

## **Kirklees Local Plan**

### **Stage 2 - Minerals and Waste sections**

#### **MATTERS, ISSUES AND QUESTIONS (MIQs)**

##### **Council Response**

#### **MATTER 14A- Implementation and monitoring**

- 1.1 This statement sets out the council's response in relation to the Inspector's matters and issues Matter 14a – Implementation and Monitoring. All of the documents referred to in this statement are referenced within the statement.

#### **Issue: Whether the implementation and monitoring arrangements for the minerals and waste sections of the Plan will be effective?**

##### **a) Is the approach to minerals and waste monitoring in the Plan practicable?**

- 1.2 The council considers that its approach to monitoring is practicable. The Minerals Technical Paper (BP9, paragraphs 9.2 to 9.4 sets out Kirklees role with regard to monitoring aggregates provision across the region as part of the Yorkshire and Humber Aggregates Working Party (YHAWP), by contributing to the West Yorkshire Local Aggregates Assessment and via liaison with the West Yorkshire Combined Authority. The YHAWP produces an annual monitoring report.
- 1.3 Kirklees is a net importer of aggregates and continued working with neighbouring Mineral Planning Authorities will be required to ensure that all minerals related decisions are taken with the benefit of knowledge of prevailing conditions and trends.
- 1.4 It is acknowledged that monitoring information on clay and shale and blockstone may be more problematic to collect due to commercial confidentiality, however, the council will continue to have an on-going dialogue with operators regarding reserve levels over the plan period.
- 1.5 With regard to site restoration and after care, the council monitors the progress of restoration over the life of minerals development and planning permissions require that aftercare regimes including annual site visits are organised by the site operator to monitor the effectiveness of aftercare measures.
- 1.6 The council's monitoring of planning applications/appeal decisions provides an additional monitoring source which will be fed into its Annual Monitoring Report.
- 1.7 The Waste Technical Paper (BP26, section 5) sets out the council's duty to co-operate process on waste which also provides an opportunity for sharing information used to inform monitoring.
- 1.8 The council's annual monitoring report already reports on waste management facilities and the total local authority collected waste by management type.

1.9 The council has its own waste database which can be interrogated and this together with on-going dialogue with waste operators and the monitoring of planning applications will inform the monitoring process. This has recently been expanded to include the West Yorkshire/Combined Authority waste data base which will provide a more comprehensive monitoring tool for the sub-region of West Yorkshire. Kirklees Council will maintain an active involvement in this process.

**b) Does the monitoring process for minerals and waste provide for co-operation and participation and are appropriate participants involved?**

1.10 Yes. The Council's Duty to Co-operate Statement (SD14, paragraphs 5.31 – 5.34) sets out the position in relation to minerals. Kirklees Council is a member of the Yorkshire and Humber Aggregate Working Party and this group and the five Mineral Planning Authorities making up the West Yorkshire region has informed a joint West Yorkshire Local Aggregates Assessment and the emerging Kirklees Local Plan. The five West Yorkshire Minerals Planning Authorities have continued to work closely through the Combined West Yorkshire Authority which includes a lead minerals officer seconded from Bradford Council and funded by the five Minerals Planning Authorities (SD14, paragraph 5.33). These partnerships have informed and provide a basis for on-going dialogue in relation to mineral issues, needs, supply and demand and forums to discuss the collection of monitoring data.

1.11 The Yorkshire and Humber Aggregate Working Party of which Kirklees is a member collects and monitors data on aggregate provision including the supply of, demand for, and reserves of all aggregates including both primary aggregate and alternative sources in local authority areas. They also consider the implications of supply to, and from, these areas. The core functions of Aggregate Working Parties as set out in Planning Practice Guidance is to:

- Consider, scrutinise and provide advice on Local Aggregate Assessments of each of the Mineral planning Authorities in its area;
- Provide an assessment of the position of overall demand and supply for the Aggregate Working Party area; and
- Obtain, collect and report on data on minerals activity in their area.

1.12 The Local Aggregates Assessment sets out methodology and evidence to inform the council's approach to aggregate provision and contains information relating to annual sales, permitted reserves, landbanks, planning permissions and cross boundary movements.

1.13 The Waste Technical Paper (BP26, section 5) sets out the council's duty to co-operate process on waste which also provides an opportunity for sharing information used to inform monitoring.

1.14 Kirklees Council is an active member of the Yorkshire and Humber Waste Technical Advisory Body (YHWTAB) which produces a Waste Position Statement (CR20) to understand the waste needs of the region and how each authority contributes towards capacity requirements.

1.15 Kirklees Council has also actively contributed to the West Yorkshire/Combined Authority Waste Needs Capacity Assessment which ensures close collaborative working with neighbouring West Yorkshire Authorities. This enables each authority to understand the waste needs of the West Yorkshire sub-region. Any gain or loss of waste capacity will be fed into this monitoring data base to understand the changes in an authority's waste capacity and its implication for the wider sub-region.

**c) Does the monitoring process for minerals and waste provide for flexibility? What contingency measures are in place in the event of non-delivery or lower delivery of new/ extended sites?**

1.14 Yes. It is considered that the Kirklees Local Plan is flexible enough to ensure that there is sufficient provision for minerals and waste development during and beyond the plan period and allows flexibility should requirements change from forecast levels.

1.15 The annual Local Aggregates Assessment will be used to monitor the requirements for mineral development throughout the plan period. The assessment will be used to indicate developing trends in mineral production and the available reserve capacity (landbank). The assessment will identify at the earliest opportunity if there are likely to be any difficulties with the delivery of future minerals development.

1.16 With regard to minerals supply it is considered that there is sufficient capacity contained within the site allocations (mineral extraction sites, preferred areas and areas of search) to provide adequate opportunities to address unexpected reductions in production. It should be noted that the Council can only provide such opportunities it cannot require mineral operators to make planning applications to develop sites.

1.17 In relation to waste, the council's annual monitoring report will monitor take-up in allocations and sites and changes in waste management stock and capacities. If monitoring indicates a persistent and significant gap exists between what has been planned for and what is occurring, this may trigger a review of the Plan.

**d) Are suitable arrangements in place for reviews of the minerals and waste sections (either separately or as part of the wider plan) at appropriate times?**

1.18 The Kirklees Local Plan contains a clear monitoring and implementation framework which sets out the circumstances which might trigger a need for a policy review and monitoring indicators for both minerals and waste (Kirklees Local Plan Strategy and Policies SD1, Section 20 and Appendix 2).