

Nottingham City Council

Joint Committee on Mineral and Waste Planning

Minutes of the meeting held at Loxley House, NG2 3NG on 08 November 2024
from 10.12 am - 11.04 am

Membership

Present

Councillor Jay Hayes (Chair)
Councillor Neil Clarke MBE (Vice Chair)
Councillor Jim Creamer
Councillor Michael Edwards
Councillor John Ogle
Councillor Shuguftah Quddoos

Absent

Councillor Steve Carr
Councillor Corall Jenkins

Colleagues, partners and others in attendance:

David Arnold	Head of Planning and Environment, Nottinghamshire County Council
Emma Brook	Principal Planning Officer, Nottinghamshire County Council
Mike Carey	Governance Officer, Nottingham City Council
Matthew Grant	Senior Planner (Policy), Nottingham City Council
Stephen Pointer	Team Manager in Planning Policy, Nottinghamshire County Council
Karen Shaw	Local Plans Manager, Nottingham City Council

1 Membership Update

The Committee noted that Councillor Michael Edwards has replaced Councillor Devontay Okure as a member of the Committee.

2 Appointment of Vice Chair

Resolved to appoint Councillor Neil Clarke MBE as Vice Chair of this Committee for this municipal year.

3 Apologies for absence

Councillor Corall Jenkins – other Council business.

4 Declarations of interests

None.

5 Joint Committee Terms of Reference

Karen Shaw, Local Plans Manager for Nottingham City Council, presented the terms of reference for the Joint Committee on Waste and Mineral Planning, highlighting the following points:

- (a) the Committee is an advisory body. The views of the Committee on matters within its remit will be communicated to the Executives of both Councils as recommendations, while decisions remain with each local authority;
- (b) it is a successor of the Joint Committee on Strategic Planning and Transport, which has been superseded due to the East Midlands Combined County Authority taking over the transport functions.

Resolved to note the Terms of Reference for the Joint Committee.

6 Waste Local Plan Update

Stephen Pointer, Team Manager in Planning Policy for Nottinghamshire County Council, presented the Waste Local Plan update, highlighting the following points:

- (a) after being granted appropriate approval by Nottinghamshire County Council and Nottingham City Council, and after undergoing appropriate consultation, the Waste Local Plan was submitted to the Planning Inspectorate in March 2024. The Inspector was appointed in April, and as part of his examination a public hearing was held at County Hall on the 15th and 16th October 2024;
- (b) over the summer the Inspector issued around forty questions, which formed the agenda for the hearing in October. This prompted modifications of the plan, to improve clarity and strengthen it, but which do not change the fundamental policies endorsed by both local authorities;
- (c) the Inspector's report is likely to be published in the spring in 2025. The Inspector indicated that he was pleased with the modifications put forward, so officers are hopeful that the plan will be endorsed and that both Councils can then adopt it.

Emma Brook, Principal Planning Officer for Nottinghamshire County Council, outlined the proposed modifications, highlighting the following points:

- (d) there two kinds of modifications proposed: 'main modifications' which alter policy or add new content, and 'additional modifications', which correct typographical errors or clarify wording;
- (e) modifications were proposed at three points:
 - i. prior to the examination, for example agreeing changes to Development Management Policy 6 with Historic England, and some changes to wording to align the waste hierarchy with national policy;

- ii. following the Inspector's questions, which prompted officers to clarify points, such as ensuring that the plan clearly supports the colocation of waste facilities and their location alongside complementary activities, and around the achievement of net self-sufficiency;
- iii. at the hearing itself, during which the Inspector identified thirteen further main modifications, primarily in Chapter 5, where the plan addresses the capacity gap.

In the discussion which followed, and in response to questions from the Committee, the following points were made:

- (f) it is important to note that energy-from-waste also enables the retrieval of useful byproducts. Incineration enables the recovery of metals, stone, and ash, for instance, as well as the production of energy. The plan is founded on the idea of a circular economy that regards waste as a resource with value, promotes the recycling of materials, and avoids disposal as the worst option;
- (g) the plan is intended to be valid until 2038, but there will be opportunities to update it considering changing circumstances. Prior to the general election in 2024, the government suspended the ability of the Environment Agency to issue environmental permits for waste incineration. There have been no clear announcements from the government since then, so it is unclear if the national policy approach on incineration will change. Once formally adopted, officers will monitor any changes in evidence or policy, and the plan will be reviewed every five years as per government guidance;
- (h) after seeing the growth of incineration across the country, the financial case for it may be changing due to the pricing of carbon dioxide emissions. Waste-from-energy is being questioned as the dynamics change, and it is unclear if this will impact on proposals to expand incineration at Eastcroft or the Uniper EMERGE project at Ratcliffe-on-Soar, which has received planning approval but has not yet been implemented;
- (i) as part of the forecasting for Local Authority Collected Waste (LACW) arisings, the plan presents three scenarios showing trends for the amount of waste collected, and three scenarios for the amount of that waste recycled. For the amount of waste collected, the plan is based on Scenario B as the most realistic scenario, assuming a low rate of decline per household resulting in an increase in total waste due to the growth in the number of households. A higher rate of decline would be desirable, but it is important to plan to provide the facilities to deal with the most realistic option. For the amount of that waste recycled, the plan assumes the most ambitious recycling rate of the three scenarios, with a 65% recycling rate, reflecting the national waste strategy target to reach 65% by 2035;
- (j) there is flexibility in the plan to account for some of the larger projects that are uncertain, as the plan provides a framework against which changing circumstances can be monitored and assessed.

Resolved to note the Waste Local Plan update.

7 Minerals Update

Stephen Pointer, Team Manager in Planning Policy for Nottinghamshire County Council, presented the minerals update, highlighting the following points:

- (a) a report on matters relating to minerals will be presented to each meeting of the Committee. Nottinghamshire County Council adopted the Minerals Local Plan in 2021, prepared in association with Nottingham City Council, which will be coming up for its five-year review in 2026;
- (b) this report appends the Nottinghamshire and Nottingham Local Aggregates Assessment for October 2024. The report concerns sand and gravel, Sherwood sandstone, and crushed rock in Nottinghamshire and Nottingham, which are used in the construction industry, including sand quarries in the Mansfield area often used to supply specialist markets such as sports stadia. The assessment tracks the pattern of sales over a ten-year period, to enable planning for future needs, and this report is based on sales in 2023;
- (c) the assessment shows a large drop in sales of sand and gravel after the 2008 recession, which never recovered to pre-recession levels. It provoked sand and gravel producers to change their approach, and some merged. Since then, sales have been relatively constant but declining year on year. 2023 saw marginally the lowest ever recorded sales for sand and gravel. Sales of Sherwood Sandstone increased slightly;
- (d) when considering applications for development, officers assess the state of the land bank. For sand and gravel this currently stands at 16-years' worth, significantly above the national policy of maintaining at least a seven-year land bank. The Sherwood Sandstone landbank is similarly high;
- (e) the County does not have sites for crushed rock at the moment, the market is met from outside Nottinghamshire, through Derbyshire limestone quarries for instance;
- (f) the key message of the report is that, given the trend for slightly declining sales, the plan is up-to-date and still effectively meets its requirements. The Minerals Local Plan in 2021 was based on the ten-year average at that point, which was relatively high. The plan was therefore based on a higher anticipated level of development than has occurred.

In the discussion which followed, and in response to questions from the Committee, the following points were made:

- (g) Covid-19 had a major impact, as the housebuilding market collapsed. Many of the quarry operators stopped producing for that period. Additionally, there have been several years with significant long-lasting floods affecting the Trent Valley, which has impaired the ability of operators to extract aggregates. As a consequence of all of these factors, the land bank has increased.

Resolved to note the Minerals update.

8 Major Applications Update

David Arnold, Head of Planning and Environment for Nottinghamshire County Council, presented the major applications update, highlighting the following points:

- (a) there are two major planning applications currently under consideration, a sand and gravel site in Barton in Fabis and a gypsum site north of Ratcliffe-on-Soar. Planning permission has recently been granted for the extraction of pulverised fuel ash (PFA) south of Lound;
- (b) the majority of the proposed sand and gravel site in Barton in Fabis is within the Nottinghamshire area, and some is within the Nottingham City boundary, so both councils are considering applications. The land is allocated for extraction in the Minerals Local Plan. An earlier application had been received but was withdrawn, and a revised application was then submitted in February 2024;
 - (a) the applicant seeks to extract approximately 2.5m tons of sand and gravel, worked in four phases with progressive restoration. The emphasis of the restoration plan is ecology, access, and the creation of pasture, so has high ecological value. The material would be taken up to Green Street and processed on site, and then taken on the A453 to market;
 - (b) the application has generated a significant amount of interest from the public and statutory consultees, so officers have written to the applicant to request further information and then there will be further consultation. The applications will likely be considered in 2025;
 - (c) the application to extract gypsum north of Ratcliffe-on-Soar is intended to avoid sterilising the gypsum deposit. The area is under a Local Development Order (LDO) but is not identified for mineral extraction in the Minerals Local Plan. The plan is generating interest from statutory consultees requesting further technical information, and is still under consideration;
 - (d) the application to extract PFA south of Lound, granted by Nottinghamshire County Council, was one of the largest applications the authority has dealt with and took over two years to consider. It enables the extraction of 6.5m tons of PFA, which had been deposited in former sand and gravel pits. The area had been restored, but not to currently expected standards. This permission enables the applicant to work the site and restore it progressively over a 25-year period. The PFA would be processed on site to feed into cement making, which reduces the carbon dioxide emissions from burning limestone, and it can also be used for block making and other uses. There is a lot of PFA deposited around Nottinghamshire generated by the former coal-fired power stations, so there may be other sites coming forward.

Resolved to note the Major Applications update.