of London has been consulted on all formal stages of consultation on the MWLP, including the issues and options in 2014, sites consultation 2016, and preferred options in 2017 but no substantive responses have been received.
- 4.15 As part of WBDC's involvement with SEWPAG, SEWPAG have written representations and appeared at the New London Plan examination to promote the issue of the impact of the importation of waste from London on the South East Waste Planning Authorities.

#### **Civil Aviation Authority**

- 4.16 A Duty to Cooperate request was sent to the Civil Aviation Authority (CAA) in March 2014 (see Appendix 5) setting out West Berkshire's strategic issues in relation to minerals and waste. The request asked whether these strategic issues were felt to be relevant to the organisation, whether any strategic issues had been omitted, and whether it was considered that meetings were necessary/not necessary to discuss these issues. No response was received from the CAA.
- 4.17 The CAA has been consulted on all formal stages of consultation on the MWLP, including the issues and options in 2014, sites consultation 2016, and preferred options in 2017 but no substantive responses have been received.

**Homes and Communities Agency**

- 4.18 A Duty to Cooperate request was sent to the Homes and Communities Agency in March 2014 setting out West Berkshire's strategic issues in relation to minerals and waste. The request asked whether these strategic issues were felt to be relevant to the organisation, whether any strategic issues had been omitted, and whether it was considered that meetings were necessary/not necessary to discuss these issues. No response was received from the Homes and Communities Agency.
- 4.19 The Homes and Communities Agency has been consulted on all formal stages of consultation on the MWLP, including the issues and options in 2014, sites consultation 2016, and preferred options in 2017 but no substantive responses have been received.

**Clinical Commissioning Groups (formerly Primary Care Trust)**

- 4.20 Duty to Cooperate requests were sent to the North and West Reading and Newbury & District Clinical Commissioning Groups in March 2014 setting out West Berkshire's strategic issues in relation to minerals and waste. The request asked whether these strategic issues were felt to be relevant to the organisation, whether any strategic issues had been omitted, and whether it was considered that meetings were necessary/not necessary to discuss these issues. No response was received from these Clinical Commissioning Groups.
- 4.21 The North and West Reading and Newbury and District Clinical Commissioning Groups have been consulted on all formal stages of consultation on the MWLP, including the issues and options in 2014, sites consultation 2016, and preferred options in 2017 but no responses have been received.

**Office of Rail Regulation**

- 4.22 A Duty to Cooperate request was sent to the Office of Rail Regulation (ORR) in March 2014 setting out West Berkshire's strategic issues in relation to minerals and waste. The request asked whether these strategic issues were felt to be relevant to the organisation, whether any strategic issues had been omitted, and whether it was considered that meetings were necessary/not necessary to discuss these issues.
- 4.23 The ORR responded and noted that the issues and options for the MWLP did include plans for changes to the railway/freight sites to potentially support adequate freight capacity for more material to be imported to the three main depots in West Berkshire. However, as the issues and options consultation was still at a high level, it was felt that any discussions should occur once specific proposals became more developed. Other stakeholders such as Network Rail and the Department for Transport were also encouraged to be consulted. These organisations were consulted on all formal stages of consultation on the MWLP.
- 4.24 The ORR has been consulted on all formal stages of consultation on the MWLP, including the issues and options in 2014, sites consultation 2016, and preferred options in 2017. Comments received in relation to the issues and options consultation were as outlined above. As no specific proposals were developed in the MWLP for any changes to the railhead sites at Theale, no further discussions were considered necessary with the ORR and no comments were received in relation to the call for sites and preferred options consultation.

### **Transport for London**

- 4.25 Duty to Cooperate requests were sent to Transport for London (TfL) in March and June 2014 (see Appendix 5) setting out West Berkshire's strategic issues in relation to minerals and waste. The request asked whether these strategic issues were felt to be relevant to the organisation, whether any strategic issues had been omitted, and whether it was considered that meetings were necessary/not necessary to discuss these issues. No response was received from TfL.

### **Highways Authority**

- 4.26 As a relevant Highways Authority, the West Berkshire District Council Highways department were sent a Duty to Cooperate request in March 2014 (see Appendix 5) setting out West Berkshire's strategic issues in relation to minerals and waste. The request asked whether these strategic issues were felt to be relevant to the organisation, whether any strategic issues had been omitted, and whether it was considered that meetings were necessary/not necessary to discuss these issues.
- 4.27 Consequently, a meeting was held in May 2014 in which WBDC minerals and waste officers gave an overview of the preparation of the MWLP and outlined the current and proposed evidence that would underpin the Plan. Highways officers confirmed that there was a preference for the movement of aggregates via rail, however it was acknowledged that this would not be realistic in all cases. Therefore a strategy that sought to rely on non-road based transportation as much as possible would be supported. Details of this meeting, as well as a summary of the main issues discussed is given in Appendix 1.
- 4.28 Highways officers confirmed that site specific issues were likely to be the main concern in the development of the MWLP from a highways perspective and confirmed willingness to be involved in the site assessment and selection process.
- 4.29 Highways officers have provided comments on the site nominations submitted for inclusion within the MWLP and these comments have fed into the site selection process. Comments have also been provided on the transport policy, which has influenced the development of this policy within the MWLP.

### **Highways England (formerly Highways Agency)**

- 4.30 Highways England has been consulted on all formal stages of consultation on the MWLP, including the issues and options in 2014, sites consultation 2016, and preferred options in 2017.
- 4.31 Highways England's comments on the issues and options and preferred options highlighted the importance of considering any impacts of the MWLP on the Strategic Road Network (SRN) and measures to mitigate these. Highways England consider that the transport of minerals and waste has the potential to generate a significant number of Heavy Goods Vehicle (HGV) movements using the SRN and recommended that reference is made in the plan to identifying and managing any adverse impacts to road safety from proposed developments. In addition, the comments highlighted the importance of promoting alternatives to road based transport in the MWLP. These sentiments have been included in the Transport policy in the MWLP.



- 4.32 Specific comments were sought from Highways England on the Chieveley Services and 60 Acre Field sites, regarding potential access issues due to their close proximity to the A34 and in particular Chieveley motorway services. Highways England highlighted that it is essential that any development of the Chieveley Services site should not impact on the operation of the services, or safe operation of the SRN. They consider that a Transport Assessment and Site Management Plan including dust reduction measures and wheel washing facilities are essential and request to be consulted as the site is progressed. The requirements identified by Highways England have been included in the site specific policy for Chieveley Services.
- 4.33 Based on the latest information provided, no meeting about the site was considered necessary by Highways England.

### **Marine Management Organisation**

- 4.34 The Marine Management Organisation has been consulted on all formal stages of consultation on the MWLP, including the issues and options in 2014, sites consultation 2016, and preferred options in 2017. The MMO responded to the issues and options consultation acknowledging that West Berkshire did not fall within tidal reach. However, the MMO recommended that reference to marine aggregates was included within the MWLP and highlighted the policy framework that requires even landlocked authorities to consider the role that marine sourced supplies of aggregates play in supplying aggregate demand.
- 4.35 Following this response, an invitation to meet to discuss their response was given. However, the MMO did not consider it necessary to have a follow up meeting at that stage.
- 4.36 The MWLP includes reference to the limited role that imported marine aggregates play in supplying aggregate demand in West Berkshire. The Local Aggregates Assessment underpinning the MWLP also considers this issue in detail and highlights the importance of safeguarding rail facilities both in West Berkshire and London (from where marine sand in West Berkshire is mainly sourced). The Plan includes provision for the safeguarding of the rail sites at Theale. No further comments have been received from the MMO in relation to the call for sites, or preferred options consultation.

### **Thames Valley Berkshire Local Enterprise Partnership**

- 4.37 Thames Valley Berkshire Local Enterprise Partnership (TVB LEP) is a business-led, multi-sector partnership mandated by government to lead activities that drive local economic growth. We are fully engaged at both officer and member level with the TVB LEP. The Council's Portfolio Holder for Planning and Economic Development and the Chief Executive sit on the Forum and Executive Board respectively. For more information see <http://www.thamesvalleyberkshire.co.uk/about.htm>
- 4.38 An initial Duty to Cooperate request was sent in March 2014 (see Appendix 5) during the preparation of the issues and options for the MWLP, and a meeting was held with the TVB LEP in February 2015 following consultation on the issues and options for the MWLP. The meeting gave a broad overview of the preparation of the MWLP, the interaction with the Strategic Economic Plan (SEP) produced by the LEP and the MWLP was discussed. The two priorities of the SEP are the delivery of housing and promoting urban connectivity, which will clearly create demand for additional construction materials. The increase in the density of urban areas is also likely to

result in the generation of significant construction, demolition and excavation waste as part of the development as well as an increase in commercial and industrial waste and municipal solid waste as the population of the LEP area increases. It was confirmed that the LEP would continue to be consulted on the emerging MWLP but it was acknowledged that there was unlikely to be any specific need for regular discussions/engagement. Details of this meeting as well as a summary of the main issues discussed is given in Appendix 1.

- 4.39 The TVB LEP have been consulted on all formal stages of consultation on the MWLP, including the issues and options in 2014, sites consultation 2016, and preferred options in 2017 but no responses have been received.

## 5.0 Cooperation with Other Organisations

### Planning Officers Society Minerals and Waste Learning Group

- 5.1 Planning Officer Society Learning Groups bring together groups of practitioners who are keen to keep their knowledge and skills up-to-date, and be on top of changes in the plan making system. The group is supported by a project officer, who develops discussion materials and facilitates lively and rewarding meetings.
- 5.2 This group is important because it is one of the few channels of support to minerals and waste practitioners. In addition to the valuable content of the group meetings, members make extensive use of an email contact group to raise queries or issues of practice with each other.
- 5.3 West Berkshire has been a full member of this group since 2013. Details of officer involvement at these meetings as well as a summary of the main issues discussed is given in Appendix 1.

### Berkshire Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT)

- 5.4 We are committed at both an officer and member level to our partnership working with BBOWT. In January 2014 we entered into an innovative partnership with the organisation, which now manages our commons, country parks and nature reserves. The overarching partnership agreement is for 50 years and in return for ongoing funding BBOWT delivers countryside management at the sites according to an agreed business plan and annual management plan. A Steering Group has been established as part of the governance arrangements which comprises senior officers and Council members/trustees. Part of our partnership working covers the Living Landscape Project. Please go to: <http://www.bbowt.org.uk/what-we-do/living-landscapes/west-berkshire-living-landscape> for further details.
- 5.5 BBOWT have been consulted, and have responded throughout the preparation of the MWLP, including issues and options consultation (2014), call for sites (2016) and preferred options (2017). In addition, a meeting was held with BBOWT on 25<sup>th</sup> September 2018 to discuss the BBOWT representation on the Preferred Options version of the MWLP. Proposed changes to the MWLP as a result of this were discussed, including the Vision and Objectives, the Biodiversity policy and Restoration policy. Details of this meeting as well as a summary of the main issues discussed is given in Appendix 1.

### Thames Water

- 5.6 As the statutory water and waste water provider we have worked with Thames Water at an officer level to provide comments on potential mineral sites in advance of any statutory public consultation and the organisation has been involved at all formal stages of the process to date.
- 5.7 An initial Duty to Cooperate meeting was held between WBDC and Thames Water in April 2014. In this meeting, WBDC officers gave an overview of the preparation of the MWLP and outlined the current and proposed evidence that would underpin the Plan.
- 5.8 The Local Waste Assessment was discussed, particularly in relation to sewage sludge arisings. Thames water agreed the level of sewage sludge arisings estimated by WBDC to be an accurate estimate that could be used to inform the MWLP. Details

of this meeting as well as a summary of the main issues discussed is given in Appendix 1.

- 5.9 Further communication with Thames Water has been undertaken as part of updating the Local Waste Assessment, and revised sewage sludge figures have been agreed as part of this. These figures have been used in the Local Waste Assessment supporting the proposed submission version of the MWLP.
- 5.10 Thames Water have also commented on the Strategic Flood Risk Assessment (SFRA) which has been used to inform the Minerals and Waste Local Plan.

### **Berkshire Local Nature Partnership**

- 5.11 We are fully engaged with the Berkshire Local Nature Partnership (BLNP) at both a member and officer level. The Council's Executive Portfolio Holder for Countryside sits on the BLNP Executive Board and the Council attends the BLNP Steering Group. The Partnership includes representatives from Natural England, Thames Water, Environment Agency, BBOWT and the AONB.
- 5.12 A Duty to Cooperate request was sent to the BLNP in July 2014 setting out West Berkshire's strategic issues in relation to minerals and waste. The request asked whether these strategic issues were felt to be relevant to the organisation, whether any strategic issues had been omitted, and whether it was considered that meetings were necessary/not necessary to discuss these issues.
- 5.13 The BLNP responded that a meeting was not felt to be necessary at that stage, but ongoing dialogue between WBDC and the BNLN was encouraged and the BNLN wished to be consulted on future plans as they developed. The BNLN also highlighted the importance of the MWLP including a restoration strategy to seek biodiversity and green infrastructure gains and seek to enhance and link habitats in line with the objectives of the Berkshire Biodiversity Opportunity Areas.
- 5.14 The site policies included within the MWLP require restoration in line with the strategic aims of Biodiversity Opportunity Areas where relevant. In addition, the Restoration policy requires consideration of the objectives of Biodiversity Opportunity Areas where relevant, and the creation of habitat that contributes towards ecological networks, wildlife corridors and stepping stones between habitats.
- 5.15 The BLNP have been consulted on all formal stages of consultation on the MWLP, including the issues and options in 2014, sites consultation 2016, and preferred options in 2017 but no responses have been received.
- 5.18 Additional comments were also requested from the BLNP in March 2019 regarding the Vision and Objectives of the MWLP, as well as the biodiversity and restoration policies but no response was forthcoming.

### **North Wessex Downs AONB Council of Partners**

- 5.19 The North Wessex Downs Area of Outstanding Natural Beauty Council of Partners (NWD AONB) includes member representatives (with officer support) of the nine local authorities which have the administrative responsibilities for the area covered by the North Wessex Downs. It also includes representatives of Natural England, community and parish councils, farming and rural businesses, nature conservation, historic environment, rural recreation and tourism. All have signed a Charter which

sets out how we work together for the long term benefit of the AONB and all who live and work in it.

- 5.20 The initial strategy for the MWLP did not include any site allocations within the AONB, and so communication with the NWD AONB was limited. The NWD AONB have been consulted on all formal stages of consultation on the MWLP, including the issues and options in 2014, sites consultation 2016, and preferred options in 2017.
- 5.21 The NWD AONB responded to the issues and options consultation, specifically in relation to the options for soft sand extraction including from within the AONB. The NWD AONB comments centred on the fact that any sites coming forward within the AONB would need to be justified by exceptional circumstances as required by the NPPF, and expressing a preference for the option where the need for soft sand is met from sites outside of the AONB.
- 5.22 A Duty to Cooperate meeting was also held with the NWD AONB in December 2018. An update was given on the Minerals and Waste Local Plan, and the soft sand sites nominated for inclusion with the Plan were outlined, including those within the AONB. The NWD AONB reiterated that they would be looking for exceptional circumstances to be demonstrated when considering the allocation of sites within the AONB, including consideration of alternative provision. Details of this meeting as well as a summary of the main issues discussed is given in Appendix 1.

#### **Office for Nuclear Regulation**

- 5.23 The Office for Nuclear Regulation (ONR) is responsible for regulation of nuclear safety and security across the UK and is responsible for advising on land use planning (LUP) applications in the vicinity of licensed nuclear installations. The aim is to ensure that developments around nuclear installations do not result in populations rising to unacceptable levels.
- 5.24 The ONR administers the government's policy on the control of development and provides advice to the Council, who take this into account in considering whether or not to approve planning applications. Please go to - <http://www.onr.org.uk/land-use-planning.htm> for further details.
- 5.25 WBDC has primarily worked with the ONR at an officer level through the consultation process. In addition, work with the ONR has also taken place with an off-site planning group for AWE Aldermaston and AWE Burghfield which consists of emergency planning officers from West Berkshire, Basingstoke and Deane Borough Council, Reading Borough Council and Wokingham Borough Council. This meets on a quarterly basis, with council officers attending as appropriate.
- 5.26 The ONR have been consulted on all formal stages of consultation on the MWLP, including the issues and options in 2014, sites consultation 2016, and preferred options in 2017 but no responses have been received.

#### **Jockey Club**

- 5.27 An Initial Duty to Cooperate meeting was held between WBDC and the Jockey Club in April 2014. In this meeting, WBDC officers gave an overview of the preparation of the MWLP and outlined the current and proposed evidence that would underpin the Plan.

- 5.28 The Local Waste Assessment was also discussed, particularly in relation to equine waste arisings. Confirmation by the Jockey Club that there were currently no issues with management of equine waste provided a strong indication that this waste stream may not need to be dealt with as a strategic issue. The Jockey Club also confirmed that the classification of equine waste as 'agricultural waste' is considered to work well. An approach to estimating the level of equine waste generated and future projections was also discussed and agreed. Details of this meeting as well as a summary of the main issues discussed is given in Appendix 1.
- 5.29 The Jockey Club have been consulted on all formal stages of consultation on the MWLP, including the issues and options in 2014, sites consultation 2016, and preferred options in 2017 but no responses have been received.

If you require this information in an alternative format or translation, please call 01635 42400 and ask for the Minerals and Waste Planning Policy Team.

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