



MEMORANDUM OF UNDERSTANDING
BETWEEN HEREFORDSHIRE COUNCIL
AND POWYS COUNCIL ON AGGREGATE
MINERALS AND WASTE PLANNING
MATTERS

March 2020

Memorandum of Understanding between Powys County Council and Herefordshire Council regarding matters of aggregate minerals and waste planning

1.0 Introduction

- 1.1** Powys County Council is both the mineral planning authority and the waste planning authority for the County of Powys outside the area of the Brecon Beacons National Park.
- 1.2** The Powys Local Development Plan 2011-2026 (LDP) was adopted on 17 April 2018.
- 1.3** Herefordshire Council is both the mineral planning authority and waste planning authority for the County of Herefordshire.
- 1.4** The Herefordshire Minerals and Waste Local Plan (MWLP) is being prepared. The Draft document was consulted upon in Spring 2019. The emerging MWLP is at draft publication stage with a timetable for adoption by 2022.
- 1.5** This Memorandum of Understanding (MoU) has been prepared between the authorities regarding matters of aggregate minerals and waste. It is intended to enable effective communication between the authorities and to record areas of understanding and agreement. Ultimately the aim is to ensure that planning for minerals and waste across the two authorities is undertaken with an efficient, effective and evidence-based approach.

2.0 Minerals Powys

- 2.1** Aggregate minerals are safeguarded under LDP Policy DM8 in accordance with the Aggregates Safeguarding Maps of Wales (published in 2012 by the British Geological Survey under contract to Welsh Government) and LDP Policy DM9 protects existing mineral workings from incompatible development.
- 2.2** LDP Policy M1 permits extensions to existing Minerals sites where they would:
- i) in the case of crushed rock aggregate minerals help to maintain a steady and adequate supply; or
 - ii) in the case of non-energy minerals address a shortage of high specification material that is of limited availability nationally; or
 - iii) for all minerals - bring clear environmental, economic or social benefits.
- 2.3** There are at present 13 sites within Powys with active permissions for the extraction of hard rock mineral resources (five igneous: two of which are dormant; seven sandstone; and one limestone), supplying 2.94 million tonnes of crushed rock aggregates to the South Wales supply each year. Three sandstone extraction sites have permissions which come to an end within the LDP period, the remaining 10 sites having permissions which extend to 2042 and beyond.
- 2.4** As a result, the South Wales Regional Aggregates Working Party (SWRAWP) Annual Report for 2018 indicates that Powys has a landbank of crushed rock reserves in excess of 50 years. Although safeguarded, there is no requirement for Powys to contribute to the supply of sand and gravel.
- 2.5** New permissions will only be granted under LDP Policy M2 where the development proposal would:
- i) provide a supply of distinct building stone or dimension stone to fulfil a recognised local need/requirement; or

- ii) for coal where it would remove a mining legacy or prepare land for future development of employment and economic benefit; or
- iii) allow a limited duration borrow pit to fulfil a specific need for a particular construction project.

2.6 Given the SWRAWP Regional Technical Statement requirements for crushed rock aggregates and the existing Powys landbank, it has not been considered necessary for the LDP to allocate new sites for mineral extraction within Powys.

2.7 It is anticipated that the current movements of crushed rock aggregate resources from Powys will be maintained throughout the current plan period and beyond.

Herefordshire

2.8 Aggregate minerals are to be safeguarded through the emerging Minerals and Waste Local Plan (MWLP), and resources protected from incompatible development in the draft MWLP under policies M1 and M2.

2.9 Policies M3 and M4 allow for new sand and gravel and crushed rock mineral workings respectively. There is currently: three consented sand and gravel workings, although only two are active; and two consented and active crushed rock quarries. The emerging MWLP promotes new development in order to replenish the aggregate landbank within Herefordshire.

2.10 It is anticipated that current movements of sand and gravel and crushed rock from Herefordshire will be maintained, however policy seeks to increase the supply available within Herefordshire to improve levels of self-sufficiency.

3.0 Waste

Powys

3.1 LDP Policy W1 directs new waste development to preferred locations within Powys, primarily employment sites identified in LDP policies E1 and E4. LDP Policy W2 sets out the criteria against which new proposals for waste management development will be considered.

Herefordshire

3.2 The draft MWLP proposes a number of policies regarding waste management in Herefordshire, policy: W2 identifies the solid waste management requirements; W3 specifically addresses the management of agricultural waste; W5 and W6 present the preferred locations for waste management facilities; and W7 presents the operational expectations of new waste development, for example seeking to recover both heat and energy.

4.0 Conclusions and Understanding

4.1 It is recognised and understood that both minerals and wastes cross the boundary between the two authorities, however the most strategic movement is crushed rock from Powys coming into Herefordshire. This movement is driven both by the quality of the rock in Wales but also that crushed rock is transported from Dolyhir/Strinds and Gore Quarries (Powys) to London and the south east by rail, from sidings located at the southern end of Wellington Quarry (Herefordshire). The Herefordshire MWLP is worded to ensure that the county's railheads are appropriately safeguarded and that the future extraction planned at Dolyhir/Strinds will not be impeded by any loss of railheads in use in Herefordshire.

4.2 Powys and Herefordshire are content that each authority has an appropriate evidence base and policy framework.

4.3 Officers from both authorities agree to continue communication, sharing of data as necessary and to review their respective policies and plans as appropriate.

5.0 Signatories

Signature redacted

5.1 Name.....Mr Marc Willimont, Acting Assistant Director for Regulatory
Environment and Waste.....
Herefordshire Council

Date..... 1 April 2020.....

Signature redacted

5.2 Name.....Mr Nigel Brinn, Director of Economy and Environment.....
Powys Council

Date..... 27 January 2021.....

