	Technical Appendix **North Wales Regional Technical Statement for Aggregates**
1.00	**BACKGROUND**
1.01	Paragraph 50 of Minerals Planning Policy Wales Minerals Technical Guidance Note 1: Aggregate (MTAN1) 2004 introduced a requirement for local planning authorities to work collaboratively to assess a Regional Technical Statement (RTS) prepared by the Regional Aggregates Working Party (RAWP) for the two RAWP regions in Wales. Minerals Planning Policy Wales December 2000 (Paragraphs 17 & 57 to 59) also promotes a regional approach for minerals provision and voluntary, joint and collaborative working between mineral planning authorities on minerals matters. Agreement and consensus is required to produce and finalise an RTS.
1.02	Local Development Plans Wales (2005) states that new and existing cross boundary work should be integrated into Local Development Plans. The RTS documents are also capable of being a material consideration when determining relevant planning applications.
1.03	The original RTS dates from 2008, and there is a requirement to update the statement at intervals of 5 years. The RTS review has been undertaken and coordinated by an independent consultant appointed by Welsh Government working closely the North Wales Regional Aggregates Working Party (NWRAWP).
1.04	The RTS will set out the apportionment of aggregate mineral resources that is necessary at a sub regional or county level, and make recommendations on whether new permitted reserves will need to be brought forward during the plan period and whether the respective development plans for individual local authorities need to make new provision for the future supply of aggregates. Specific guidance on the preparation and review of the Regional Technical Statements and Joint Voluntary Arrangements of Local Authorities is set out in Annex A of MTAN1.
1.05	The review process involves departures from published policy guidance. The departures are acknowledged by the Welsh Government and a clarification letter and ministerial statement will be issued by the Welsh Government upon publication of the RTS to explain the status of the RTS and the Government interim position on the policy and guidance departure within the RTS to avoid conflict.
1.06	The provision identified by the RTS for each sub region or local authority area can be met by defining areas of search, preferred areas for mineral working, or making site specific allocations. In some instances, development control decisions that have been made since 2011 may already have met the required provision. The provision is to ensure that an adequate supply of minerals necessary for the construction industry is

	maintained. This provides greater certainty that the raw materials necessary to meet demand for housing, employment and infrastructure development can be fulfilled and will promote economic growth.
1.07	The Revision to the RTS requires political endorsement by the majority of the respective Councils that make up the North Wales region to allow it to be published and used for preparation of aggregate policy within Local Development Plans and reviews, or the preparation of Supplementary Planning Guidance (SPG) as is appropriate.
2.00	**<u>CONSIDERATIONS</u>**
	Scope of the RTS Review
2.01	The RTS document comprises a main volume to explain matters common to all areas within Wales, and separate appendices with specific recommendations for North Wales and South Wales. North Wales is deemed to comprise the administrative authorities of Anglesey, Conwy, Denbighshire, Flintshire, Gwynedd, Snowdonia and Wrexham. The South Wales RAWP area includes all the remaining local authorities in Wales, including Powys.
2.02	The RTS makes recommendations for apportionments, i.e., how much aggregate should each local authority area make provision for in order to meet future demand. In some instances, collaboration is recommended so that two or more authorities work together to identify how the apportionment given will be met. In many cases the level of permitted reserves is sufficiently high that a given authority does not need to make any new provision. However, the spatial distribution and extent of permitted reserves is not uniformly distributed, and imbalances occur over the region. The recommended apportionment for each local authority area takes the historic distribution of permitted quarries and location of resources into account.
2.03	The review has assessed the following matters: • Level of existing permitted reserves of sand & gravel and rock • Where economically viable resources are located • Sustainability issues • Transportation • Significant constraints, e.g., statutory designations • Local demand and markets • Regional demand and markets • Demand from other regions
	Process, Governance and Application
2.04	The RTS process comprises:

	1. Assessment of demand 2. Examination of existing patterns of supply and its sustainability 3. Determination of apportionments 4. Comparison with existing reserves to determine the need for new allocations 5. Consultation, revision and endorsement 6. Peer review 7. Implementation of RTS recommendations by local authorities Steps 1 to 6 above have been substantially completed.
2.05	The final draft will be presented to a Member Forum, comprising an Elected Councillor nominated by each respective Council within the North Wales Region, to vote and endorse the RTS on behalf of the respective Councils to take place on the 1st April 2014. In the case of Flintshire, the Council's Constitution does not permit the delegation of such matters to a single Councillor, and therefore Cabinet endorsement must be sought instead. Those Councils which are unable to endorse the RTS prior to the Member Forum meeting on account of timetabling will notify the Welsh Government as soon as they have made a formal decision.
2.06	Once each Local Authority has endorsed the RTS, the document will be adopted by the Welsh Government, and thereafter will have the status of a "Material Consideration" for development management and Local Development Plan purposes. In the event that an authority fails to endorse the RTS, a majority endorsement will enable the document to be carried forward. Where a council fails to consider the recommendations set out in the RTS, or departs from it without full justification and evidence, the Welsh Government can exercise their default powers of intervention. For example, the progress of an entire LDP may be blocked unit and block the In updating or developing LDPs
2.07	Where additional provision is required to be made in the LDP, this may be in the form of allocations, preferred areas or areas of search according to the level of geological information available. A site specific allocation is made where there is a high degree of confidence that a given quantity and quality of mineral is present. A preferred area is used where there is less certainty that the mineral will be present and therefore cover a larger geographical extent than allocations. An area of search is the least preferred provision mechanism and is only used where there is limited geological information and consequently they cover the greatest geographical extent of the three mechanisms for making provision.
2.08	Which-ever form of provision is appropriate, these should be supported by a policy within the LDP and are identified on the proposals map. It is noted that due to the practicalities of scale, allocations etc may contain greater quantities of aggregate resource than the minimum recommended. This is because any new quarry that may open up needs to have sufficient reserves to allow it to be economically viable and to justify the investment. The recommended apportionments and allocations are a minimum only,

	and are not capped.
2.09	Flintshire is at an early stage in the development of the Flintshire LDP, and the timing of the publication of the RTS coincides conveniently in the plan preparation process. In the event that a local planning authority fails to take account of the recommendations and apportionment, and is unable to justify a departure from the RTS, or provide sound evidence, the Welsh Government may use its default powers and intervene by halting the adoption of the entire LDP.
	Departure From Published National Policy
2.10	The RTS is recommending some deviation from the published Minerals Technical Advice Note (MTAN 1: Aggregates). These include the use of a 10 year baseline period for calculating the land bank instead of the previous 3 years, and the potential for landbanks to exceed 20 years.
2.11	There are also differences in the treatment of dormant reserves, which are excluded from the calculations in working out the level of apportionments. These sites are excluded from the calculations as there is great uncertainty whether they will be brought forward into production. If the sites are brought forward, then they will contribute towards the provision.
2.12	The Welsh Government has been engaged with the progress of the RTS and is fully aware of the policy and guidance deviations, but is unable to programme in revisions to published policy and guidance to coincide with the publication of the RTS. The Welsh Government will be issuing a clarification letter to cover any deviations from the published MTAN and Minerals Planning Policy Wales, and also to set out the material consideration status of the RTS.
	Apportionments and Landbanks
2.13	It is a requirement of Minerals Planning Policy Wales and Mineral Technical Advice Note 1: Aggregates (MTAN1) for LPAs to maintain a landbank of a minimum of 7 years sand & gravel and 10 years crushed rock permitted reserves to ensure that there is an adequate supply of aggregates to meet the future demands of the construction sector, and provide a buffer against the lead time in securing new capacity. LPAs are required to maintain this landbank, or make other provision, for at all stages of the LDP. Given that a LDP runs for 15 years, the plan therefore needs to make provision for 22 years sand & gravel, and 25 years crushed rock.
2.14	It is considered that a three year average used for calculating landbanks above is too short for forward planning and is unduly influenced by peaks and troughs of construction activity. A landbank based on the past 3 years sales would be disproportionately high because the volume of sales has been at an all time low on account of the construction recession. It follows that any apportionment figures based on this risks being too low to provide for the longer term, resulting in under provision. To take account of this, a

ten year period of sales data has been used as the basis of carrying out the review, rather than a three year period, which is a departure from published Policy Guidance in MTAN1.

2.15 The advantage of a longer period is that underlying trends are caught, short term events are evened out, and the danger of under-provision in apportionments for future aggregate provision is minimised.

Recommended Apportionment
Crushed Rock

2.16 It is considered that the apportionment of crushed rock needs to be re-balanced to reflect where the markets are located, and for authorities that have suitable resources to make suitable provision. In effect, this is the beginning of a shift towards increasing the apportionment over time to North East Wales, and decreasing the apportionment in North West Wales.

2.17 The table below summarises the requirements for crushed rock, and the key issue for Flintshire is that it has a projected shortfall in conjunction with Wrexham, and that the two authorities need to work together to make an allocation of 3.84 mt to meet the total apportionment of 78.25 mt over 25 years. Combined apportionments and cross boundary collaborations are not uncommon where there may be some difficulty in identifying suitable allocation sites in a given administrative area. The reason why there is a combined figure for Flintshire and Wrexham, is that much of the limestone in Wrexham is constrained by National planning policy which applies to the by the newly extended Area of Outstanding Natural Beauty (AONB), and the two Councils will need to work together to identify suitable sites to meet the apportionment and allocation requirements for the sub region.

North Wales Crushed Rock Apportionment, Landbank and Allocations, million tonnes, 31 December 2010 baseline.

Authority	Total Apportionment 25 ys mt	Existing Landbank	Surplus or Shortfall	Minimum Allocation to meet Apportionment
Flintshire/ Wrexham	78.25	74.41 0.00	-3.84	3.84
Denbighshire	22.25	22.07	-0.18	0.18
Conwy/ Snowdonia	30.75	67.43	+36.68	0.00
Anglesey	7.00	5.69	-1.31	1.31
Gwynedd	6.75	8.51	+1.76	0.00
Total N Wales	**145.00**	**178.11**	**+33.11**	**5.33**

Note: Flintshire & Wrexham and Conwy & Snowdonia values merged.

2.18 In the case of Flintshire, if the Council approved a planning application for new crushed rock reserves (extension to a quarry) before an allocation was set in the LDP, the landbank would increase and the recommended allocation required would be correspondingly reduced, and anything in excess of 3.84 mt would mean that no allocation is required. Of course, other changes in the availability of permitted reserves and the rate of crushed rock sales that has occurred since 2010 may also influence the need for new reserves. Put into context, 3.84 mt represents a modest extension (approximately 3.5 hectares) to an existing quarry. The closest comparable sized quarry in Flintshire is the former Cambrian Quarry, Gwernymynydd. However, the recommendation is a minimum allocation, and in the case of a hard rock quarry, the economies of scale may require a larger site in the case of a green field location.

Recommended Apportionment
Sand & Gravel

2.19 The table below summarises the requirements for sand & gravel. The key point to note is that Flintshire will need to allocate a minimum of 1.4 mt to meet an apportionment of 4.4 mt over the next 25 years.

North Wales Sand & Gravel Apportionment, Landbank and Allocations, million tonnes, 31 December 2010 baseline.

Authority	**Total Apportionment 25 ys mt**	**Existing Landbank**	**Surplus or Shortfall**	**Minimum Allocation to meet Apportionment**
Flintshire	4.4	3.0	-1.4	1.4
Wrexham	12.76	15.24	+2.48	0
Denbighshire	2.2	0	-2.2	2.2
Conwy	0	0	0	0
Snowdonia	0	0	0	0
Anglesey	0	0	0	0
Gwynedd	4.4	0.7	-3.7	3.7
Total N Wales	**23.76**	**18.94**	**-4.82**	**7.3**

2.20 Put into context, 1.4 mt represents a modest sized (approximately 8 hectares) sand & gravel pit, depended upon the depth of sand & gravel available, such as the Maesmynan sand pit at Nannerch. The extent of sand & gravel resources in Flintshire is wide-ranging, and there should be no difficulty in making a site specific allocation or preferred area in a location relatively free from constraint.

	Conclusion
2.21	Flintshire will need to increase its provision by 3.84 mt crushed rock in conjunction with Wrexham, and 1.4 mt of sand & gravel, which in either instance equates to a modest sized new quarry or sandpit, or extension. The modest increase is provision is measured over 22 years for sand & gravel and 25 years for crushed rock and therefore is not necessarily going to be developed immediately.
2.22	The RTS provides a platform to develop LDP Policy to maintain long term provision for aggregates, and will be reviewed again in 5 years time to take account of future circumstances. The method used departs from published Welsh Government Policy Guidance, however, this is accepted by the Welsh Government who will issue a clarification letter. The changes to the apportionment for aggregates is quite modest and marks the beginning of attempts to provide a more sustainable supply pattern of quarries, taking into account environmental location and transportation distances to markets, but acknowledging that minerals can only be worked where they occur.