



Title of meeting:	Cabinet
Date of meeting:	9 th March 2021
Subject:	Review of the Hampshire Minerals and Waste Plan
Report by:	Assistant Director of Planning and Economic Growth
Wards affected:	All
Key decision:	Yes
Full Council decision:	Yes

1. Purpose of report

- 1.1. To consider the report on the 2020 review of the Hampshire Minerals and Waste Plan (HMWP) (2013) and endorse the decision update the Plan in partnership with the other Hampshire authorities, as per the Council's statutory responsibilities as the minerals and waste planning authority for Portsmouth.

1.2. Recommendations

- 2.1 It is recommended that Cabinet:

- Endorses the decision to update the Hampshire Minerals and Waste Plan, as per the recommendations of 2020 Review of the Hampshire Minerals and Waste Plan report (attached in Appendix 1 and summarised in this report).
- Recommends that this decision is reported for future consideration by Full Council, in accordance with the requirements of sections 15(8) and 16 of the *Planning and Compulsory Purchase Act 2004* and *National Planning Practice Guidance* on plan making and in-line with Reg 4(1) & Sh 3 of the *Local Authorities Functions and Responsibility Regulation 2000* (as amended).

3. Background

Introduction

- 3.1 Portsmouth City Council, as a minerals and waste planning authority, has a statutory duty to prepare a Local Plan to guide the need for and locations of minerals and waste management development. The Council has worked jointly on minerals and waste matters with Hampshire County Council, Southampton City Council, New Forest National Park Authority and the South Downs National Park

Authority ('the Hampshire authorities') over many years; culminating in the adoption of the *Hampshire Minerals and Waste Plan* (HMWP) in October 2013.

- 3.2 The HMWP (2013) covers the period up to 2030 and the geographical areas of the Hampshire authorities; it forms part of the Development Plan for Portsmouth alongside the Portsmouth Local Plan. The HMWP seeks to ensure the Plan area has the development to maintain a reliable and timely supply of minerals and efficient management of Hampshire's waste, whilst protecting the environment and communities. It contains policies to enable minerals and waste decision-making as well as minerals and waste site allocations (for rail depots, wharves, quarries and landfill sites).
- 3.3 Portsmouth contains a small number of safeguarded minerals and waste processing and transfer facilities, an Energy from Waste facility, a mineral importation wharf and an identified potential site for an importation wharf at the HM Naval Base, as well as some safeguarded mineral resource areas. The HMWP seeks to protect these assets from replacement, encroachment or sterilisation by alternative development. There are no site allocations for new minerals and waste development within the City Council area, with the exception of the potential wharf at the Naval Base should be site become available. Portsmouth heavily relies on the wider provision in the county (as well as nationally) to be able to meet its growth needs.

Review of the Hampshire Minerals and Waste Plan

- 3.4 Planning Regulations¹ and National Planning Policy² require that policies in Local Plans should be reviewed at least once every five years to assess whether they require updating, and to update as necessary. As such, the HMWP was reviewed in 2018. At that time, the review concluded that the policies were working effectively to achieve the Plan's vision and there was presently no requirement to update the HMWP. The 2018 Review also recommended that the HMWP be reviewed again in two years, when there may be more clarity around particular supply issues. Following this decision, a Plan Review Workshop was undertaken in September 2019, attended by a wide range of Stakeholders, to explore the issues raised within the 2018 Review and how trends in minerals supply and sustainable waste management provision were developing.
- 3.5 The second review of the HWMP was undertaken in 2020, which also took into account the feedback from the 2019 workshop. It concluded that the Plan now requires some updating to ensure compliance with the National Planning Policy Framework (updated 2019) and National Planning Policy for Waste (2014). The aggregate delivery requirements (land-won, marine, secondary and recycled) have not achieved their policy targets in recent years and could also be updated to reflect the soft sand wider supply issue within the south east. The waste management delivery policies should be updated to more closely align the approach of the waste hierarchy (prevention, reuse, recycling, recovery, then disposal). The potential for a

¹ Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

² MHCLG (updated 2019) National Planning Policy Framework, para. 33.

Waste Infrastructure Strategy could also be explored to provide greater certainty on the types of activities required, including when and where. The Development Management policies would also benefit from a refresh in their terminology and in some cases the means of delivery (e.g. the inclusion of natural capital, net gain and agent of change principle). The HMWP's Vision, Plan Objectives, Spatial Strategy and Key Diagram will also be renewed.

- 3.6 To support the Plan update, an update of the existing evidence base including an assessment of mineral and waste site options (from a new Call for Sites) would also be carried out to ensure any suitable sites for enabling sustainable minerals and waste development are included in the Plan, helping providing certainty to the industry and local communities.
- 3.7 A draft Development Scheme for the update of the HMWLP has been produced, including the proposed timetable for plan production and public participation (See Appendix 2, para.10). It proposes to gather evidence from March to September 2021 prior to the first ('Regulation 18' stage) public consultation in October 2021. This is to be followed by subsequent consultations in first half of 2022 ('Reg 19'), with Submission of the Plan scheduled for Winter 2022.
- 3.8 The updated HMWP will need to be prepared, submitted, and adopted by the five authorities as a joint document, though each will authority will need to 'adopt' the HMWP individually. This means that drafts and decisions will need to undergo democratic processes at the various plan preparation stages by each of the authorities involved.
- 3.9 Hampshire County Council will lead the technical preparation of update of the HMWP, working with the partner authorities. Hampshire County Council will provide planning, specialist, and managerial staff resources sufficient to prepare a sound plan. The partner authorities would be expected to commit to providing the financial support to deliver the programme of work, as well as some support and staff time where required.

4. Reasons for recommendations

- 4.1 Recommendations:
 - Endorse the decision to update the Hampshire Minerals and Waste Plan, as per the recommendations of 2020 Review of the Hampshire Minerals and Waste Plan (2013) report.
 - Recommend that this decision is reported for future consideration by Full Council.
- 4.2 Minerals and waste planning issues are most appropriately addressed jointly and at a wider geographic scale. Approving the update of the HMWP would allow the continuation of a well-established partnership that addresses these issues at the most appropriate scale. This would ensure the City Council meets



the requirements of its statutory role as the Minerals and Waste Planning Authority as well as its legal obligations under the Duty to Co-operate³.

4.3 The proposed updates to HMWP would ensure that the Portsmouth Development Plan remains compliant with the national planning policy, in ensuring the continuation of a steady and adequate supply of minerals and sustainable waste management provision.

4.4 The partnership authorities are, informally, in agreement on the recommendations of the 2020 Review Report.

5. Integrated impact assessment

5.1 This report seeks approval for the review of the existing Development Plan Document. The direction, content and potential impacts of updated policies in future drafts of the updated HMWP will be subject to further democratic approval and would be subject to assessment in their own right.

6. Legal implications

6.1 This review complies with Portsmouth City Council's obligation to conduct a review of the Minerals and Waste Plan for the Portsmouth in accordance with sections 15(8) and 16 of the *Planning and Compulsory Purchase Act 2004*. The report to review the HMWP must be considered by Cabinet and then reported for future consideration by Full Council in accordance with these Regulations. See Reg 4(1) & Sh 3 of the *Local Authorities Functions and Responsibility Regulation 2000* (as amended).

7. Director of Finance's comments

7.1 Portsmouth will pay a share of the cost to update the Hampshire Minerals and Waste Plan along with Hampshire, Southampton and other partners. Portsmouth share of this is £65,340 payable over three years. The annual £22,780 cost will be met from existing cash limited resources.

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Signed by:

Appendices:

Appendix 1: Hampshire authorities, *2020 Review of the Hampshire Minerals & Waste Plan* (2013). Version 2 – November 2020

Appendix 2: Hampshire authorities, *Hampshire Minerals & Waste Plan Development Scheme* - December 2020

³ Localism Act 2011, S.110, 33A.

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Hampshire Minerals and Waste Plan (2013)	https://www.hants.gov.uk/landplanningandenvironment/strategic-planning/hampshire-minerals-waste-plan
National Planning Policy Framework (2018)	https://www.gov.uk/government/publications/national-planning-policy-framework--2
National Planning Policy Guidance: Local Plans	https://www.gov.uk/guidance/local-plans--2

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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Signed by: