

# Hertfordshire County Council

## Minerals and Waste Development Scheme

November 2016

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## 1.0 Introduction

### Purpose of the Hertfordshire Minerals and Waste Development Scheme

- 1.1 The Planning and Compulsory Purchase Act 2004 requires every local plan making authority (LPA) in England to produce a development scheme, which sets out the timetable and details of planning policy documents that each LPA will produce.
- 1.2 To fulfil this requirement, Hertfordshire County Council (“the County Council”) as Minerals and Waste Planning Authority (MWPA) has been producing a development scheme known as the Minerals and Waste Development Scheme (MWDS) since 2005. This, and previous versions outline the minerals and waste planning policy documents that are to be produced, the timetable for their production and timings when public participation is likely to take place.
- 1.3 Although the requirement for producing a development scheme in the 2004 Act remains the same, the process of plan and document production has been amended by a number of subsequent Acts.
- 1.4 This development scheme has been updated to provide a more accurate timetable for the production of the new Minerals Local Plan<sup>1</sup> following the first stages of the review (Initial Consultation and stakeholder event). In addition to provide an update following the adoption of the Employment Land Areas of Search Supplementary Planning Document and to set out the future review timeline for the Waste Local Plan. This scheme covers the period 2016 to 2020.

<b>Document</b>	Minerals and Waste Development Scheme (MWDS)
<b>Status</b>	Project plan for minerals and waste planning documents
<b>Description</b>	Sets out the documents that the County Council will produce for minerals and waste in the county. It also sets out the programme for the preparation and review of these documents for the coming four years (up to December 2020).
<b>Proposed Date for Adoption</b>	November 2016

- 1.5 In line with the 2004 Act, this revised MWDS contains the following information:

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<sup>1</sup> Once adopted, this will replace the current Minerals Local Plan, which was adopted in March 2007 and covers the plan period 2002-2016.

- The planning policy documents that are to be prepared by the authority;
- The subject matter of each of the planning policy documents;
- The timetable for their preparation, including details of public participation stages where applicable.
- Existing policies and their status.<sup>2</sup>
- The resources needed to ensure that the planning policy documents are produced in a timely fashion.
- How the progress of document production will be monitored against development scheme.

1.6 In order for this MWDS to be brought into effect, it must be presented to County Council for adoption. The scheme will be kept under review and subsequent revisions taken through the appropriate process for approval. Once adopted, this MWDS will be published on the County Council's website: [www.hertfordshire.gov.uk](http://www.hertfordshire.gov.uk).

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<sup>2</sup> For Hertfordshire, this currently consists of the Waste Core Strategy and Development Management Policies document (November 2012), the Waste Site Allocations document (July 2014) and the 'saved policies' in the Minerals Local Plan (March 2007).

## 2.0 Hertfordshire Minerals and Waste Planning Documents

### Minerals and Waste Planning Documents

- 2.1 The minerals and waste planning policy documents that are listed below, have been produced by the MWPA and set out the County Council's objectives and policies for minerals and waste development in the county. Relevant planning applications that are submitted to the County Council for determination, will be tested against these documents, which form part of the statutory development plan for Hertfordshire.

### *Adopted Waste Policies*

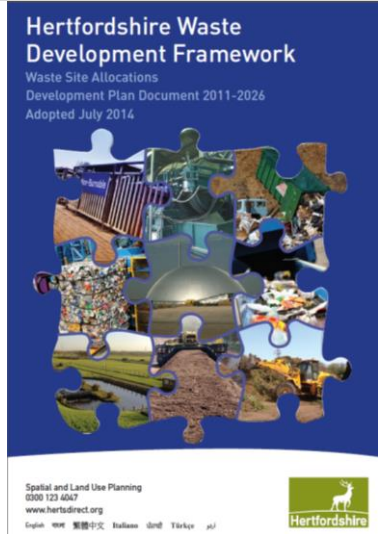
- 2.2 The Waste Core Strategy and Development Management Policies and Waste Site Allocations documents that constitute the Waste Local Plan have now been adopted. The policies and sites that are contained within them are continually monitored and reported on an annual basis in the Authority's Monitoring Report (AMR) as set out in Section 4.
- 2.3 The policies in the Waste Core Strategy and Development Management Policies document along with the Waste Site Allocations document, replaced all of the previously 'saved' Waste Local Plan policies, from January 1999.

### ***Waste Core Strategy and Development Management Policies Document 2011-2026***

 <p>Hertfordshire Waste Development Framework Waste Core Strategy &amp; Development Management Policies Development Plan Document 2011-2026 Adopted November 2012</p> <p>Spatial and Land Use Planning 0300 122 4847 www.hertsdirect.org</p> <p>اللغة العربية 繁體中文 Italiano 0300 122 4847</p> 	<p>The Waste Core Strategy and Development Management Policies document (adopted November 2012) is a strategic document setting out the spatial vision and strategic objectives for waste planning in Hertfordshire.</p> <p>This document contains the core policies needed to implement these objectives, as well as detailed development management policies to be used when making decisions on waste planning applications. This is to ensure that proposed waste development takes place in accordance with the highest standards and to meet sustainable development objectives as set out in the document. This document identifies areas of search for local authority collected waste management facilities, but does not identify specific sites.</p> <p>The Waste Core Strategy and Development Management Policies document has a 15 year plan period from 2011-2026.</p>
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<i>Timetable</i>	<b>Adopted November 2012</b>
<i>Status</i>	Local Plan - Development Plan Document
<i>Geographical Coverage</i>	County wide
<i>Conformity</i>	NPPF, MWDS, SCI, District/ Borough Local Plans
<i>Review and Monitoring</i>	This document has a 15 year plan period from 2011-2026. It will be annually monitored through the Authority's Monitoring Report (see Section 4). Any future review timetable for this document is set out in Section 4.
<i>Resources and Management</i>	See Section 5 and table under paragraph 5.7

### **Waste Site Allocations document (2011 – 2026)**

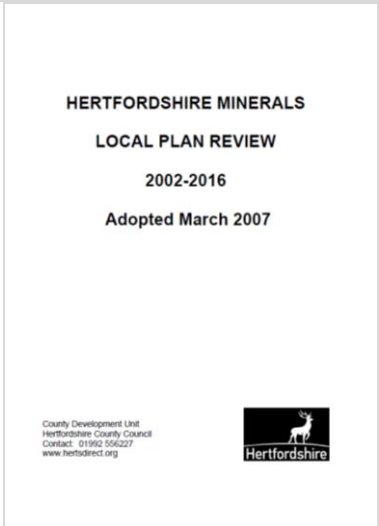
	<p>The Waste Site Allocations document (adopted July 2014) identifies Allocated Sites and Employment Land Areas of Search required to meet the need for additional waste management capacity in the county to meet the sustainable development objectives as set out in the Waste Core Strategy and Development management Policies document. This document includes maps and waste site briefs for allocated sites and identified Employment Land Areas of Search (ELAS). The document also identifies existing strategic sites to be safeguarded for waste management facilities. This document has been written to be in conformity with the Waste Core Strategy and Development Management Policies document and so should be read in conjunction. The Waste Site Allocations document has a 15 year plan period from 2011-2026.</p>
<i>Timetable</i>	<b>Adopted July 2014</b>
<i>Status</i>	Local Plan - Development Plan Document
<i>Geographical Coverage</i>	County wide
<i>Conformity</i>	NPPF, Waste Core Strategy and Development Management Policies document, MWDS, SCI, District/ Borough Local Plans
<i>Review and Monitoring</i>	This document has the same 15 year plan period as the Waste Core Strategy and Development Management Policies document (2011-2026). It will be annually monitored through the Authority's Monitoring Report (see Section 4). Any future review timetable for this document is set out in Section 4.

<i>Resources and Management</i>	See Section 5 and table under paragraph 5.7
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### **Adopted Minerals Policies**

2.4 The Minerals Local Plan Review was adopted in March 2007 and the policies were immediately saved for three years. After this three year period an application was made to save the policies for a further period from March 2010 for development management purposes, until they are replaced with new minerals policies. The list of ‘saved’ Minerals Local Plan policies are outlined in Appendix 2 and will be reviewed during the review of the Minerals Local Plan. As part of the continual monitoring process, subsequent Authority’s Monitoring Reports will contain more detail regarding the status of each of these policies, how the policies are to be replaced, merged or deleted as the plan develops.

### **Minerals Local Plan**

	<p>The Minerals Local Plan (adopted March 2007) is a strategic document setting out the aims, objectives and spatial strategy for minerals planning in Hertfordshire during the period 2002-2016.</p> <p>This document includes strategic policies in order to meet the need for mineral extraction together with more detailed development management policies to be used when determining planning applications for minerals related development.</p> <p>The document also identifies preferred areas for sand and gravel extraction along with other safeguarded mineral extraction sites and rail aggregate depots.</p>
<i>Timetable</i>	<b>Adopted March 2007</b>
<i>Status</i>	Local Plan
<i>Geographical Coverage</i>	County wide
<i>Conformity</i>	NPPF, MWDS, SCI and District/Borough Local Plans
<i>Review and Monitoring</i>	<p>The effectiveness of the policies and allocated sites within the Minerals Local Plan will be reported annually and published in the Authority’s Monitoring Report.</p> <p>The initial stages of reviewing of this plan commenced in 2014 with a detailed project management plan outlining the stages required to deliver a sound Minerals Local Plan. See Section 4 for progress and next stages for the</p>



	review.
<i>Resources and Management</i>	See Section 5 and table under paragraph 5.7

### **Other Minerals and Waste Planning Documents**

- 2.5 In addition to this MWDS there are a number of other documents that the County Council is required to produce and these are explained below. However, these documents do not form part of the statutory development plan for the county.

### ***Statement of Community Involvement (SCI)***

- 2.6 The Planning and Compulsory Purchase Act 2004 introduced the requirement for local planning authorities to produce a Statement of Community Involvement (SCI). The County Council's SCI sets out the policy for the involvement of communities in relation to the preparation of the minerals and waste planning documents. The consideration of planning applications for which Hertfordshire County Council is the planning authority (i.e. all planning applications relating to mineral extraction and waste management as well as development for County Council services such as schools, libraries etc.) is set out in the SCI.
- 2.7 The SCI was adopted by the County Council in March 2013 and reflects changes made to national planning legislation. The current SCI can be viewed on the County Council's website: [www.hertfordshire.gov.uk](http://www.hertfordshire.gov.uk). The County Council will consider the need to review the SCI through the AMR.

### ***Authority's Monitoring Report (AMR)***

- 2.8 The Town and Country Planning (Local Planning) (England) Regulations 2012, require the County Council to produce an Authority's Monitoring Report (AMR) containing information on the implementation of the MWDS and the extent to which the policies in the minerals and waste development planning documents are being achieved. Performance against any targets or monitoring indicators that are within the Waste Core Strategy and Development Management Policies document and the Waste Site Allocations document will also be reported.
- 2.9 The AMR is an annual report produced by the Minerals and Waste Planning Authority. All AMRs are placed on the County Council's website: [www.hertfordshire.gov.uk](http://www.hertfordshire.gov.uk). Prior to the publication of the Town and Country Planning (Local Planning) (England) Regulations 2012, the AMR was referred to as the Annual Monitoring Report.

### **Local Aggregates Assessment (LAA)**

- 2.10 Previously, minerals information formed part of the AMR. However, the National Planning Policy Framework (NPPF), published in March 2012 introduced a new duty to produce a Local Aggregates Assessment (LAA). The NPPF stipulates that the LAA should be '*based on a rolling average of 10 years sales data and other relevant local information, and an assessment of all supply options (including marine dredged, secondary and recycled resources)*'.<sup>3</sup>
- 2.11 In addition to the requirements of the NPPF, the National Planning Practice Guidance (NPPG), published in March 2014, specifically outlines what a LAA should contain, which are the following three elements:<sup>4</sup>
- a forecast of the demand for aggregates based on both the rolling average of 10-years sales data and other relevant local information;
  - an analysis of all aggregate supply options, as indicated by landbanks, mineral plan allocations and capacity data e.g. marine licences for marine aggregate extraction, recycled aggregates and the potential throughputs from wharves. This analysis should be informed by planning information, the aggregate industry and other bodies such as local enterprise partnerships; and
  - an assessment of the balance between demand and supply, and the economic and environmental opportunities and constraints that might influence the situation. It should conclude if there is a shortage or a surplus of supply and, if the former, how this is being addressed.
- 2.12 LAAs that are produced by the MWPA, are presented to the relevant Cabinet Panel. The MWPA is also required to submit the LAA to the East of England Aggregate Working Party.

### **Supplementary Planning Documents (SPD)**

- 2.13 There is no statutory requirement to produce a SPD, but if a local planning authority wishes to produce one, The Town & Country Planning (Local Planning) (England) Regulations 2012 stipulate how this should be done.

### **Minerals**

- 2.14 The adopted Mineral Consultation Area SPD identifies areas of the county where particular considerations are needed to prevent the unnecessary sterilisation of sand and gravel resources, and sets out

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<sup>3</sup> National Planning Policy Framework, March 2012 (paragraph 145).

<sup>4</sup> National Planning Practice Guidance, March 2014 (paragraph 62, reference ID: 27-062-20140306).

the procedure in which the District/Borough councils will work together to protect the resources in those areas.

- 2.15 The MWPA will consider the need to review this SPD as part of the Minerals Local Plan review process.

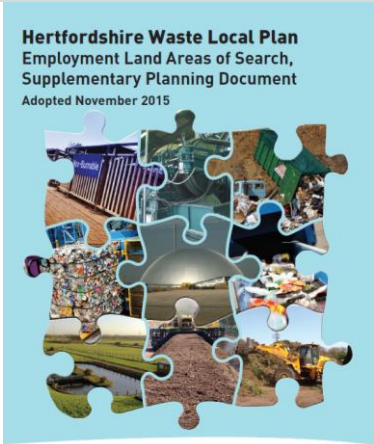
**Waste**

**Employment Land Areas of Search Supplementary Planning Document**

- 2.16 Following the completion of the examination into the Waste Site Allocations document in November 2013, the County Council agreed to produce a SPD that would be designed to assist developers submitting waste related developments within the 60 Employment Land Areas of Search (ELAS) that are identified in the adopted Waste Site Allocations document.

**Progress since the last adopted scheme – November 2014**

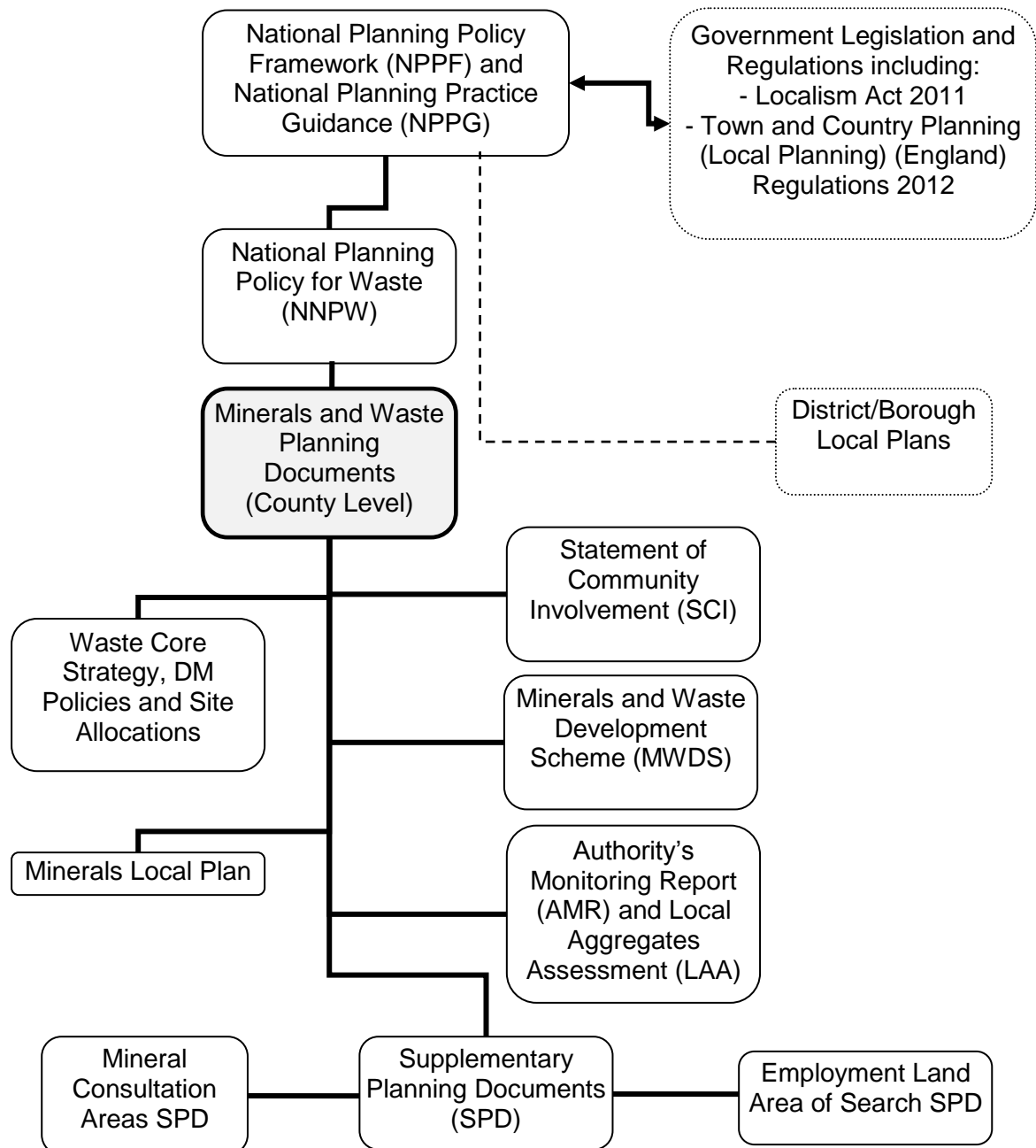
- 2.17 Although not officially part of the development plan, the production of the Employment Land Areas of Search SPD was included within the Minerals and Waste Development Scheme timetable. Since the adoption of the Minerals and Waste Development Scheme in 2014, the ELAS SPD has been subject to a six week public consultation on the draft document during May-June 2015.
- 2.18 The responses to the consultation were reviewed and a draft SPD for adoption presented to the Cabinet Panel, Cabinet and County Council in November 2015. SPDs do not need to be submitted to the Secretary of State for examination. The SPD was adopted at County Council on 10 November 2015.

	<p>The Employment Land Areas of Search (ELAS) Supplementary Planning Document (SPD) (adopted November 2015) provides further planning guidance into the suitability of waste related development on each of the 60 ELAS and is linked to the General ELAS Waste Brief that is contained in the Waste Site Allocations document. This document can be used as a material consideration in the decision of relevant waste related planning applications on the Employment Land Areas of Search. The SPD is in conformity with the Waste Core Strategy and Development Management Policies document and the Waste Site Allocations document.</p>
<p><i>Timetable</i></p>	<p>Evidence Gathering – 2014</p>

	Public Consultation on Draft SPD - 2015 <b>Adopted November 2015</b>
<i>Status</i>	Supplementary Planning Document
<i>Geographical Coverage</i>	County wide
<i>Local Conformity</i>	NPPF, Waste Core Strategy and Development Management Policies document, Waste Site Allocations document, MWDS, SCI, District/ Borough Local Plans
<i>Review and Monitoring</i>	Monitored on an annual basis as part of AMR. See Section 4 and 5.
<i>Resources and Management</i>	See Section 5 and table under paragraph 5.7

### 3.0 Relationship between National Policy and Local Plans and Strategies

3.1 The diagram below illustrates the relationship between the national and local level plans and the minerals and waste planning documents that are produced by the County Council. This is known as the chain of conformity.



### **National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG) and National Planning Policy for Waste (NPPW)**

- 3.2 In March 2012, the government published the National Planning Policy Framework (NPPF), which replaced the majority of previous national planning guidance that included Planning Policy Statements, Planning Policy Guidance and some Circulars. All planning policy documents must therefore be in conformity with the NPPF.
- 3.3 Since the publication of the NPPF, the government has produced and published the National Planning Practice Guidance (NPPG). The NPPG was launched as a web-based resource in March 2014, with its purpose being to supplement the NPPF and provide further guidance on it where necessary. The Department for Communities and Local Government (DCLG) has made it clear that the NPPG will be continually reviewed and updated, to ensure that it is effective and relevant.
- 3.4 In October 2014, the government published the National Planning Policy for Waste (NPPW) which replaced the previous planning guidance (Planning Policy Statement 10 (PPS10): Planning for Sustainable Waste Management).

### **Other Local Plans and Strategies**

- 3.5 The Minerals and Waste Planning Authority also takes into account other local plans and strategies when producing planning documents. This includes, but not limited to, documents related to Waste in Hertfordshire, local transport issues, neighbourhood plans, the Hertfordshire Local Enterprise Partnership Strategic Economic Plan (SEP) and Hertfordshire's Local Nature Partnership.

## 4.0 Review and Monitoring


### Stages of Preparation for the review of Minerals and Waste Planning Documents

- 4.1 This section of the MWDS identifies the key milestones and the resources required to undertake the review and plan preparation for new Minerals and Waste planning documents.

#### ***Review of the Minerals Local Plan 2007***

- 4.2 Changes to national planning legislation through the Localism Act 2011, the publication of the NPPF in 2012 and the plan period of the adopted Minerals Local Plan ending in 2016, means that a review of minerals policy within the county is required to be undertaken.
- 4.3 The MLP will set out the vision, objectives and strategy for minerals development in the county and the strategic policies and proposals to deliver that vision. The review of the Minerals Local Plan will need to identify future allocated sites for sand and gravel extraction in the county, identify safeguarding areas and also set out detailed development policies by which minerals planning applications will be judged. It will also need to take into account the need to identify additional reserves that are required to meet the county's aggregates supply figures.
- 4.4 Given the need to carry out a Sustainability Appraisal (incorporating Strategic Environmental Assessment) and also the requirement to undertake a Habitats Regulation Assessment, it is considered appropriate to combine these and appoint external consultants to undertake the work. A list of other documents for which the County Council is proposing to appoint external consultants is outlined in paragraph 5.4 and 5.5. The appointment of external consultants will ensure specific expertise is employed and impartiality.
- 4.5 The plan production timetable outlined in Appendix 1 outlines the key milestones for plan production. During this time, there will be both formal and informal public participation including consultations through stakeholder events.
- 4.6 Work on background documents and the evidence base commenced in 2014/2015 for the review of the adopted Minerals Local Plan (2007). An initial consultation took place in August - October 2015, with the Initial Consultation document setting out the issues and potential options for the matters that needed to be addressed in the review of the MLP. The responses to the initial consultation were presented back to the Cabinet Panel in February 2016. A call for sites also took place in February to April 2016.

4.7 Following these first stages of the review of the Minerals Local Plan, the Minerals and Waste Planning Authority has a clearer idea of the key stages to be undertaken and the elements within each stage needed moving forward. Further technical work is needed to inform the Draft Plan to ensure that a robust evidence base supports the MLP. The timeline for the MLP has therefore been revised to reflect this change and the revised dates for the continued plan production, consultations and public participation in line with the timetable in Appendix 1 including submission, examination and adoption are outlined below:

	<p>Once adopted, the MLP will set out the overall approach to minerals planning in the county and be used by County Council officers when determining planning applications. The Minerals Local Plan will be accompanied by a Sustainability Appraisal and Strategic Environmental Assessment, HRA and SFRA.</p>	
<p><i>Timetable</i></p>	<p>Initial Consultation</p>	<p>August 2015 – October 2015</p>
<p>Call for Sites</p>	<p>February – April 2016 (6 weeks)</p>	
<p>Date for Draft Plan consultation</p>	<p>August – October 2017</p>	
<p>Date for Publication of Proposed Submission</p>	<p>August – October 2018</p>	
<p>Date for Submission to the Secretary of State</p>	<p>November 2018</p>	
<p>Possible independent examination period</p>	<p>January – March 2019</p>	
<p>Publication of the Inspector's Report into the examination</p>	<p>April - June 2019</p>	
<p>Presentation of the Minerals Local Plan to Cabinet Panel, Cabinet and County Council for Adoption</p>	<p>October –November 2019</p>	



	Proposed Date for Adoption	November 2019
<i>Status</i>	Local Plan - under preparation	
<i>Geographical Coverage</i>	County wide	
<i>Conformity</i>	NPPF, NPPG, MWDS, SCI and District/Borough Local Plans	
<i>Review and Monitoring</i>	Once the MLP is adopted, policies will be monitored against appropriate targets and indicators, which will monitor the effectiveness of the policies and sites contained within the document. This will be carried out and reported annually as part of the Authority's Monitoring Report.	
<i>Resources and Management</i>	See Section 5 and table under paragraph 5.7	

### ***Review of the Waste Local Plan***

- 4.8 The Waste Local Plan comprises the Waste Core Strategy and Development Management Policies document (2012) and the Waste Site Allocations document (2014).
- 4.9 The delivery of waste management facilities, capacity requirements for waste and the list of safeguarded waste sites has been continuously monitored, reviewed and updated on an annual basis through the Authority's Monitoring Report. The results from these monitoring reports will inform how often the plan is reviewed and form part of the evidence base for future plan reviews.
- 4.10 Paragraph 3.10 of the Waste Site Allocation states that 'the plan will be reviewed in full every five years and a partial review may be undertaken sooner than that if required'. The WSA was adopted in 2014 and as it forms part of the Waste Local Plan, it is considered reasonable, therefore, to schedule the review process to commence within the next two years.
- 4.11 The WLP will set out the vision, objectives and strategy for waste planning in the county and will be used by County Council officers when determining planning applications.
- 4.12 The review of the Waste Local Plan may need to identify future allocated sites for waste development in the county and also set out detailed development management policies by which waste planning applications will be judged.
- 4.13 The proposed plan production timetable outlined in Appendix 1 outlines the key milestones for plan production. During this time, there will be both formal and informal public participation including consultations through stakeholder events.

4.14 The estimated dates for the production and public participation in line with the timetable in Appendix 1 including submission, examination and adoption are outlined below:

<b><i>Indicative Timetable- Waste Local Plan review</i></b>	Initial Stages including evidence gathering, initial consultation and call for sites (if required)	2017 - 2019
	Draft Plan consultation	August – October 2019
	Date for Publication of Proposed Submission	August – October 2020
	Date for Submission to the Secretary of State	November/December 2020
	Possible Examination and Adoption	2021
<i>Status</i>	Local Plan - in preparation	
<i>Geographical Coverage</i>	County wide	
<i>Conformity</i>	NPPF, NPPG, NPPW, MWDS, SCI and District/Borough Local Plans	
<i>Review and Monitoring</i>	Once the WLP is adopted, policies will be monitored against appropriate targets and indicators, which will monitor the effectiveness of the policies and sites contained within the document. This will be carried out and reported annually as part of the Authority’s Monitoring Report.	
<i>Resources and Management</i>	See Section 5 and table under paragraph 5.7	

4.15 Given the need to carry out a Sustainability Appraisal (incorporating Strategic Environmental Assessment) and also the requirement to undertake a Habitats Regulation Assessment, it is considered appropriate to combine these and appoint external consultants to undertake the work. A list of other documents that the County Council is proposing to appoint external consultants for is outlined in paragraph 5.6. The appointment of external consultants will ensure impartially and that specific expertise are employed.

## **Monitoring**

4.16 The County Council has an obligation to regularly monitor the effectiveness of the policies in the Waste Core Strategy and Development Management Policies document and the allocated sites

and employment land areas of search in the Waste Site Allocations document. The AMR is the mechanism by which the County Council monitors these documents along with the 'saved policies' in the current Minerals Local Plan and its timetable for review which is outlined in Appendix 1 of this MWDS.

- 4.17 With regards to the MWDS, the AMR contains specific monitoring information relating to whether the County Council:
- i. has met the MWDS targets and milestones;
  - ii. is falling behind schedule or has failed to meet a target or milestone and the reasons for this; and
  - iii. needs to update the MWDS, particularly in light of (ii). Where it is necessary to update the MWDS, the steps and the timetable needed for the revision will be indicated.

### **Waste Local Plan Targets and Indicators**

- 4.18 The adopted Waste Core Strategy and Development Management Policies document contains 28 Targets and 35 Indicators that are designed to assess how effectively the policies within it are being implemented.
- 4.19 At the Environment, Planning and Transport Cabinet Panel in July 2015, it was proposed that the targets and indicators were reviewed in order to streamline, remove duplication and remove any complications to enable the implementation of the Plan to be monitored effectively. It is important that waste data is monitored in order to see any trends within the county.
- 4.20 As such, the Waste Planning Authority has revised the targets and related indicators by combining some targets and indicators to remove repetition and adapting others to capture the data that is available to report on or removing irrelevant targets and indicators to streamline the reporting process.
- 4.21 In summary, the number of targets reduced from 28 to 17 and the number of indicators reduced from 35 to 18.
- 4.22 The AMR will report on the new targets and indicators as to whether these targets and indicators are being met, and if appropriate, what steps should be undertaken to ensure that that they are met in the future. The AMR also monitors which policies have been used throughout the period of the AMR, including the 'saved policies' in the Minerals Local Plan. Explanations as to why any policies have not been used to determine minerals and waste related planning applications are also given where appropriate.
- 4.23 Monitoring also utilises consultation statements produced for each stage of the plan production prepared in the relevant year under

review, and the completed legal audit. It also involves an assessment of public participation feedback from relevant community involvement exercises for the relevant year, and any formal feedback received from government agencies.

## 5.0 Resources

### Staffing and Support

- 5.1 The existing Minerals and Waste Policy team in the Spatial Planning & Economy Unit includes one full-time Team Leader, three full-time Policy Officers and one two year fixed post Apprentice Planner. Input from unit support staff is also required from time to time, mainly in relation to public participation exercises. This is provided to both the Minerals and Waste Policy and Development Management teams, by one full-time equivalent staff member. It is anticipated that this resource should be adequate for the requirements of the MWDS and the review of the Minerals Local Plan.
- 5.2 Throughout the review of both the Minerals and Waste Local Plans, input and assistance from other Environment Department staff within the County Council and partner agencies is sought as follows:
- GIS and mapping;
  - Review of Strategic Flood Risk Assessment (SFRA);<sup>5</sup>
  - Review of Strategic Environmental Assessment/Sustainability Appraisal/Appropriate Assessment reports; and
  - Data gathering and other technical input from most sections of the Environment Department. Specifically, this includes:
    - Communications Team;
    - Environmental Resource Planning Team (includes the Lead Local Flood Authority, Historic Environment, Ecology, Landscape and the Built Environment);
    - Highways Operations and Strategy Team;
    - Information Management Team;
    - Access and Rights of Way Team;
    - Transportation Policy Team.
- 5.3 In addition to the above, the County Council considers it to be appropriate to obtain assistance from external consultants, when preparing some technical studies that will form part of the evidence base for both the Minerals and Waste Local Plans.
- 5.4 The following technical studies were identified as requiring specialist input by external independent consultants for the Minerals Local Plan:
- Sustainability Appraisal/Strategic Environmental Assessment for every stage of the review of the Minerals Local Plan;

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<sup>5</sup> Input may also be required from the Environment Agency and the County Council as Lead Local Flood Authority for Hertfordshire.

- Habitats Regulation Assessment;
- Minerals Site Selection Study and
- Strategic Flood Risk Assessment.

5.5 Consultants have been appointed to undertake the Sustainability Assessment/Strategic Environment Assessment, Habitats Regulation Assessment for the Minerals Local Plan and the Minerals Site Selection Study following a procurement process in Autumn/Winter 2014. These studies are now underway and therefore the expense of undertaking these studies have been taken into account in budget provision table below. However there may be future studies which will need to be accounted for.

5.6 In regards to the Waste Local Plan review it is considered appropriate to obtain assistance from external consultants to assist with the technical studies for:

- Sustainability Appraisal/Strategic Environmental Assessment for every stage of the review of the Waste Local Plan;
- Habitats Regulation Assessment;
- Strategic Flood Risk Assessment.
- Waste Capacity Study

### **Budget Provision**

5.7 An estimate of budget required for the next three years is as follows:

	<b>2016/17</b> (April 2016 – March 2017)	<b>2017/18</b> (April 2017 – March 2018)	<b>2018/2019</b> (April 2018 – March 2019)	<b>Comments</b>
<b><u>Staff</u></b>				
	£209,000	£211,000	£213,000	Current establishment (1FTE manager, 3FTE officers) plus new 1 FTE Apprentice
<b><u>Public Participation</u></b>				
Waste DPDs	£0	£2,000	£2,000	Written consultations and workshops in the early stages of the WLP review.
Minerals DPDs	£0	£2,000	£2,000	Written consultations (Draft Plan) and proposed submission for the MLP, plus associated stakeholder workshops etc.
<b>Sub Total</b>	<b>£0</b>	<b>£4,000</b>	<b>£4,000</b>	
<b><u>Printing</u></b>				
Waste DPDs	£0	£2,000	£2,000	
Minerals DPDs	£0	£2,000	£4,500	
<b>Sub Total</b>	<b>£0</b>	<b>£4,000</b>	<b>£6,500</b>	
<b><u>Consultants</u></b>				
Waste DPDs	£0	£50,000	£50,000	SEA/SA, HRA, Site Selection studies, SFRA, Waste Capacity study
Minerals DPDs	£50,000	£20,000	£20,000	SEA/SA , HRA, Site Selection study,

	<b>2016/17</b> (April 2016 – March 2017)	<b>2017/18</b> (April 2017 – March 2018)	<b>2018/2019</b> (April 2018 – March 2019)	<b>Comments</b>
				attendance at examination and other preparation work for examination
<b>Sub Total</b>	<b>£50,000</b>	<b>£70,000</b>	<b>£70,000</b>	
<b><u>Legal</u></b>				
	£5,000	£5,000	£5,000	Legal Advice for Policy Matters
<b><u>Examination</u><sup>6</sup></b>				
Waste DPDs	£0	£0	£0	
Minerals DPDs	£0	£0	£120,000 <sup>6</sup>	Employ Programme Officer for Minerals Local Plan
<b>Sub Total</b>	<b>£0</b>	<b>£0</b>	<b>£120,000</b>	
<b>Sub-Totals (excluding staff and legal advice)</b>				
Waste DPDs	£0	£54,000	£54,000	
Minerals DPDs	£50,000	£24,000	£146,500	
<b>Sub-total</b>	<b>£50,000</b>	<b>£78,000</b>	<b>£200,500</b>	
<b>Grand Total including staff and legal costs</b>	<b>£264,000</b>	<b>£294,000</b>	<b>£418,500</b>	

*Notes:*

Staff commitments are included in existing budgets.  
This is an estimate of budget requirements

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<sup>6</sup> Public Examination programmed for 18/19 for the Minerals Local Plan £120,000. The cost of the Examination, including the Programme Officer is met from an Inquiries budget.



## **Management Process**

- 5.8 Preparation of the minerals and waste planning documents is the responsibility of the Spatial Planning & Economy Unit, Hertfordshire County Council. All reports and publications involving Council policy (i.e. Local Plan documents under the current system) require the review and approval of full Council, and prior to this, advice from the relevant Cabinet Panel.
- 5.9 Reports and publications not considered to be part of the Development Plan (e.g. Supplementary Planning Documents) may also need to be reviewed by Members and formally adopted by the Council as advised by the respective Cabinet Panel in line with the Council Constitution.
- 5.10 Where possible, the Environment Department's Plans Management Group will be informed of the preparation of the minerals and waste planning documents and internal office comments sought during plan production.

## **Risk Assessment and Contingencies**

### Risk and uncertainty in programming

- 5.11 As far as possible the scheduling and programme outlined in the timetable in Appendix 1, have allowed for key Panel, Cabinet and County Council meetings. However, the following points are noted:
- i) Panel, Cabinet and Council meetings have been noted on the programme as far as possible, although at the time of writing, no dates are available beyond July 2017. Future dates beyond this where it is anticipated that these documents will need to be presented to Cabinet Panel, Cabinet and County Council have been highlighted with an asterix.
  - ii) Existing 'saved' policies in the current Minerals Local Plan will be extant until new policies replace them as they are adopted.
  - iii) The timetable set out in Appendix 1 has considered the following inherent risks and uncertainties during the plan making phase:
    - a) Changes in current scheduled dates for the Cabinet Panel, Cabinet and County Council meetings.
    - b) Delay in the examination process of the Minerals Local Plan (due to the availability of the Inspector).
    - c) The timing of receipt of the Inspector's report has allowed for a longer period between the Examination and receipt of the report, due to its possible controversial nature and the potential for further consultation.

- d) Timings may be affected if any “omission” sites<sup>7</sup> are put forward post submission.
- e) Depending upon the number, size and scale of allocated minerals sites the Minerals Local Plan could attract a large number of representations and sites could be put forward late in the process.
- f) Future changes to legislation and/or guidance may introduce unforeseen processes that will need to be taken into account.

5.12 The following factors may also need to be taken into account, but which have not been explicitly programmed into the timetable:

- The risk of challenge that correct procedures have not been followed. This is mitigated by the use of a Legal Audit Process, together with the Soundness Self-Assessment toolkit. Both of these are provided by the Planning Advisory Service (PAS).
- The cost for the Examination of the Minerals Local Plan is based on existing charges by the Planning Inspectorate and assume the equivalent of two-week examination plus site visits.
- The recruitment and retention of staff within the planning profession remains an issue of concern.

### **Risk in Political and Decision-Making Context**

5.13 The County Council will monitor any changes to National policy and ensure that the documents produced by the Minerals and Waste Policy Team are reviewed as necessary.

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<sup>7</sup> “Omission” sites are proposals and sites that have not been put forward or considered throughout the document preparation and consultation process.

# Appendix 1: Minerals and Waste Local Plan Programme Timetable

Hertfordshire County Council: Minerals and Waste Local Plan Production Timetable 2016																																																																																																				
Document	2016												2017												2018												2019												2020																																																			
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D																																								
Minerals and Waste Development Scheme								1	1	2	2																																																																																									
Minerals Local Plan review including Policies Map	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	2	2	2	2	2	2	3	3	3	3	3	3	3	4	4	4	4	4	4	4	5	5	6	6	6	7	7	7	8	8	8	9	9																																																			
Waste Core Strategy and Development Management Policies Document								1	1												1	1																																																																														
Waste Site Allocations Document including Policies Map								1	1												1	1																																																																														
Employment Land Areas of Search SPD (Waste)								1	1												1	1																																																																														
Waste Local Plan review including Policies Map								1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1																																															
Authority's Monitoring Report								1	1	1	1											1	1	1																																																																												
Local Aggregates Assessment								1	1	1	1											1	1	1																																																																												
Cabinet Panel Meetings (date reference where known)	2	8	10	30				2	7	1	29	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*																																																						
Cabinet Meetings (date reference where known)	22	14	20	11				9	20	13	10	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*																																																						
County Council Meetings (date reference where known)	23	22	17	19				15	21	21	18	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*																																																							
<b>Key</b>																																																																																																				
<i>Authority's Monitoring Report and Local Aggregates Assessment</i>	1. Preparation	2. Approval																																																																																																		
<i>Minerals and Waste Development Scheme</i>	1. Preparation	2. Adoption																																																																																																		
<i>Waste Core Strategy and Development Management Policies Document, Waste Site Allocations Document including Policies Map and Employment Land Areas of Search SPD (Waste)</i>	1. Monitoring																																																																																																			
<b>Minerals Local Plan Process Stage</b>	<ul style="list-style-type: none"> <li>1. Evidence Gathering</li> <li>2. Draft Plan consultation</li> <li>3. Consider representations and prepare for Proposed Submission Publication</li> <li>4. Proposed Submission Public Participation</li> <li>5. Submission</li> <li>6. Examination</li> <li>7. Inspector's Report</li> <li>8. Finalisation</li> <li>9. Adoption</li> </ul>																																																																																																			
<b>Waste Local Plan Review</b>	<ul style="list-style-type: none"> <li>1. Evidence Gathering</li> <li>2. Draft Plan Consultation</li> <li>3. Consider representations and prepare for Proposed Submission Publication</li> <li>4. Proposed Submission Public Participation</li> <li>5. Submission</li> <li>6. Examination</li> <li>7. Inspector's Report</li> <li>8. Finalisation</li> <li>9. Adoption</li> </ul>																																																																																																			
	* Anticipated Cabinet Panel/Cabinet and County Council Meetings for document approval/adoption.																																																																																																			
	Notes: County Council Elections in 2017 and 2020. General Elections 2020																																																																																																			

## Appendix 2: Saved Policies from the Adopted Minerals Local Plan

### Minerals Local Plan 2002 – 2016 (Adopted March 2007)

This table outlines the existing saved Minerals Local Plan policies. These policies, were ‘saved’ by a Direction of the Secretary of State in March 2010, and have therefore remained part of the Development Plan for Hertfordshire. Policies that will supersede the current saved policies listed below have yet to be written

Policy Number	Policy Title	Saved Policy Status (✓/✗)	To be replaced by which plan
1	Aggregates Supply	✓	MLP Review
2	Need for Mineral Working	✓	MLP Review
3	Sites for Sand and Gravel Extraction and the Working of Preferred Areas	✓	MLP Review
4	Applications Outside Preferred Areas	✓	MLP Review
5	Mineral Sterilisation	✓	MLP Review
6	Other Non-Energy Minerals	✓	MLP Review
7	Secondary and Recycled Materials	✓	MLP Review
8	Recycling Facilities on Mineral Sites	✓	MLP Review
9	Contribution to Biodiversity	✓	MLP Review
10	Railheads and Wharves	✓	MLP Review
11	Cumulative Impact	✓	MLP Review
12	Landscape	✓	MLP Review
13	Reclamation Scheme	✓	MLP Review
14	Afteruse	✓	MLP Review
15	Landfill	✓	MLP Review
16	Transport	✓	MLP Review
17	Criteria for the Control of Mineral Development to Protect Critical Capital and Other Environmental Assets	✓	MLP Review
18	Operational Criteria for the Control of Mineral Development	✓	MLP Review
19	Enforcement of Planning Control	✓	MLP Review

## Appendix 3: Acronyms and Glossary

**AA:** Appropriate Assessment

**Annual/Authority's Monitoring Report (AMR):** An annual monitoring report to assess: i) the implementation of the Minerals and Waste Development Scheme; and ii) the extent to which policies in local development documents are being achieved. Area Action Plan Used, as required, to provide a planning framework for areas of change and areas of conservation. Area Action Plans will be classified as Development Plan Documents.

**Adopted Policies Map:** Expresses geographically the adopted development plan policies of the local planning authority. It must be revised as each new Development Plan Document is adopted.

**Chain of Conformity:** The detailed schedule of planning documents must list the Chain of Conformity for each document. This is also shown in the diagram in section 3. It refers to the hierarchy of documents, i.e. the waste site allocations must be in conformity with the waste core strategy, which in turn must be in conformity with the National Policy.

**DCLG:** Department for Communities and Local Government

**Development Plan:** This includes adopted Local Plans, neighbourhood plans and the London Plan, and is defined in section 38 of the Planning and Compulsory Purchase Act 2004. For Hertfordshire, this consists of the NPPF, the Waste Development Framework, the saved policies of the Minerals Local Plan and the respective district/borough Local Plan.

**Local Plan (Development Plan Document - DPD):** Development Plan Documents refer to Core Strategies, Site Specific Allocations of Land, Local Development Documents and Local Plans, and that are subject to independent examination. The Waste Local Plan was published at the time when the terminology used for the documents was DPDs.

**Local Development Scheme (LDS)/Minerals and Waste Development Scheme (MWDS):** A public statement of the local planning authority's programme for the production of local development documents. For County Councils this is known as the Minerals and Waste Development Scheme (MWDS).

**'The Regs':** The Town and Country Planning (Local Planning) (England) Regulations 2012

**Saved policies:** Existing adopted development plan policies are saved for three years from the date of commencement of the Act (Planning and Compulsory Purchase Act 2004). Any policies in old style development plans adopted after commencement of the Act will be saved policies for three years from their adoption or approval. The Local Development Scheme should explain the authority's approach to saved policies.

**Site Allocations:** Allocations of sites for specific or mixed uses or development to be contained in Development Plan Documents. Policies will identify any specific requirements for individual proposals.

**Statement of Community Involvement (SCI):** The statement sets out the authority's vision and strategy for community involvement in the preparation of local development documents and development control decisions. The statement will also set out how this links with other community involvement initiatives, for example, the community strategy. It should identify the community groups that need to be involved and the techniques required to effectively involve them both informally and formally. The Statement of Community Involvement is not part of the Development Plan.

**Strategic Environmental Assessment (SEA):** A generic term used to describe environmental assessment as applied to policies, plans and programmes. The European 'SEA Directive' (2001/42/EC) requires a formal 'environmental assessment of certain plans and programmes, including those in the field of planning and land use'.

**Strategic Flood Risk Assessment (SFRA):** A desk based assessment which forms the basis for preparing appropriate policies for flood risk management at a local level.

**Supplementary Planning Documents (SPD):** Supplementary planning documents may cover a range of issues, both thematic and site specific, which may expand policy or provide further detail to policies in a development plan document. Supplementary planning documents may take the form of design guides, area development briefs, master plan or issue-based documents, which supplement policies in a development plan document. However, they do not form part of the Development Plan and are not subject to independent examination.

**Sustainability Appraisal (SA):** Tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors) and required in the Act to be undertaken for all local development documents.

**Useful contacts:**

Hertfordshire County  
Council, Spatial Planning  
and Economy Unit

[spatialplanning@hertfordshire.gov.uk](mailto:spatialplanning@hertfordshire.gov.uk)

Minerals and Waste Policy  
Team

[Minerals.planning@hertfordshire.gov.uk](mailto:Minerals.planning@hertfordshire.gov.uk)

Minerals and Waste  
Planning

[www.hertfordshire.gov.uk](http://www.hertfordshire.gov.uk)

Department for  
Communities and Local  
Government (DCLG)

[www.gov.uk](http://www.gov.uk)

The Planning Inspectorate

<https://www.gov.uk/government/organisations/planning-inspectorate>