

**Minerals Development Framework: Core Strategy Preferred Options Workshop  
Manor Hall, Saturday 3<sup>rd</sup> March 2007 10:00 – 13:00**

**Attendees:**

T. Badham	Joyce Taylor
V. Badham	Cllr Barnes
Cllr J. Corbett	Eric Mitchell
A. J. Cretella	Norman Heads
S. J. Cretella	Marian Heads
P. French	Jackie Williams
K. Furness	Mike Atkins
E. Gillies	Tony Rhymer
J. Gillies	Walter Stafford
M. Holland	Linda Stafford
D. Lakin	Angie Deacon
Cllr B. Lowe	Alan Noyck
M. G. Luckman	Gillian Hawker
Mr Luckman	Richard Hawker
M. Philpott	David Willatts
J. Price	Nigel Mal
Z. Richardson	L. Hawtin
R. Bridgewater	Robert Williams
Joy Keeley	Peter Young
Mrs Sawtell	Elisabeth Uggerlose
Karen Varga	Alan Richardson
Mike Gerrard	

**Officers Present:**

Jim Davies  
Tony Lyons  
Ruth Bradford  
Derek Greedy

**Introduction and Welcome to the Minerals Workshop: Derek Greedy**

**Presentation outlining the Minerals Development Framework Process: Tony Lyons**

The presentation included a brief summary of the relationship between the MDF and the Regional Spatial Strategy, as well as the inter-relationship of elements of the MDF such as the Statement of Community Involvement, Annual Monitoring Statement and the Sustainability Appraisal.

### *Discussion Points*

The reason for there being quite a low response rate to the consultations so far was thought to be because this is the over all strategy stage. The principles and issues are general and not specific to local areas so may not be of immediate interest to local people. Warwickshire County Council (WCC) would expect greater interest and a better response rate at the site allocation stage.

It was pointed out that there has always been a proportionately higher attendance at consultation events from Bidford residents than the rest of the county. Bidford does not necessarily reflect the typical views/interests of the rest of the county.

A member of the audience asked if an explanation could be given for the term sustainable in relation to mineral extraction. It was explained as “meeting the needs of the present generation without compromising the ability of future generations to meet their own needs”. For minerals this means ensuring sites are not sterilised, safeguarding known sites so that they aren’t developed at the expense of the mineral deposit and encouraging recycling of existing minerals.

Some of the audience felt the questionnaire is too complicated and seems to be geared towards industry.

The Council was criticised for an apparent lack of ‘joined-up thinking’ within the Council and between County and District Councils. This needs to be improved to get the best out of the resources we have.

## **Presentation introducing the Warwickshire Minerals Development Framework Core Strategy ‘Preferred Options’ document and consultation: Jim Davies**

### *Discussion Points*

**Q.** Who establishes what and how much is in the ground?

**Response.** There are no specific figures for Warwickshire. The British Geological Survey map is a starting point showing where minerals are found then industry will research sites and do tests to establish how much is in the ground.

**Q.** Is transport really a key issue at this point?

**Response.** Yes. Transport forms a major part of the overall spatial strategy.

**Q.** Will the threat of a quarry in Bidford ever go away?

**Response.** No because this is not a guarantee anyone can give. Anyone could apply for planning permission to quarry a site such as Bidford even if the site is not allocated. However allocating a site is not necessarily a green light to start quarrying. Industry will still have to prove the site is workable and to demonstrate the need for the mineral and to put forward effective mitigation measures for potential adverse environmental impacts.

**Q.** Climate change is not directly referred to in the Minerals Development Framework (MDF). There is only reference to using road transport, not rail, this seems to be the easy option.

**Response.** The cost of implementing rail transport from minerals sites in many cases would be more than industry would be prepared to invest which could make many sites unviable.

**Q.** A member of the audience stated that Warwickshire has a poor recycling record. We should promote and encourage recycling of municipal waste before we are allowed to dig up minerals sites. “How can we dig up peoples gardens when we don’t even provide recycling facilities”.

**Response.** Derek Greedy stressed that Warwickshire is a better than average performer for recycling municipal waste. There is already a strong emphasis on the recycling of construction and demolition waste within redevelopment sites with a strong emphasis now being placed on the use of site waste management plans as a step change to improve performance.

#### **Presentation Responding to the “Quarry Threat Returns” Leaflet: Jim Davies**

**Q.** How are complaints over poor management dealt with by WCC

**Response.** Complaints about poor site management are responded to by the county council, whether they are written or verbal.

**Q.** Bidford residents find it worrying that Broom Hill is not being restored due to new recycling practices resulting in less material being available for restoration. Policies do not seem to work in practice.

**Response.** Unfortunately as we try to move the management of waste up the waste hierarchy the materials that are easiest to recover will be dealt with first which is the case for construction and demolition waste. This in itself will reduce quite dramatically the material available for disposal to facilitate restoration of sites such as Broom Hill.

**Q.** Members of the audience felt that the use of conveyors for transporting minerals within the quarry could be dangerous and wondered what WCC could do to accommodate this. There was a concern that the cost of covering conveyors may mean developers do not propose covered conveyors.

**Response.** It was established that cost is never an issue for the County Council when determining planning applications; WCC can also impose conditions on developers, when granting planning permission, to make the conveyors acceptable to the location. If the Planning requirements to make any scheme acceptable are so tough that developers find the scheme to be unviable, that is not the Council’s concern and it is for the developer to make the scheme work.

**Q.** The audience asked why there is no longer a prescribed distance for buffer zones in the Preferred Options consultation.

**Response.** The core strategy is seeking not to prescribe set distances for buffer zones. However any application would have to conform with the requirements of regulatory bodies regulations with regard to noise, dust and emissions. Therefore there would always be a buffer zone but the approach in the consultation document would just be more flexible to meet the needs of different locations.

It was noted that buffer zones would be decided on a case by case basis meaning they could increase in residential areas, above the current set distance of 200m

It was noted that residents of Bidford don't feel they have any protection or back up from the council with this issue. It was also noted that the previous Bidford application proposed a buffer zone of 250m.

**Q.** A member of the audience was concerned that there was a danger that companies may put forward a plan that is impossible in terms of restoration. For example the materials to complete restoration may not be available.

**Response.** When determining a particular planning application WCC would need to be cognisant of the merits of the proposed restoration scheme in the process of formulating its decision.

Comment: BARG would like to work closely with WCC to highlight the hydrology issues of the Bidford site to ensure that the hydrological circumstances are safeguarded whilst recognising that the Environment Agency (EA) are the statutory body for dealing with this issue.

**Tony Rhymer explained his reasons for writing the BARGE leaflet.**

**The forum group then split in to two breakout groups lead by Tony Lyons (GP2) and Jim Davies (GP1).**

Main Discussion: GP1

It is out of the jurisdiction of Planning Policy/WCC to speed up the enforcement process.

“Extension” of a site needs to be defined in the document.

The reference to a ‘settlement’ and its definition was questioned. The definition was considered to be out-dated and not a reflection of real life. It was suggested that the use of the term or the use or the terms’ definition should be reconsidered.

There is no reference to environmental impact in the MDF.

The EA are the authority on hydrology, it would be better for BARG to work with the EA to write a factual response to the MDF.

Restoration

The group felt that there may be a conflict between ensuring land is not sterilised and restoration schemes. Also the MDF should make reference to phased restoration. There was concern over what would happen if the contractor or owner of the site did not have the money to complete the restoration scheme.

The group discussed different ways in which restoration could be ensured.

The first was offsetting money made from the development against the cost of restoration. The group felt this was a good idea because the local community, as key stakeholders, would benefit from the development. This type of agreement is not usual in England.

Restoration bonds were then discussed. It was accepted that industry would not be able to afford 100% insurance. Therefore the group suggested that a bond for 5% or 10% would be a start, to cover the first area of development. This could then be linked with granting further permission to develop the rest of a site. This would give some reassurance to local communities.

Finally, Section 106 agreements were discussed. It was considered that under a section 106 agreement a company could be made to restore an existing site in order to gain permission for another one. Policy on extensions needs to be looked at in detail to make this sort of agreement work.

### Main Discussion: GP2

The group wished to discuss the issue of buffer zones. There was a feeling that the document would give lower levels of protection to the community than exists at present and that the Preferred Option would favour the industry. There was a feeling that the industry could not be trusted to regulate themselves given the perceived “*problems*” at Marsh Farm. The community wanted a minimum buffer zone eg 200m plus greater distances in certain situations unless the developer could prove otherwise. People questioned the fact that most people wanted Option C but that Option B was chosen. For this issue there appears to be no full justification for choosing the Preferred Option. It was suggested that the wording “*close proximity*” gave the wrong impression and needed to be changed.

In response the planners said that having no buffer zone would not mean development up to people’s back gardens and that whatever distance was chosen as a buffer zone would mean that the developer would have proven beyond doubt that there would be no undue adverse effect eg by noise, vibration, visual impact etc. In some case the distance might be more than the 200m in the existing minerals plan. It was pointed out in the Bidford Quarry application that the applicant proposed a 250m buffer zone so must have acted responsibly when considering this issue.

The group then wished to look at the issue of hydrology – because this issue had arisen during the Bidford application. It was suggested that the issue should be treated as one of the key issues like transport, restoration and monitoring etc. The group suggested that possibly it could be included under an umbrella policy of climate change. Although it was recognised as an important issue, the planners said that it was covered in the document as one of the main considerations which would be considered as part of a minerals planning application. In fact the issue had been the decisive factor in the original application being withdrawn after the Environment Agency had intervened. If this issue was identified specifically as a key issue we would have to include many more separate key issues which would make the plan much longer and more cumbersome.

From the hydrology issue people suggested that EIA’s submitted by developers were biased towards their point of view and that they should be made to submit independent EIA’s. The planners response was that all EIA’s are assessed without prejudice independently without any bias; Councils and statutory organisations such as the Environment Agency would not be able to produce independent reports; these would be impossible to organise and have huge resources in terms of time and cost.

Councillor Bill Lowe related a particular case where a district planning application for housing involved the sterilisation of sand and gravel reserves. This was used as an example of where the County and District do not link together particularly well. As safeguarding of minerals is an important issue in the new MDF it is important to ensure the system of checking sites for minerals works so TL agreed to find out more about the example mentioned. (update – Matthew Williams at the County Council is now looking in to the issue and will speak directly to Councillor Lowe).

**After a concluding word from Derek Greedy the meeting was then closed.**