

Report to	Delegated Lead Member Decision
Date of report	7th April 2021
Lead Member / Officer	Cllr M Young (Lead Member for Planning, Public Protection and Safer Communities)
Report author	Karsten Brußk (Planning Officer)
Title	RTS Second Review: Statement of Sub-Regional Collaboration

1. What is the report about?

1.1 A DRAFT Statement of Sub-Regional Collaboration (SSRC), see Appendix 1, has been prepared in collaboration between Denbighshire County Council, Flintshire County Council and Wrexham County Borough Council to demonstrate that the three local authorities are committed to inter-authority collaboration pertaining the supply of aggregate minerals in line with the sub-regional apportionment figures for sand and gravel, and crushed rock as set out in the Regional Technical Statement Second Review (RTS 2).

2. What is the reason for making this report?

2.1 The purpose of this report is to provide Members with background information on the preparation of the DRAFT SSRC, and seek their support for inter-authority collaboration on the basis of this document.

3. What are the Recommendations?

3.1 Members support inter-authority collaboration in terms of the supply of aggregate minerals in the North East Wales sub-region by way of approving the DRAFT SSRC, see Appendix 1.

3.2 The Lead Member for Planning, Public Protection and Safer Communities is provided with delegated powers concerning editorial i.e., non-material amendments, to the DRAFT SSRC should the need arise as a result of recommendations made by Flintshire or Wrexham after completion of this report.

4. Report details

4.1 Denbighshire County Council (DCC) endorsed the Regional Technical Statement Second Review (RTS 2) on 26th January 2021. The RTS 2 projects future demand for aggregates so that mineral development can be planned for in a managed and proportionate way by Local Planning Authorities (LPAs). It provides strategic recommendations to each LPA regarding their apportionments and indicates the likelihood of new allocations, which may need to be made in the next LDP, to meet the predicted future demand throughout the relevant plan period.

4.2 For the purpose of strategic minerals planning, the RTS 2 establishes a set of sub-regions in Wales that are based on a number of factors such as, type of mineral, supply patterns, minimal movement of aggregates or distinctive market areas. The Counties of Denbighshire, Flintshire and Wrexham form the 'North East Wales' sub-region, whilst the Counties of Conwy, Gwynedd, Anglesey and the Snowdonia National Park Authority are grouped as 'North West Wales' sub-region.

4.3 Minerals make an important contribution to the country's prosperity and quality of life. Society has come to rely on raw materials, and the products derived from them, for many aspects of daily life. They can however only be worked in places where they occur. Since their distribution and quality is not uniform, minerals must be imported or exported between local authority areas.

4.4 The RTS 2, see paragraph 1.27, introduces the requirement for all LPAs in each sub-region to prepare a Statement of Sub-Regional Collaboration (SSRC), which does not only ensure that the overall sub-regional apportionments, as set out in the document for every constituent county, are met but also be used as crucial evidence for demonstrating that the adopted (or forthcoming Local Development Plan) will provide the objectively assessed need for minerals over the plan period.

- 4.5 Any Statement of Sub-Regional Collaboration is going to be a material planning consideration in the determination of planning applications. It is unlikely to be the decisive element and will be considered alongside a number of different factors such as, residential amenity, air quality and soundscape, visual and landscape impact, traffic and transportation, hydrological/hydrogeological effects, and any effect on biodiversity and ecological networks.
- 4.6 High-quality limestone and sand and gravel are especially available in the North East Wales sub-region. Appendix II contains a map that depicts the regional distribution of aggregate minerals, the location of active and inactive quarries, and the 'Clwydian Range and Dee Valley' AONB, where there is a presumption against new minerals development.
- 4.7 Whilst the SSRC does not include any site-specific proposals, it highlights the potential benefits for Denbighshire to enter into an inter-authority collaboration when assessing the need for potentially new site allocations in the replacement LDP. For example, the amount of available minerals will diminish in subsequent reviews of the RTS and the apportionment figures will change in line with production rates, landbanks and projected demand. There could be the case that Denbighshire is required to provide an allocation for sand and gravel as an outcome of the next RTS review. If new site allocations could not to be secured within its boundary, the Council will have to look at the availability of sand and gravel resources in adjacent LPA areas and heavily rely on its neighbour's commitment to cooperation. The SSRC will not provide a site per se but Denbighshire can positively engage with Flintshire and/ or Wrexham to address the problem. The same principle will apply to the supply of crushed rock in the North East Wales sub-region.
- 4.8 The Statement of Sub-Regional Collaboration should be reviewed alongside the publication of the Regional Technical Statement Third Review, as set out in Section 4 of the draft SSCR, see Appendix 1.
- 4.9 Both, Flintshire and Wrexham are committed to collaboration with the purpose of meeting the RTS 2 sub-regional apportionment figures. The draft SSRC, see Appendix 1, will be presented to Flintshire County Council's Planning Strategy Group

and Wrexham County Borough Council's Executive Board for approval on 8th April 2021 and 11th May 2021 respectively. Officers seek delegated powers for the DCC Lead Member for Planning, Public Protection and Safer Communities to agree minor, non-material amendments to the draft SSRC, should Flintshire and/ or Wrexham put them forward as a result of their discussions.

5. How does the decision contribute to the Corporate Priorities?

5.1 Denbighshire County Council declared a Climate and Ecological Emergency in July 2019. Inter-authority collaboration in the field of mineral supply could avert the need to introduce new quarries in the County, and subsequently, protects habitats and ecological networks from defragmentation. The steady supply of aggregate minerals assists the construction industry in delivering urgently needed homes for local people and supports road maintenance works.

6. What will it cost and how will it affect other services?

6.1 There are no costs arising from supporting inter-authority collaboration.

7. What are the main conclusions of the Well-being Impact Assessment?

7.1 A Well-being Impact Assessment has not been carried out as the decision relates the Council's commitment to inter-authority collaboration; not a specific Council-policy or Council-project. The DRAFT SSRC does also not contain any specific proposals or actions. Document implementation will take place by means of other mechanism, for example Planning Committee decision or Local Development Plan preparation, which will be subject to the requirements of the Well-being of Future Generations (Wales) Act 2015.

8. What consultations have been carried out with Scrutiny and others?

8.1 The RTS 2 and inter-authority collaboration have extensively been discussed at several meetings of the Strategic Planning Group (SPG) in October 2020, November 2020 and March 2021. Members were invited to express their views on several versions of the agreement, including the option to refuse any form of inter-authority collaboration. They concluded that the presented draft SSRC, see Appendix 1, is the preferred option for pursuing inter-authority collaboration with regard to the RTS 2 requirements.

9. Chief Finance Officer Statement

9.1 There are no anticipated costs arising from supporting inter-authority collaboration but if any arise they need to be funded from existing service revenue budgets.

10. What risks are there and is there anything we can do to reduce them?

10.1 There is the risk that Flintshire County Council or Wrexham County Council could rely on Denbighshire to offset any mineral supply shortages in their administrative areas, and the SSRC becomes a material consideration when determining planning applications concerning any quarry in Denbighshire. However, PPW (Edition 11), paragraph 5.14.16, puts the duty on local planning authorities to “*agree a joint approach with neighbouring authorities*” where the environmental constraints are too important or the availability of a workable mineral resource is too limited to enable an individual land-bank policy to be applied.

11. Power to make the decision

11.1 Appendix 2(b) to Section 13 of the Council’s Constitution