

## **MPA Comments on the East Midlands Overview 28<sup>th</sup> November 2013**

Our comments on these collective LAA figures should be read in light of the following general considerations which have informed our opinion.

We believe the Secretary has provided a very useful analysis of proposed apportionments which can aid the process of assessing the position of overall demand and supply for the Aggregate Working Party area, including whether the area is making a full contribution towards meeting both national and local needs (MASS Guidance para 8b), but we do not believe the process has reached a definitive conclusion yet.

We have three major remaining concerns; first is the lack of a reliable methodology for forecasting future demand at the mpa level to meet mpas' general obligation under NPPF paragraph 163 to work with other relevant organisations to use the best available information to assess the projected demand for mineral resource use. Some authorities have used lists of projects and housing completion commitments where available, but these at best can only provide a direction for future demand and not a quantum. In our view much more effort should be devoted to developing reliable forecasting methods at the local level in future LAA exercises.

Second, in the absence of any current reliable methodology mpas have fallen back on the 10 year average of sales. Whilst this must be the basis of any LAA it suffers as an indicator for forward planning if there have been resource, planning or economic constraints which have affected the figures. In these circumstances we think it is prudent for mpas to seek to maintain historic productive capacity to allow for rapid increases in demand to be met.

Third, is whether mpas have consulted neighbouring authorities to ascertain any demand that might be transferred as a result of resource or environmental constraints. In several LAAs it is not clear if this process has taken place and this diminishes the reliability of the figures presented, and may result in a major under-estimate of future demand. These concerns would be mollified to some extent if Local Plan reviews could respond to rapid changes in demand but evidence to date shows that that is unlikely.

We intend to take up any remaining concerns at Examination of the relevant plans. With this mind, we now turn to the individual LAA figures and their appropriateness.

**Nottinghamshire sand and gravel** – we believe the preferred figure based on the last 10 years sales will substantially underestimate market demand for Notts' sand and gravel. This is because it does not take into account the severe shortfall facing Doncaster MBC set out in its adopted Core

Strategy which predicts that sales will fall from around 700 ktpa to just 200 ktpa since the resource is severely and terminally depleted. With only a few sites identified and proposed for working the shortfall needs to be provided for outside of Doncaster. It is apparent that the preferred market response from the industry is to source the shortfall from Notts and this should be accepted and recommended by the AWP on the basis of NPPF's requirement for the positive preparation (para 182) of plans where they are expected to meet objectively assessed development requirements *"including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development"*. This would take the intended Notts apportionment for sand and gravel from 3.04 Mtpa to 3.54 Mtpa.

**Lincolnshire sand and gravel** – we understand there has been verbal confirmation of a 3.28 Mtpa sand and gravel apportionment but this is not clear from the draft LAA and formal clarification would be useful.

**Northamptonshire sand and gravel** – there are serious anomalies in the LAA data and a suspected underreporting of aggregate demand. There are also indications that the change in policy in 2009 to allow working in selected parts of the river valleys has not had a chance to take effect because of the recession, in that production has apparently collapsed in the county. Therefore, in the industry's view the 10 year average which is heavily influenced by the recession and the collapse in output, does not represent a robust forecast of the future, and that if allowed to proceed without amendment will result in the county becoming entrenched as a net importer, putting pressure on adjacent areas unnecessarily. Consequently, the sand and gravel apportionment should be raised to 0.8 Mtpa.

**Derbyshire sand and gravel** – DCC has provided insufficient evidence of future demand witnessed by the dropping a proposed allowance of 15% for flexibility and its arguments for a flat demand in the LAA appear unconvincing.

**Peak District National Park crushed rock** – the Joint LAA includes an arbitrary further reduction in the PDNP's apportionment from 3.2 mtpa to 2.97 Mtpa. The current apportionment was only adopted by PDNPA in its Core Strategy as recently as October 2011 and should be retained especially since it was promoted at Examination as being carefully calculated using site by site data on the end dates of existing permissions and is therefore extremely robust. The adopted figure is also close to the 10 year average sales figure and its use would surely be more reliable than any alternative method proposed in the Joint LAA.

Finally, we fully support the observation in the Overview on sand and gravel that the more LAA apportionments undershoot the SRAs, the more likely it is that there will be disruptions in supply if there is a rapid upturn in demand, especially where landbanks are low.