

## MINERALS AND WASTE LOCAL DEVELOPMENT SCHEME

**Worcestershire County Council**  
**27<sup>th</sup> April 2017**

This is the Council's **ninth** Local Development Scheme.

This scheme has been prepared in compliance with the Planning & Compulsory Act 2004 as amended and the Town and Country Planning (Local Planning) (England) Regulations 2012

## Contents

MINERALS AND WASTE LOCAL DEVELOPMENT SCHEME .....	1
The Minerals and Waste Local Development Scheme for Worcestershire .....	3
Purpose of the Minerals and Waste Local Development Scheme .....	3
The Development Plan in Worcestershire .....	4
Progress made since the previous LDS and reasons for review.....	5
Participation on draft policy wording.....	5
Reasons for reviewing the Local Development Scheme .....	5
Preparation of Worcestershire Minerals Local Plan.....	6
Review of the Waste Core Strategy for Worcestershire: Adopted Waste Local Plan.....	7
Documents to be prepared July 2017 – July 2020.....	8
Other documents .....	9
Resources and Risk Assessment.....	10
Resources.....	10
Procedures for Member Approval .....	10
Risk Assessment .....	10
Monitoring and Review .....	15
Review of the LDS .....	15
Appendix 2: Minerals Local Plan: Document Profile .....	18
Appendix 3: Inter-Relationship of Documents.....	19
Appendix 4: Schedule of policies in the county of Hereford and Worcester Minerals Local Plan (adopted April 1997) saved by the Secretary of State, to be superceded by the Minerals Local Plan for Worcestershire. ....	20
Appendix 5: Glossary .....	21

# The Minerals and Waste Local Development Scheme for Worcestershire

## Purpose of the Minerals and Waste Local Development Scheme

- 1.1. The County Council is the Minerals and Waste Planning Authority for Worcestershire and is responsible for all minerals and waste planning matters in the county.
- 1.2. The Minerals and Waste Development Scheme (MWDS or LDS) sets out the Council's priorities for producing planning policy documents over the coming three year period. It is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended) that each Local Planning Authority should produce an LDS, which must include any Development Plan Documents it intends to publish, their area of coverage, subject matter and a timetable indicating the main milestones of production and revision.
- 1.3. The LDS is updated periodically to reflect changes to timetables to ensure it provides a useful source of information for interested parties and meets the requirements of the aforementioned Act. The intention of this revised LDS is threefold:
  - to report the progress made since the publication of the previous LDS;
  - to inform interested parties of the changed timetable for the consultation, examination process and adoption of the Worcestershire Minerals Local Plan; and
  - to provide a schedule for the early stages in the review of the Waste Core Strategy for Worcestershire.
- 1.4. The revised schedule presented in this ninth update to the Local Development Scheme came into effect July 2017, in line with the resolution of the Worcestershire County Council Cabinet on July 2017. It covers the period July 2017 – July 2020 and replaces the previous LDS dated April 2015.
- 1.5. The easiest place to view the 2017 Local Development Scheme is on the Worcestershire County Council website at: [www.worcestershire.gov.uk/lds](http://www.worcestershire.gov.uk/lds) . A printed copy is also available on request or to view at County Hall Reception, Spetchley Road, Worcester WR5 2NP.
- 1.6. If you have any questions about the LDS or how to access it, please contact us by e-mail: [minerals@worcestershire.gov.uk](mailto:minerals@worcestershire.gov.uk) or [wcs@worcestershire.gov.uk](mailto:wcs@worcestershire.gov.uk) or telephone 01905 766374.

## The Development Plan in Worcestershire

1.7. The Development Plan for Worcestershire currently consists of the documents set out in **Table 1**:

**Table 1. The Development Plan for Worcestershire<sup>1</sup>**

Development Plan Document	Detail
"Saved" policies in the <b>Hereford and Worcester Minerals Local plan</b> .	The "saved" policies will remain part of the Development Plan until superseded but the weight given to them in decision making will depend upon their conformity with national planning policy.
<b>Waste Core Strategy for Worcestershire: Adopted Waste Local Plan 2012 – 2027</b> , adopted November 2012	The Worcestershire Waste Core Strategy Local Plan sets out how the County plans for waste management facilities in Worcestershire.
<p>The <b>Local Plans</b> and <b>Development Plan Documents</b> produced by the six City, Borough and District Planning Authorities in Worcestershire.</p> <p>At 1<sup>st</sup> June 2017, these are:</p> <ul style="list-style-type: none"> <li>• <b>The Bromsgrove District Plan 2011-2030</b> adopted January 2017.</li> <li>• <b>The Borough of Redditch Local plan No 4 (2011 – 2030)</b> adopted January 2017</li> <li>• <b>Wyre Forest Core Strategy</b> adopted December 2010</li> <li>• <b>The South Worcestershire Development Plan</b> adopted February 2016.</li> </ul>	<p>Emerging DPDs:</p> <ul style="list-style-type: none"> <li>• South Worcestershire Traveller and Travelling Showpeople - Site Allocations Development Plan Document</li> <li>• The Borough of Redditch Local plan No 4 (2011 – 2030) Allocations Plan Development Plan Document</li> </ul>

<sup>1</sup> The Coalition Government revoked Phase 2 of the Regional Spatial Strategy for the West Midlands and the "saved" Structure Plan for Worcestershire policies. They are therefore no longer part of the Development Plan.

## Progress made since the previous LDS and reasons for review

- 1.8. Substantial progress has been made since the publication of the LDS in April 2015, however significant issues have been identified which have resulted both in early review of the LDS and additional work being required.

### Participation on draft policy wording

- 1.1. In the previous LDS preparation of and consultation on the draft plan, policy wording evidence base and draft plan preparation was scheduled for 2nd quarter 2015 to 1st quarter 2016, with Third Stage Consultation scheduled for 2nd and 3rd quarters 2016.
- 1.2. Following the second stage consultation and publication of National Planning Practice Guidance it became apparent that the Council's proposed approach to the Spatial Strategy require substantial revision and a further round of consultation/call for sites was necessary as part of the "Draft Plan Preparation" phase. The sites which had been submitted in response to the Second Stage Consultation and 1<sup>st</sup> call for sites were assessed at the beginning of period, and this assessment revealed that those sites would not provide sufficient mineral resources over the life of the plan, or meet the land bank requirements of national policy. Ameliorative actions were therefore, undertaken to address these issues.
- 1.3. Additional phase of consultation was therefore undertaken from 14<sup>th</sup> July 2015 to 25<sup>th</sup> September 2015 it included:
  - A second call for sites: This "2<sup>nd</sup> Call for Sites" was a further call for sites for aggregate minerals, these being sand and gravel and crushed rock, and was also a first call for sites for non-aggregate minerals including clay, building stone, silica sand, salt and brine, coal and any other minerals;
  - A call for information on mineral resources and essential infrastructure that supports mineral working which should be safeguarded in the Plan,
  - An opportunity to comment on the evidence base so far<sup>2</sup>,
  - An opportunity to comment on the 2013/2014 Annual Monitoring Report including the latest Local Aggregates Assessment in an annex to the AMR.
- 1.4. A response document outlining the sites submitted and the comments received was published in February 2016, enabling work to commence on the policy wording, and continue on the Spatial Strategy.
- 1.5. The Third Stage Consultation on the Minerals Local Plan was undertaken in December 2016 – March 2017. The consultation document was been developed as a full draft of the proposed wording of the Minerals Local Plan to enable comment on specific issues and the detail of the proposals. This included a third call for sites. It was undertaken two quarters later than indicated with the April 2015 LDS.

## Reasons for reviewing the Local Development Scheme

---

<sup>2</sup> Background documents: Sand and gravel in Worcestershire, Crushed rock in Worcestershire, Building stone in Worcestershire, Silica sand in Worcestershire, Salt and brine in Worcestershire, Coal in Worcestershire, Oil and Gas in Worcestershire, Analysis of Mineral Resources in Worcestershire, Ensuring Adequate and Steady Supply of Industrial and Energy Minerals, Biodiversity and mineral sites in Worcestershire: Guidance for the sustainable management of biodiversity action plan habitats at Worcestershire mineral sites, Concrete Batching and Asphaltting Plants in Worcestershire, Contributing Towards Worcestershire's Priorities, Minerals and Climate Change, The Malvern Hills Acts, • Profile documents for the Environmental Character Areas

## Preparation of Worcestershire Minerals Local Plan

### *Updates to reflect activities to date*

- 1.6. The summer 2015 call for sites and additional evidence base consultation was additional to those activities outlined in the April 2015 LDS and the LDS needs to be updated to reflect these activities. This additional consultation delayed the consultation on draft policy wording in the Third Stage Consultation from Quarter 2 and Quarter 3 2016 as proposed in the April 2015 LDS to Quarter 4 2016 and Quarter 1 2017. The six month delay needs to be reflected in the updated LDS. This is illustrated in Table 2.

**Table 2. Participation on draft policy wording: Preparation of and consultation on the draft plan, policy wording and evidence base.**

	2015				2016				2017			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
<b>Timetable in April 2015 LDS</b>												
Draft Plan preparation												
Third Stage consultation												
<b>Activities undertaken</b>												
Draft Plan preparation: Call for sites/evidence base consultation												
Draft Plan preparation												
Third Stage consultation												

### *Future activities*

- 1.7. In response to the Third Stage Consultation the Council has identified two substantive matters that need to be addressed and consulted on prior to the publication of the Plan under regulation 19 and 20.
- Despite having conducted two calls for sites, the sites which were proposed for allocation in the Third Stage Consultation still will not provide the amount of mineral required over the life of the plan. A number of the sites were submitted with very little additional information which limited assessment. Further information was requested concerning the submitted sites to enable them to be reassessed, and only one additional area was proposed in response to the 3<sup>rd</sup> call for sites which was an integral part of the consultation, although little additional information has been forthcoming. The lack of sufficient site allocations was raised by a number of consultees as a significant risk to the soundness of the plan. As such, it is necessary to conduct a further and fourth call for sites, allowing sufficient time during that consultation for landowners and mineral operators to come to agreement to support further proposals. The outcomes of a Critical Friend Review on the Third Stage Consultation also indicate that additional focus is required to ensure the fourth call for sites reaches as many landowners in the county as possible.
  - A number of consultees highlighted that allocating sites provides a presumption in favour of development and establishing the principle of development in those locations.

The site selection process which informed the Third Stage Consultation was based on the principle that both allocated and windfall sites within the Strategic Corridor would be equally acceptable in planning terms, with proposals assessed on a site by site basis. Allocated sites were used simply as a measure for checking the

deliverability of the plan and selection criteria were weighted towards measures of deliverability rather than high-level principles of "suitability in planning terms". The Council had taken this approach to enable significant flexibility in light of the limited numbers of sites submitted for consideration. However based on the feedback from the Sustainability Appraisal, Consultation responses and Critical Friend Review on the Third Stage Consultation it is now considered necessary to review this approach.

- 1.8. Actions to address these matters could result in changes to the locations for development proposed through the plan and therefore an additional consultation stage is required to enable representations to be made under Regulation 18. This will also enable consultation on other wording and policy changes to the Minerals Local Plan following the representations received on the Third Stage Consultation.
- 1.9. The July 2017 LDS therefore includes an additional call of sites in Q3 and Q4 2017 and a Fourth Stage Consultation on the draft plan in Q4 2018.
- 1.10. These additional activities mean that the date for publication of the plan and period for representations will take place in Q2 2019, with submission to the Secretary of State in Q3 2019.

#### **Review of the Waste Core Strategy for Worcestershire: Adopted Waste Local Plan**

- 1.11. The Waste Core Strategy was adopted in 2012 and monitored through the Annual Monitoring Report. Although the plan is for the period 2012-2027 it is prudent to review the plan regularly to ensure that it is relevant to changes in local context and national policy. In the White Paper "Fixing our broken housing market<sup>3</sup>" the Government states that "We also want to strengthen expectations about keeping plans up-to-date. Plans should be reviewed regularly, and are likely to require updating in whole or in part at least every five years." At present this requirement is not expressly applied to Mineral and Waste Plans but makes the government's intentions to keep plans up to date. The July 2017 LDS therefore includes provision to commence a review of the Waste Core Strategy for Worcestershire in 2020 (Quarter 1).
- 1.12. At present no significant failings have been identified through the Annual Monitoring Report and the staff resources are not available to commence a review before the submission and examination of the Worcestershire Minerals Local Plan.

---

<sup>3</sup> February 2017.

## Documents to be prepared July 2017 – July 2020

1.13. Over the next three years Worcestershire County Council will prepare and adopt the Minerals Local Plan for Worcestershire and commence a review of the Waste Core Strategy. The following section sets out the content and timetable for producing these development plan documents. All references to Regulations in this section refer to The Town and Country Planning (Local Planning) (England) Regulations 2012.

**Table 3. Worcestershire Minerals Local Plan**

<b>Document:</b>	<b>Worcestershire Minerals Local Plan</b>
<b>Status:</b>	Local Plan (Development Plan Document) to supersede the saved policies in the Hereford and Worcester Minerals Local Plan.
<b>Role and content:</b>	Set out the vision, objectives, strategy, policies and monitoring schedule for mineral development and restoration in the county. This includes a strategy for the delivery of steady and adequate supply of minerals and locational criteria for development.
<b>Geographical coverage:</b>	Whole of the county of Worcestershire.
<b>Chain of conformity:</b>	Consistent with National Planning Policy Framework, part of the Development Plan for Worcestershire.

<b>Timetable</b>	
<b>Initial consultation</b> (Regulation 18)	<p><u>Completed:</u></p> <ul style="list-style-type: none"> <li>• First Stage Consultation (October 2012 – January 2013)</li> <li>• Second Stage Consultation, including first call for sites (November 2013 – January 2014)</li> <li>• Second call for sites and call for resources and infrastructure (July 2015 – September 2015)</li> <li>• Consultation on the evidence base and background documents (July 2015 – September 2015)</li> <li>• Third Stage Consultation (December 2016 – March 2017)</li> </ul> <p><u>Scheduled:</u></p> <ul style="list-style-type: none"> <li>• Third call for sites: scheduled Q3 2017 – Q1 2018</li> <li>• Fourth Stage Consultation: scheduled Q4 2018</li> </ul>
<b>Publication</b> (Regulation 20)	Scheduled: Q2 2019
<b>Submission</b> (Regulation 22)	Scheduled: Q3 2019
<b>Independent Examination</b> (Regulation 24)	Anticipated: Q4 2019
<b>Receipt of Inspector's Report</b> (Regulation 25)	Anticipated: Q1 2020
<b>Adoption</b> (Regulation 26)	Anticipated Q2 2020

**Table 4. Worcestershire Waste Core Strategy**

<b>Document:</b>	<b>Waste Core Strategy for Worcestershire: Adopted Waste</b>
------------------	--



<b>Local Plan</b>	
<b>Status:</b>	Local Plan (Development Plan Document)
<b>Role and content:</b>	Set out the vision, objectives, strategy, policies and monitoring schedule for waste management development in Worcestershire. This includes identifying waste management capacity requirements for the county and setting out locational criteria for development.
<b>Geographical coverage:</b>	Whole of the county of Worcestershire.
<b>Chain of conformity:</b>	Consistent with National Planning Policy Framework, part of the Development Plan for Worcestershire.
<b>Milestones: Adopted November 2012</b>	

<b>Review timetable:</b>	
<b>Initial consultation</b> (Regulation 18)	Review to commence: Q1 2020 Initial consultation anticipated: Q3 2020
<b>Publication</b> (Regulation 19)	Outside the period covered by this LDS.
<b>Submission</b> (Regulation 22)	Outside the period covered by this LDS.
<b>Independent Examination</b> (Regulation 24)	Outside the period covered by this LDS.
<b>Receipt of Inspector's Report</b> (Regulation 25)	Outside the period covered by this LDS.
<b>Adoption</b>	Outside the period covered by this LDS.

## Other documents

- 1.1. The council intends to produce detailed Concept Plans to guide the restoration of the Specific Sites identified in the Plan. It is anticipated that these will take the form of Supplementary Planning Document, although this will be influenced by responses to the Fourth Stage Consultation and Soundness Consultation and the Inspector at Examination.
- 1.2. The evidence base to support the development of the Minerals Local Plan will be developed in consultation with the community as a whole and relevant organisations and agencies as part of the plan making process.
- 1.3. Documents will be published on the council's Minerals Local plan web pages as "living documents" updated and revised as necessary. All will be consulted on formally but will also be open to public comment throughout the process, up to submission to the Secretary of State. All will be prepared by the Council's Planning Unit unless specialist expertise is necessary; at present this is anticipated to be limited to some Sustainability Appraisal and Habitats Regulations Assessment work and possibly specialist mineral resource assessment.

## Resources and Risk Assessment

### Resources

- 1.4. The Council's Strategic Planning Team including Minerals and Waste Planning will lead on the Worcestershire Minerals Local Plan and the review of the Waste Core Strategy for Worcestershire.
- 1.5. This will be supported as required through existing staff and expertise from Environmental Policy and Archive and Archaeology, Highways Policy, Highways Development Management Teams and Sustainability team. It is possible that expertise from outside consultants will be required, primarily to assist in the preparation of the Sustainability Appraisal and Habitats Regulations Assessments for the Minerals Local Plan, although these will be led through the Strategic Planning and Environmental Policy Team.

### Procedures for Member Approval

- 1.6. In order to develop the Minerals Local Plan in a timely and efficient manner the Cabinet has authorised the Cabinet Portfolio Holder for Economy and Infrastructure to agree the production, publication of and consultation on the documents prepared during the course of developing the plan, without the need for further approval by Cabinet during the pre-publication stages of plan preparation (governed under regulations 18 and 19).
- 1.7. However the statutory Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) require that the plan must be approved by Cabinet and Council before submission to the Secretary of State for Examination or Adoption; . The draft submission plan will be submitted to Cabinet and Council for approval prior to the regulation 19 consultation.
- 1.8. In addition all of the Council's Members will be consulted as part of every formal consultation and will be contacted as appropriate to inform them of any specific matters which might affect their division or responsibilities.

### Risk Assessment

- 1.9. The Council recognises that there are risks in delivering the documents set out in the Local Development Scheme. Some of these risks are within the Council's control and some are not. The main areas of risk, their impacts and the ways to overcome them so that the programme in the Local Development Scheme can be delivered as identified below.

<b>The availability of qualified planning staff.</b>	
<b>Impact: High</b>	<ul style="list-style-type: none"> <li>• Unable to complete documents on time and to the required standard;</li> <li>• Consequential programme slippage;</li> <li>• At the extreme – DPD's and SPD's may be withdrawn e.g. if found unsound or subject to successful legal challenge;</li> <li>• Consequential increased risk of inappropriate, speculative planning applications if there is no up-to-date Local Plan.</li> </ul>
<b>Likelihood of Risk: Medium</b>	<ul style="list-style-type: none"> <li>• At the time of writing<sup>4</sup> the Council does not have a full complement of planning officers.</li> <li>• Recruitment of planning officers with suitable qualifications and experience has been demonstrable difficult.<sup>5</sup></li> </ul>
<b>Mitigation</b>	<ul style="list-style-type: none"> <li>• Policy team dedicated to plan production;</li> <li>• Consider temporary staff/consultants. However this is a specialist area of work and Worcestershire County Council is taking locally specific approach. A temporary member of the team has been recruited to assist with the production of the minerals local plan.</li> </ul>
<b>Overall risk level taking account of potential mitigation: Medium</b>	

<b>Changes to external context</b>	
<b>Impact: High</b>	<ul style="list-style-type: none"> <li>• Unable to meet requirements of national policy and guidance;</li> <li>• Insufficient flexibility and resilience to meet economic/environmental/social changes.</li> <li>• Impact of development proposals in local plans on mineral resource demand and waste management infrastructure requirements.</li> </ul>
<b>Likelihood of Risk: High</b>	<ul style="list-style-type: none"> <li>• The exit of the UK from the EU could have significant impacts on the external context, particular in relation to Waste Hierarchy, imports and exports market, environmental, social and economic context.</li> </ul>
<b>Mitigation</b>	<ul style="list-style-type: none"> <li>• Monitor national and local policy announcements and consultations;</li> <li>• Assess consistency with national policy through AMR;</li> <li>• Monitor future trends and predictions.</li> </ul>
<b>Overall risk level taking account of potential mitigation: Medium</b>	

<b>Time required for consultation and consideration of comments to inform decision making</b>	
<b>Impact: High</b>	<ul style="list-style-type: none"> <li>• Unable to complete documents on time and to the required standard;</li> <li>• Consequential programme slippage;</li> </ul>

<sup>4</sup> May 2017

<sup>5</sup> In May 2017 there were only 15 experienced minerals and waste planners employed in the 14 Minerals and Waste Planning Authorities in the West Midlands.

	<ul style="list-style-type: none"> <li>• At the extreme – DPDs and SPDs may be withdrawn e.g. if found unsound or subject to successful legal challenge;</li> <li>• Consequential increased risk of inappropriate, speculative planning applications if there is no up-to-date Local Plan.</li> </ul>
<b>Likelihood of Risk: Medium</b>	<ul style="list-style-type: none"> <li>• At the time of writing<sup>6</sup> the Council does not have a full complement of planning officers.</li> <li>• Recruitment of planning officers with suitable qualifications and experience has been demonstrable difficult.<sup>7</sup></li> </ul>
<b>Mitigation</b>	<ul style="list-style-type: none"> <li>• Awareness of events such as local and national elections and holidays</li> <li>• Use of delegated decision routes</li> <li>• Programme consultation around cabinet/full council meetings as appropriate</li> <li>• Efficient/effective handling of response</li> </ul>
<b>Overall risk level taking account of potential mitigation: Medium</b>	

<b>Time required for consultation and consideration of comments to inform decision making</b>	
<b>Impact: High</b>	<ul style="list-style-type: none"> <li>• Unable to complete documents on time and to the required standard;</li> <li>• Consequential programme slippage;</li> <li>• At the extreme – DPDs and SPDs may be withdrawn e.g. if found unsound or subject to successful legal challenge;</li> <li>• Consequential increased risk of inappropriate, speculative planning applications if there is no up-to-date Local Plan.</li> </ul>
<b>Likelihood of Risk: Medium</b>	<ul style="list-style-type: none"> <li>• At the time of writing<sup>8</sup> the Council does not have a full complement of planning officers.</li> <li>• Recruitment of planning officers with suitable qualifications and experience has been demonstrable difficult.<sup>9</sup></li> </ul>
<b>Mitigation</b>	<ul style="list-style-type: none"> <li>• Awareness of events such as local and national elections and holidays</li> <li>• Use of delegated decision routes</li> <li>• Programme consultation around cabinet/full council meetings as appropriate</li> <li>• Efficient/effective handling of response</li> </ul>
<b>Overall risk level taking account of potential mitigation: Medium</b>	

**The willingness and ability of other stakeholders to contribute effectively to the development of the Plan and advising if it is in accordance with government policy and, so far as they are able, to advise if it is “sound”.**

<sup>6</sup> May 2017

<sup>7</sup> In May 2017 there were only 15 experienced minerals and waste planners employed in the 14 Minerals and Waste Planning Authorities in the West Midlands.

<sup>8</sup> May 2017

<sup>9</sup> In May 2017 there were only 15 experienced minerals and waste planners employed in the 14 Minerals and Waste Planning Authorities in the West Midlands.

<p><b>Impact: High</b></p>	<ul style="list-style-type: none"> <li>• Unable to complete documents on time and to the required standard;</li> <li>• Consequential programme slippage;</li> <li>• At the extreme – DPDs and SPDs may be withdrawn e.g. if found unsound or subject to successful legal challenge;</li> <li>• Consequential increased risk of inappropriate, speculative planning applications if there is no up-to-date Local Plan.</li> </ul>
<p><b>Likelihood of Risk: Medium</b></p>	<ul style="list-style-type: none"> <li>• Stakeholders such as Natural England and the Environment Agency are moving more towards standing advice and may not contribute in detail to the Minerals Local Plan outside of formal consultation stages.</li> </ul>
<p><b>Mitigation</b></p>	<ul style="list-style-type: none"> <li>• The council subscribes to the Planning Officers Society's Mineral and Waste Learning Group, a quarterly seminar to discuss experience and disseminate good practice. This is useful but not authoritative.</li> <li>• Continued Professional Development of Planning staff to cover a breadth of issues.</li> <li>• Sharing knowledge and best practice through RTAB and AWP.</li> </ul>
<p><b>Overall risk level taking account of potential mitigation: Medium</b></p>	

<p><b>Capacity of the Planning Inspectorate and outcomes of their recommendations</b></p>	
<p><b>Level of Risk: High</b></p>	<ul style="list-style-type: none"> <li>• PINS unable to meet demand for DPD examination leading to delay in adopting plan;</li> <li>• Consequential increased risk of inappropriate, speculative planning applications if there is no up-to-date Local Plan.</li> </ul>
<p><b>Likelihood of Risk: Medium</b></p>	<ul style="list-style-type: none"> <li>• Recent staff changes at PINS has seen the retirement of several experienced mineral and waste planning inspectors;</li> <li>• The number of Mineral and Waste Development Plan Documents submitted for examination in 2014/15 and 2015/16 was much lower than in when the Waste Core Strategy was submitted for examination.</li> </ul>
<p><b>Mitigation</b></p>	<ul style="list-style-type: none"> <li>• Provide LDS to PINS as early as possible – to identify DPD production;</li> <li>• Monitor Inspector's reports and High Court Challenges and draw up/use lessons learnt.</li> <li>• Preparing and consulting on a comprehensive evidence base to support the Plan should reduce the risk of lengthy Hearings</li> <li>• The timetable for the Worcestershire Minerals Local Plan is based on the Planning Inspectorate's current service level agreement (August 2009 2<sup>nd</sup> Edition) for Examination Hearings with less than 8 Hearing Days: <ul style="list-style-type: none"> <li>• A Pre Examination meeting 8 weeks after Submission,</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>• The Examination Hearing commencing 14 weeks after Submission,</li> <li>• Draft Report for “fact checking” to the Council 26 weeks after Submission,</li> <li>• 10 working days for the Council to “fact check” the report,</li> <li>• Inspector's Binding Report within 29 weeks of submission.</li> </ul> <p>It is not possible to predict the length of any Examination Hearing in advance. Revisions to this process or longer Hearing could delay the final adoption.</p>
<p><b>Overall risk level taking account of potential mitigation: Medium</b></p>	

## Monitoring and Review

- 1.10. It is a statutory requirement that the Council prepares an Annual Monitoring Report<sup>10</sup> (AMR) to assess progress in the implementation of the Local Development Scheme and the extent to which the objectives of Worcestershire County Council's adopted development plan documents are being achieved or are still relevant.
- 1.11. In relation to each document included within the LDS, monitoring must be carried out on:
- The timetable included for that specific document;
  - The stage that the document has reached in the production process; and
  - If the document is behind the timetable set out in the LDS, the reasons for this.
- 1.12. The AMR will be published yearly as soon as practical after the relevant data becomes available. The AMR both informs the council's own work and feeds into the preparation of Local Development Documents produced by the County, District and Borough Councils. As well as progress in plan-making, this will be the opportunity to report on the monitoring indicators in adopted Local Plans to assess policy performance. The AMR will provide the evidence to consider whether there is a need to review the Development Plan Documents adopted by Worcestershire County Council prior to the date of review set in those documents.

## Review of the LDS

- 1.13. In response to the yearly monitoring against the Local Development Scheme, the Minerals and Waste Development Framework Project Plan/Gantt Chart (contained at Appendix 1) will be updated each year as necessary to provide real time information of any significant slippage. Anticipated delays or actual slippage against the published timetable will be addressed, with realistic revisions to key milestones proposed. Once agreed with the Cabinet member, updated Project Plans will be made available on the Councils' website. It is anticipated that this will take place at the start of each calendar year.
- 1.14. A full review of the LDS will be undertaken if changes impact on the milestones in Table 2 or Table 3, or following the adoption of the Worcestershire Minerals Local Plan.

---

<sup>10</sup> Formally called the "Minerals and Waste Local Development Scheme Annual Monitoring Report"

Activity	2014				2015				2016				2017				2018				2019				2020	
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
<b>Worcestershire Minerals Local Plan Preparation</b>																										
Second stage consultation (including call for sites)	C																									
Second call for sites and call for resources and infrastructure							C	C																		
Consultation on the evidence base and background documents							C	C																		
Preparation of Third Stage Consultation document		C	C	C	C	C	C	C	C	C	C															
Third Stage consultation (Reg 18)												C	C													
Consideration of representations														S												
Third call for sites															S	S	S									
Preparation of Fourth Stage Consultation document														S	S	S	S	S	S							
Fourth Stage consultation (Reg 18)																			S							
Consideration of representations																			S							
Pre-submission consultation (Reg 19)																			S							
Submission (Reg 22)																				S						
Independent examination (Reg 24)																					S					
Receipt of Inspector's Report (Reg 25)																								S		
Adoption (Reg 26)																										S
<b>Waste Core Strategy for Worcestershire</b>																										
Preparatory work including compiling evidence base																									S	S



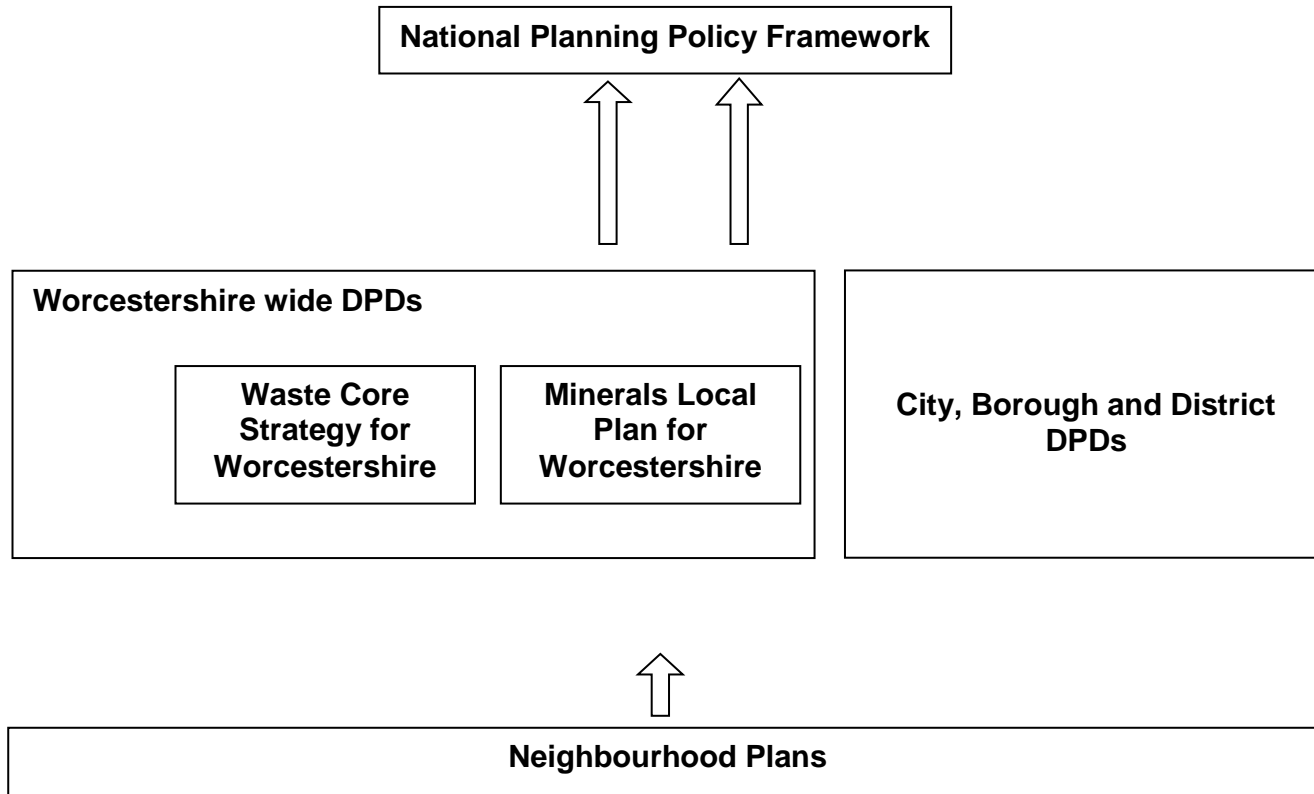
C	Complete
S	Scheduled

## Appendix 2: Minerals Local Plan: Document Profile

Title	<b>Minerals Local Plan (Development Plan Document)</b>
Role and Content	To set out the vision, objectives and strategy for mineral development in the County, including policies for assessing development proposals and to safeguard mineral resources for the future for at least a 15 year period from the adoption of the plan.
Status	Development Plan Document (DPD)
Chain of Conformity	Consistent with national and local policy, currently the National Planning Policy Framework. The plan will also have regard to other Local Plans prepared by councils in and adjoining the county, within the West Midlands and where appropriate, beyond the region.
Geographic Coverage	The whole of Worcestershire.
Timetable	Publication of Inspector's Binding Report and Adoption by Council: during 2018 (subject to Inspector's report and timetable of Council meetings)

## Appendix 3: Inter-Relationship of Documents

The inter-relationship (chain of conformity) of the Documents included in the Minerals and Waste Development Scheme is set out below:



**Appendix 4: Schedule of policies in the county of Hereford and Worcester Minerals Local Plan (adopted April 1997) saved by the Secretary of State, to be superceded by the Minerals Local Plan for Worcestershire.**

**The following six policies will be superceded when the Minerals Local Plan is adopted.**

- |     |                            |
|-----|----------------------------|
| M.1 | Regional Production        |
| M.2 | Safeguarding of Deposits   |
| M.3 | Mineral Extraction         |
| M.4 | Restoration and Aftercare  |
| M.5 | Abberley and Malvern Hills |
| M.6 | Recycled Materials         |

All of these policies and all of the text and maps currently supporting the COUNTY OF HEREFORD AND WORCESTER MINERALS LOCAL PLAN (ADOPTED APRIL 1997) will be superceded when the Minerals Local Plan for Worcestershire is adopted.

## Appendix 5: Glossary

(Note: terms in *italics* are explained elsewhere in the glossary)

**The Act:** the Planning and Compulsory Purchase Act 2004.

**Annual Monitoring Report:** part of the *Local Development Framework*, the Minerals and Waste Local Development Scheme Annual Monitoring Report (the "AMR") assesses the implementation of the *Minerals and Waste Local Development Scheme* and the extent to which policies in *Local Development Documents* are effective and are being successfully implemented. The statutory regulations enacted under *the Act* prescribe that all planning Authorities must prepare and publish AMRs annually.

**Core Strategy:** sets out the long-term spatial vision for the local planning authority area, the spatial objectives and strategic policies to deliver that vision. Core Strategies have the status of a *Development Plan Documents*. The government's preferred term for Core Strategies is now "*Local Plans*."

**Development Plan:** as set out in Section 38(6) of *the Act*, the Development Plan originally consisted of the relevant *Regional Spatial Strategy* (or the Spatial Development Strategy in London) and the *Development Plan Documents* contained within its *Local Development Framework*. The Waste Core Strategy was prepared on this basis. The government has now revoked every aspect of Regional Planning in Planning law and policy. The evidence base on which the WMRSS was prepared will remain a material consideration until superseded by subsequent research.

**Development Plan Documents:** spatial planning documents that are subject to independent examination will form the *Development Plan* for a local authority area for the purposes of the Act. They can include a *Core Strategy* or *Local Plan*.

**Habitats Regulations Assessment:** Plans and projects, such as the Waste Core Strategy and the Minerals Local Plan, which have the potential to affect European sites of nature conservation importance, have to be assessed against the requirements of the Habitat Regulations to determine whether they will have any likely significant effects on the integrity of any European designated sites. Before a plan can be adopted the 'competent authority' (Worcestershire County Council) needs to prove that the plan would have no likely significant effects on European sites' integrity. This assessment is known as *Habitats Regulations Assessment*.

**Local Development Document:** the collective term in the *Act* for *Development Plan Documents* (DPDs), *Supplementary Planning Documents* and the *Statement of Community Involvement*. The statutory regulations specify that DPDs are "*Local Plans*".

**Local Plan:** sets out the long-term spatial vision for the local planning authority area, the spatial objectives and strategic policies to deliver that vision. Local Plans have the status of *Development Plan Documents*.

**Local Development Framework:** term used in PPS 12 (now revoked) to describe the collection of Plans and supporting documents (see *Minerals and Waste Local development Framework* below) which collectively made up the Development Plan in a Planning Authority area.

**Local Development Scheme:** document, setting out the nature, content and timetable of all of the *Development Plan Documents* a local planning authority intends to produce. The statutory regulations enacted under *the Act* prescribe that all planning Authorities must prepare and publish a *Local Development Scheme*. *Development Plans* will not be found "sound" at Examination if they do not comply with the latest Local Development Scheme for a local authority area.

**Minerals and Waste Development Framework:** in two-tier areas, counties are responsible for producing Minerals and Waste Development plans. The suite of documents, including *Development Plan Documents*, *Supplementary Planning Documents*, *Statement of Community Involvement*, *Annual Monitoring Reports* and *Local Development Scheme* together make up what was referred to in PPS 12 (now revoked) as "the Minerals and Waste Development Framework".

**Minerals and Waste Local Development Scheme (LDS):** sets out the programme for preparing *Local Development Documents*. Statutory regulations require all authorities to produce a Local Development Scheme.

**Saved policies or plans:** existing adopted Development Plans were saved for three years from the date of comment of the *Act*. Policies in the Structure Plan for Worcestershire, which were still considered relevant and conformed to the Regional Spatial Strategy, were further "saved" by the Secretary Of State on 7<sup>th</sup> September 2007 but have now all been either formally superseded or revoked. The "saved" policies in the Hereford and Worcester Minerals Local Plan will remain extant until superceded by the Minerals Local Plan for Worcestershire.

**Statement of Community Involvement (SCI):** sets out the standards which authorities will achieve with regard to involving local communities in the preparation of *local development documents* and development control decisions. The Statement of Community Involvement is not a *Development Plan Document* but the first for Worcestershire, was subject to independent examination before it was adopted in 2006. A revision is under preparation. Changes in national policy mean that the status of the SCI is no longer clear but the Council intends to broadly follow it as a means of applying the "Duty to Co-operate".

**Supplementary Planning Documents (SPDs):** provide supplementary information in respect of the policies in *Development Plan Documents*. They do not form part of the Development Plan and are not subject to independent examination but can be given weight in decision making.

**Sustainability Appraisal (SA):** is a tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors). The Act requires sustainability appraisal to be undertaken as part of the preparation of all *Local Development Documents*. The term is used in this document to include the requirements for Strategic Environmental Assessment.