

CORPORATE AFFAIRS COMMITTEE

A meeting of the Corporate Affairs Committee was held on 4 August 2009.

PRESENT: Councillor Clark (Chair), Councillor Brunton (Vice Chair); Councillors McPartland and Purvis.

OFFICERS: M Coleclough, C Davies, J Dixon and R G Long.

APOLOGIES FOR ABSENCE were submitted on behalf of Councillors Elder and McIntyre.

TEES VALLEY JOINT MINERALS AND WASTE DEVELOPMENT PLAN DOCUMENTS: CORE STRATEGY AND POLICIES AND SITES PUBLICATION REPORTS

A report of the Interim Director of Regeneration was presented in relation to the above. The purpose of the report was to endorse the publication of the Tees Valley Minerals and Waste Development Plan Documents and accompanying Sustainability Appraisal Report for the purposes of public consultation and also to submit the Tees Valley Minerals and Waste Development Plan Documents to the Secretary of State.

The Committee was advised that once adopted, the Development Plan Documents would form part of the Middlesbrough Local Development Framework (LDF) and that each local authority in the country was required to produce a LDF for their respective area. LDFs must contain clear up to date spatial planning frameworks to enable the efficient delivery of new development and spatial planning policies for Minerals and Waste. The Middlesbrough LDF was made up of a portfolio of documents including the adopted Core Strategy and Regeneration Development Plan Document.

The planning policies in relation to minerals and waste had been prepared on a Tees Valley level to ensure a joined up approach to deal with cross-boundary issues. Two Minerals and Waste Development Plan Documents were being prepared which would cover the period 2010 – 2025 and these were:-

- a) Core Strategy.
- b) Policies and Site Document.

It was noted that the Core Strategy set out the long-term vision and strategic policies needed to achieve the key objectives for minerals and waste developments in the Tees Valley. The strategic objectives for minerals and waste developments were included in the submitted report.

The strategic objectives and policies contained in the Development Plan Documents (DPDs) aimed to drive minerals supply and waste management up their respective hierarchies. In terms of minerals, the most sustainable option was to reduce the amount used followed by sourcing minerals from secondary and recycled materials and finally through the primary extraction of materials. In terms of waste, the most sustainable option was waste minimisation, followed by re-use, recycling and composting, energy recovery and finally disposal.

Specific sites allocated in the Policies and Sites DPD were listed at paragraph 15 of the report. None of the sites were located in Middlesbrough and, therefore, there were few implications for Middlesbrough.

It was highlighted that in previous versions of the Minerals and Waste Core Strategy, wharves on the River Tees within Middlesbrough were identified for the landing of marine dredged sand and gravel, together with the safeguarding of associated land for the development, extension and continuation of this activity. However, to ensure the successful regeneration of Middlehaven was not hindered, references to the wharves within Middlesbrough had now been removed from the DPDs. The policy framework was now considered flexible enough to allow such activities to continue and related development without compromising the regeneration aspirations for Greater Middlehaven. This approach would ensure there was no conflict between the policies within the Minerals and Waste Core Strategy and those in the Regeneration DPD. Such conflict could lead to the Minerals and Waste DPDs being found 'unsound' at the Public Examination.

The Officer explained that the reference to safeguarding the site up to 2025 had now been removed as Officers considered that both development of Middlehaven and mineral dredging could continue. Some waste management sites might be required but any planning applications would be judged against the criteria. In Middlesbrough it was expected that only small scale proposals would come forward and any major developments (ie housing of 10 units or more) would be required to submit a waste audit. This was already set out in the Regional Spatial Strategy.

The next step would be to publish the Core Strategy and Policies and Sites DPD for public consultation for a period of six weeks, commencing August 2009. It was reported that very few comments had been received so far in relation to Middlesbrough and it was anticipated that there would be no major issues arising from the consultation process. Following the statutory public consultation process, the DPDs would then be submitted to the Secretary of State in November 2009. The Secretary of State would then appoint an independent Inspector to hold a Public Examination for each DPD. This was anticipated to take place in February 2010 and, if found to be sound, the DPDs were likely to be adopted by July 2010.

During the ensuing discussion, the following issues were raised:-

- A Member of the Committee made reference to paragraph 17 of the submitted report and expressed concern regarding the removal of the references to wharves within Middlesbrough in relation to safeguarding of associated land for development, extension and continuation of landing marine dredged sand and gravel. The Officer responded that any conflict between the policies within the Minerals and Waste Core Strategy and those in the Regeneration DPD could lead to the Minerals and Waste DPDs being found unsound by the Inspector. It was important for the regeneration of Middlehaven to ensure that the documents did not conflict and this was the reason for removing the reference to Middlesbrough wharves as it was considered that the policy framework was flexible enough to allow dredging activity to continue without hindering the regeneration of Middlehaven.
- In response to a query, it was clarified that the previous references to wharves on the River Tees within Middlesbrough had been identified for the landing of marine dredged sand and gravel. The actual dredging could take place anywhere along the river.
- Reference was made to the financial implications contained at paragraph 29 of the report and it was queried whether the figures provided were pro-rata. In response it was confirmed that the figures in relation to the preparation of the documents and associated consultation were shared between the five authorities and based on population. During 2009/10 costs of £26,791 had been identified for Middlesbrough which decreased to £11,505 in 2010/11 this was due to the preparation of the documents for submission to the Secretary of State and included the costs of the Public Examination during 2009/10.
- Clarification was sought in relation to the statement at paragraph 8c) "Safeguarding minerals resources from unnecessary sterilisation." The Officer explained that where mineral resources existed underground, preventing it from being sterilised would stop any development taking place. For example, if a housing development was permitted on a resource site it would prevent any further minerals being extracted. It was stated that 'sterilisation' was a term often used by planners.
- Reference was made to the recommendation that authority be given to the Director of Regeneration, in consultation with the Executive Member for Regeneration and Economic Development, to make any minor amendments to the documents prior to public consultation and prior to submission to the Secretary of State. It was queried whether this consultation should include the Chair of Corporate Affairs Committee. The Director of Legal and Democratic Services explained that the report would usually have been submitted to full Council with authority being delegated to the Executive Member for Regeneration and Economic Development. Only minor amendments to the documents would be made and if there were to be any significant changes the report would be submitted to Council or back to Corporate Affairs Committee.

ORDERED that the following be approved:-

1. The publication of the Tees Valley Minerals and Waste Development Plan Documents and accompanying Sustainability Appraisal Report for the purposes of consultation.
2. The submission to the Secretary of State of the Tees Valley Minerals and Waste Development Plan Documents, subject to no substantive changes to the documents being necessary following publication and the public consultation process.
3. That authority be given to the Director of Regeneration, in consultation with the Executive Member for Regeneration and Economic Development, to make any necessary minor amendments to the documents prior to both their publication for public consultation and submission to the Secretary of State.