

North Yorkshire County Council

Transport, Economy and Environment Overview and Scrutiny Committee

8 July 2015

Work Programme

1 Purpose of Report

1.1 This report asks the Committee to:

- a. Note the information in this report.
- b. Confirm, amend or add to the areas of work shown in the work programme schedule (**Appendix 1**).
- c. Approve the scope of the Residents Parking Scheme Policy review.

2 Background

2.1 The scope of this Committee is defined as:

- *Transport and communications infrastructure of all kinds, however owned or provided, and how the transport needs of the community are met.*
- *Supporting business, helping people develop their skills, including lifelong learning.*
- *Sustainable development, climate change strategy, countryside management, waste management, environmental conservation and enhancement flooding and cultural issues.*

3 Feasibility study for the reinstatement of the Leeds-Harrogate-Ripon-Northallerton line Ripon

3.1 The Committee agreed at its meeting on 15 April 2015 to support in principle the scheme to reinstate the Leeds-Wetherby-Harrogate-Ripon-Northallerton Railway Line. It also asked the Executive to consider providing a financial contribution towards the cost of the feasibility study.

3.2 The proposal to fund the feasibility study was submitted to the BES Executive Members meeting on Friday 5 June 2015. Following the discussion it was agreed that a further meeting will be held shortly with key officers internally to get a better understanding of where such a proposal rates in importance relative to other transport initiatives.

4 Task Group review of Residents Parking Schemes

4.1 The task group to date has visited Skipton to investigate the parking issues on the Regent estate adjacent to Skipton Building Society's Head Office. We met

with Skipton Building Society and leading residents campaigning for a Residents Parking Scheme (RPS) to understand the issues fully there. Further visits are planned to other parts of the county in July.

- 4.2 Early findings suggest that some of the wording in the current policy could be made clearer to avoid it being misinterpreted. To the same end more information could be provided on the County Council's website about how residents parking schemes operate.
- 4.3 The task group will be presenting its recommendations to the Committee's meeting in October.

5 Member Working Group on Minerals and Waste Development Framework

- 5.1 A number of Members from the Transport, Economy and Environment Overview and Scrutiny Committee sit on the Members Working Group on Minerals and Waste Development Framework.
- 5.2 The various stages of the process for developing the Joint Minerals and Waste Plan with the City of York Council and the North Yorkshire Moors National Park Authority are complex with a lot of information and views to feed in to the process.
- 5.3 The group met in April and May to provide feedback to officers on the preferred options (key policy directions) for waste and minerals, in advance of the public consultation. The notes of both meetings are attached at **Annexe 1**. The group will meet again in late autumn to receive the feedback from the consultation and to discuss any potential policy changes arising therefrom.

6 Recommendations

- 6.1 That the Committee:
 - a. Notes the information in this report.
 - b. Confirms, amends, or adds to the areas of work listed in the Work Programme schedule.

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Corporate Development Officer**

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26 June 2015

Appendices: Appendix 1 – Work Programme Schedule

Annexes: Annexe 1 – Notes of the meetings of the Member Working Group on the Minerals and Waste Development Framework (15 April 2015 and 22 May 2015)

Transport, Economy and Environment Overview and Scrutiny Committee – Work Programme Schedule 2015/16

Scope

‘Transport and communications infrastructure of all kinds, however owned or provided, and how the transport needs of the community are met.

Supporting business, helping people develop their skills, including lifelong learning.

Sustainable development, climate change strategy, countryside management, waste management, environmental conservation and enhancement flooding and cultural issues.’

Meeting dates

Scheduled Committee Meetings	8 July 2015 10am	14 Oct 2015 10am	20 Jan 2016 10am	13 April 2016 10am	27 July 2016 10am	26 Oct 2016 10am	1 Feb 2017 10am	26 April 2017 10am
Scheduled Mid Cycle Briefings Attended by Group Spokespersons only.	15 Sept 2015 10am	1 Dec 2015 10am	1 March 2016 10am	7 June 2016 10am	20 Sept 2016 10am	20 Dec 2016 10am	7 March 2017	

Overview Reports

Meeting	Subject	Aims/Terms of Reference
Consultation, progress and performance monitoring reports		
Each meeting as available	Corporate Director and / or Executive Member update	Regular update report as available each meeting
	Work Programme	Regular report where the Committee reviews its work programme

Transport, Economy and Environment Overview and Scrutiny Committee – Work Programme Schedule 2015/16

Meeting	Subject	Aims/Terms of Reference
14 October 2015	Results of the consultation on the proposed reduction in bus subsidy for local bus services	To discuss the results of the consultation and make recommendations to the Executive
	Highways Maintenance Contract	To receive the annual report on actions being put in place by the highways maintenance & highways improvement contractor (Ringway) to improve performance and communications
	Local Transport Plan (LTP)	To receive the draft LTP4
	Parking standards: interim review	
20 January 2016	Adult Learning Service	Overview of the Adult Learning Service and actions arising from the Ofsted inspection carried out in November 2014
Items where dates have yet to be confirmed	Airport Consultative Committees	Annual report by the County Council's representatives on: <ul style="list-style-type: none"> • Leeds/Bradford International Airport • Durham and Tees Valley Airport • Robin Hood Airport
	Household Waste Recycling Centres (HWRCs)	To provide an update on charging for soil & rubble and plasterboard at HWRCs
	Grass cutting	To provide an update on grass cutting arrangements with parish councils in North Yorkshire
	Civil Parking Enforcement	To provide an update on the county-wide Civil Parking Enforcement scheme
Member working groups		
	Working group on the Minerals and Waste Development Framework <i>(Next meeting will be held on 15 April 2015 at 2pm)</i>	To contribute to the preparation of new spatial planning policies for minerals and waste

Transport, Economy and Environment Overview and Scrutiny Committee – Work Programme Schedule 2015/16

Possible future overview reports and presentations from external partner organisations

Meeting	Subject	Aims/Terms of Reference
	Promoting access to our heritage	To give an overview and promote discussion.
	Finance Yorkshire	Overview of the work of Finance Yorkshire in supporting businesses in, or relocating to, the Yorkshire and Humber region (with 'seed corn' finance, business loans and equity-linked finance); and to explore the ways in which the County Council and Finance Yorkshire could work together in the future to help support businesses in our area.

In-depth Scrutiny Projects/Reviews

Subject	Aims/Terms of Reference	Timescales
Task group review of North Yorkshire County Council's Residents Parking Scheme Policy	<p>To review North Yorkshire County Council's Residents Parking Scheme Policy, in particular the current eligibility criterion that: 'in order to be eligible for a Residents Parking Scheme less than 50% of the properties have either:</p> <ul style="list-style-type: none"> • existing parking within the property boundary, or the potential for owners/occupiers to provide their own parking within the property boundary, or • available off-street parking within 400m.' <p>To consider if there are circumstances that would merit increasing the percentage threshold of properties for this criterion. This would be in order to accommodate areas where 50% or more of properties have off-road parking but have a high percentage of on-street parking taken up by non-residents and meet the other criteria within the policy.</p> <p>To consider if there are other criteria that should be reviewed, for example to address the problem of on street parking by non-residents in streets with sheltered housing, which causes carer and medical access to be made more difficult.</p>	Spring-Summer 2015

Please note that this is a working document, therefore topics and timeframes might need to be amended over the course of the year.

**North Yorkshire County Council Transport, Economy & Environment
Overview and Scrutiny Committee**

Member Working Group on the Minerals and Waste Development Framework

**Notes of Meeting held at County Hall, Northallerton on
15 April 2015, 2pm**

Present

Cllr Peter Horton	Rob Smith, Team Leader, Plans and Technical Services
Cllr Bob Packham	
Cllr Bob Baker	
Cllr David Jeffels (Chair)	
Cllr Michael Heseltine	Jonathan Spencer, Corporate Development Officer
Cllr Richard Welch	

1 Apologies

Cllr Bob Packham chaired the meeting due to Cllr David Jeffels not being able to attend the start of the meeting.

2 Notes of previous meeting (23 June 2014)

Agreed as a correct record.

3 Progress and preparation of MWDF plan

Rob Smith noted since the previous meeting in June 2014 a lot of work had been undertaken on progressing from the issues and options stage of the MWDF to the preferred options stage (minerals and waste). A lot of work had been undertaken on identifying sites and a number of additional potential sites had also been submitted. There had been a small scale consultation exercise on the additional sites with over 300 responses received.

A number of the proposed sites were nearby to each other such Kirkby Fleetham and Scruton. In the near future comments received on all the proposed sites would be available on the website. A lot of work had been done to build up an evidence base of the aggregate minerals supply in the county. This had included revising methods to bring into line the latest guidance and capacity requirement for non-municipal waste now that the Allerton Waste Park facility was going ahead. This would be built into the preferred options document.

4 Development of preferred options (minerals)

The preferred options document will set out the approaches to the key minerals issues and challenges facing the area in terms of

- Aggregates (sand, gravel, crushed rock)
- Hydrocarbons (oil and gas)
- Waste
- Development Management
- Sites

Inevitably it will be a lengthy document and some policy areas will be more significant and controversial. Rob Smith noted that the purpose of today's meeting was to go through these policy areas and obtain the Working Group's feedback.

Key Policy Direction - Aggregates: This included sand, gravel, crushed rock for use within and outside North Yorkshire's boundaries. The projection was to supply up to 42

million tonnes of sand and gravel up to 2030 and up to 60 million tonnes up to 2030 of crushed rock.

A number of planning applications had been submitted but the outcomes were not yet known. If these applications are granted this would reduce the need to find other new supplies. The sites included Kirkby Fleetham and others in the northern part of the county. Masham/West Tanfield were also well-established sand and gravel areas. The new areas were mainly around Harrogate and Knaresborough.

Sources of crushed rock mainly related to limestone areas. In the county there was already a large amount of limestone quarrying so the additional amount that will be required to reach the overall 60 million tonnes target will be in the region of 12-15 million tonnes. Magnesium limestone is in shorter supply than other rock types.

Members made the following comments:

- It is logical to look for the additional provision in those areas where the infrastructure already exists. Rob Smith confirmed that the majority of additional sites were extensions to existing sites. National policy guidance, which whilst not very prescriptive, does state that green field sites should not be ruled out. The NYCC Officer view was to keep an open mind and in some instances it could be more acceptable for green field sites to be used. All site options would be looked at, verifying the existence of minerals on a site and assessing the environmental implications.

Key Policy Direction - Hydrocarbons: Rob Smith noted that the Vale of Pickering was a significant source of hydrocarbons. The extraction of hydrocarbons by fracking was an issue that had grown in significance. As a result a section on hydrocarbons would be included in the finalised strategy document. The public would rightly expect the issue to be given proper consideration. The draft policy approach was not to support fracking in sensitive areas such as AONBs and the North York Moors National Park. Outside of these sensitive areas however there was a need for some flexibility but with the proviso that rigorous controls be included and environmental and amenity concerns addressed. The intention was to build those safeguards into the policy so that if the County Council did get faced with proposals it would only support applications where it was satisfied that there would be no impacts. This approach was broadly consistent with national government policy. A blanket ban on fracking would quite likely be overruled by the government.

Members made the following comments:

- It would be useful to know the pros and cons of fracking. Rob Smith agreed to circulate a presentation on fracking.

ACTION: Rob Smith

Key Policy Direction – Coal: Rob Smith went on to note that with regards to the situation of coal mining in the area the circumstances had changed in the past 12 to 18 months. The NYCC officer view was to support extending coalmining at Kellingley Colliery. However it now appeared that the colliery would be closed down in late 2015. There could be ways of reopening the colliery in the future however. Of all minerals currently worked, coal provided the most employment and cash injection into the local economy.

Key Policy Direction – Potash: Potash mining was primarily an issue to be determined by the North York Moors National Park Authority in respect of determining the York Potash planning application. However the Minerals and Waste Development Framework was a joint plan and the County Council had an interest in this application from an economic

development point of view. A decision on the proposed new site was expected to be made this year on the new site, potentially before the Minerals and Waste Development Framework strategy was finalised. Depending upon the Park's Authority planning decision the finalised joint plan might need to be revised.

Key Policy Direction – Minerals Safeguarding: The safeguarding of mineral resources to protect resources from encroaching development was vitally important. This was why it was key to identify all mineral resources in an area. The County Council had a policy of when assessing development proposals taking the presence of mineral resources into account. To avoid this exercise being too onerous however small developments were exempted.

Members made the following comments:

- Did the County Council apply buffer zones in line with national guidance? Rob Smith confirmed that this was the case if a resource was identified in a given area. We identify buffer zones to take into account of development near to but not on the boundary limit. This is in order to take into account the fact that the development might expand in the future and to ensure that other development near to minerals resources does not prevent future extraction.

Key Policy Direction – Non-road Transport Infrastructure/Transport of minerals and waste and associated impacts: Rob Smith explained that the County Council encouraged minerals to be transported by other forms of transport rather than by road. This included pipeline/conveyance systems. The reality was though that it was unlikely that transit by non-road transport infrastructure would expand much. There was however more potential for gas to be transported by pipeline. In Selby district minerals such as coal were transported by rail and there could be potential to expand this for minerals such as aggregate.

Key Policy Direction – Ancillary Infrastructure: Some quarries were manufacturing value-added products on site. The Council's current approach was to support development of ancillary minerals infrastructure at active mineral sites. This was providing specific criteria were met such as the product being a 'value added' product that was already produced on the site. The County Council was receiving more proposals for ancillary infrastructure with some controversial ones submitted, highlighting the importance of having robust criteria in place.

Key Policy Direction – Green Belt: Rob Smith mentioned that proposals for mineral extraction will be supported where they preserve the openness of, and are consistent with, the purpose of the Green Belt designation. The national position has changed recently for waste but not for minerals. This is because minerals extraction on the greenbelt is seen as a temporary use of land. The Council's approach replicates the national policy position. Applicants are encouraged to conduct early and meaningful engagement with local communities prior to submission of applications to the County Council

Members made the following comments:

- Is the County Council able to provide any pre-planning advice? Rob Smith said that this was something that the Council had looked at doing but had concluded it would not be viable due to potential conflicts of interest as assessor of planning applications.

Key Policy Direction - Reclamation and After Use (e.g. of former quarries): Rob Smith noted that proposals involving restoration and after-use will be allowed where they are

carried out to a high standard and where they meet specific criteria. There was potential for recreation projects. Often worthwhile facilities could be created and at moment there were proposals to restore some former sand and gravel extraction sites into flood alleviation storage facilities.

Key Policy Direction – Waste: Policies for preferred options on waste are not as advanced as they are for minerals and are currently not at a stage where they could be shared more widely. The main principles though to shape the policy direction for waste included promoting the concept of net self-sufficiency and dealing with waste near where it arises. This would include accepting waste from other local authorities outside North Yorkshire though.

(Cllr David Jeffels arrived at this point in the meeting)

Key Policy Direction - Site allocations: Rob Smith mentioned that 70 potential sites had been submitted for mineral extraction. A methodology was in place to determine these applications. An initial officer view would be made with recommendations. The sustainability appraisals of the various sites were key in informing decision making. A lot of the applications will naturally be contentious to local communities.

Resolved: That the (NYCC) Member Working Group on the Minerals and Waste Development Framework approves the overall policy direction for the preferred options for minerals, and for this to be communicated back to the joint member group with City of York Council and North York Moors National Park Authority

ACTION: Rob Smith/Cllr Bob Packham

5 Next steps

- Executive sign off expected 7 July 2015 (sign-off also required from City of York Council and NYMNPA)
- Launch consultation in summer 2015
- Assess consultation responses and identify potential changes to policy direction – reporting back to the Members Working Group
- Draft 'pre-submission' document (6 weeks consultation)
- Submission to the Secretary of State by end of 2015 or early 2016 at the latest.

Date of next meeting: tbc.

The meeting finished at 3.07pm

**North Yorkshire County Council Transport, Economy & Environment
Overview and Scrutiny Committee**

Member Working Group on the Minerals and Waste Development Framework

**Notes of Meeting held at County Hall, Northallerton on
22 May 2015, 2pm**

Present

Cllr Peter Horton

Cllr Bob Packham

Cllr David Jeffels (Chair)

Cllr Michael Heseltine

Rob Smith, Team Leader, Plans and
Technical Services

Rachel Pillar, Senior Planning Officer

Vicky Perkin, Head of Planning Services

Jonathan Spencer, Corporate

Development Officer

1 Apologies

Cllr Richard Welch and Cllr Robert Baker.

2 Notes of the previous meeting/matters arising (15 April 2015)

Agreed as a correct record.

A presentation given to a previous Members Seminar on fracking had been circulated prior to today's meeting. Vicky Perkin mentioned that an application by a company to test-frack at a site in Kirby Misperton in Ryedale district had been submitted to the County Council. The application was incomplete however and would therefore not go on the council's website until the applicant had filled in the validation criteria.

3 Waste policies

Rob Smith explained that the waste policies were still in draft format as further work was required on building the evidence base of the plan. Some specific details might change in relation to waste management capacity. However the policy principles, from an officer perspective, were not expected to change.

Policy principles:

The main policy principles were:

- To move waste up the hierarchy by having less landfill and more recycling and recovery;
- Locational principles to help decide where sites should be located; and
- Meeting future capacity needs (local authority collected waste/commercial & industrial waste/ construction, demolition and excavation waste/agricultural, low level radioactive, waste water, power stations).

Moving waste up the hierarchy:

Members made the following comments:

- The extent to which the County Council could minimise the amount of waste being produced. Rob Smith replied that there was relatively little local authorities could do in isolation as a planning authority; rather it was an issue that waste producers needed to address for example by using less packaging. The push for minimising the use of materials was also coming from EU legislative initiatives.

Rob Smith went on to explain that the draft plan would only support further large scale energy recovery where it met unmet needs for waste arising in the area. At this stage it

was not anticipated that there was any further large scale capacity needed for waste recovery.

Vicky Perkin noted that whilst the County Council wanted to discourage waste going to landfill there would remain a need to provide some such capacity. Large businesses in particular factored in waste disposal facilities when making a decision whether to locate to the county. The current planning permissions were coming to an end and the officer view was that it was important to extend their life so that new sites did not have to be introduced.

Members made the following comments:

- Did the County Council have a policy in place to ensure that when landfill sites came to the end of their life that the owner was required to reinstate the site so that for example the land could be used for agricultural purposes? Rob Smith confirmed that landfill sites typically had planning conditions in place to ensure that the site was capped with an impermeable layer and restored. It was generally the case that the land was restored for agricultural use rather than built development.

Strategic role of the plan area:

Rob Smith went on to explain about the strategic role of the plan area. This included: ensuring, so far as practicable, that the county had the capacity to be self-sufficient in dealing with its own waste. Account would also need to be taken though of waste being imported and exported from the county. For example the plan proposed that there would be a continuing reliance on other local authorities to deal with certain types of hazardous waste generated in the county but requiring landfill. This was because it was unlikely for there to be scope in the county to deal with such waste.

Meeting future needs:

A discussion followed about meeting the future waste needs of the county. Rob Smith noted that it was difficult to predict with certainty as the evidence base was continually changing. The council had commissioned work around this to try and establish growth assumptions on a high case and low case basis over the next 15 years. The main focus on the modelling scenarios related to commercial and industrial waste and construction and demolition waste. This was because the assumption was that municipal waste would be provided for chiefly through the existing strategic locations, in particular the Allerton Waste Recovery Park facility. The approach was also to support increased capacity for recycling, repossessing and composting where this would reduce reliance on export; and to support improvements to the HWRC network if any proposals for this were brought forward.

Members made the following comments:

- The likelihood that the draft plan would be challenged by the waste industry. Rob Smith replied that in previous consultations there had been little engagement from the waste industry. However the council would be asking again for feedback from the waste industry, inviting the latter to let the council know if it did not agree with the council's assumptions. The response had generally been low in the past, partly due to the absence of large waste companies being active in the county. This picture was changing slightly with recent applications being submitted by larger companies such as Peel.

Rob Smith went on to note that scenario modelling was also being undertaken in relation to recycling of commercial and industrial waste and construction and demolition waste, again with different levels of assumptions factored in. The median assumption

represented a fairly modest improvement on the current situation whereas the maximum scenario was more ambitious.

Members made the following comments:

- Where would the increase in recycling capacity come from? Rob Smith explained that it was envisaged that it would chiefly be from the private sector and Yorwaste. Both the private sector and Yorwaste were bringing forward schemes for development.

In meeting future needs for construction, demolition and excavation (CD&E) waste the proposed approach was to support proposals for additional transfer station capacity where it would help manage waste in proximity to arisings; support increased capacity for recycling; support extensions of time at existing landfill sites with new capacity for non-inert CD&E landfill only with strong justification; support for inert CD&E landfill where it would facilitate quarry reclamation or improvement of degraded land.

In meeting future needs for agricultural waste the proposed approach was to support waste management at the nearest point at which the waste had been generated by for example recycling agricultural waste and on-farm anaerobic digestion.

In meeting future needs for low level (non-nuclear) radioactive waste such as certain hospital waste the proposed approach was there to be continued reliance on export due to the fact that this type of waste was very small scale; and where practicable support the management of this type of waste at the point at which it was generated, for example through the use of hospital incinerators.

In meeting future needs for waste water the proposed approach was to provide additional capacity at existing sites. Where this was not possible the proposed approach was to support greenfield locations consistent with the 'locational principles' in the plan. The government was keen for there to be more anaerobic digestion, and some additional waste water treatment sites might be appropriate.

In meeting future needs for power station ash the proposed approach was to support the increased use of power station ash as an alternative to primary materials. Where this was not practicable the proposed approach was to support the continued use of the established sites in the county – Gale Common, Barlow and Brotherton disposal sites as strategic facilities.

Rob Smith went on to detail the locational principles in the draft plan. The main focus was outside the National Park and AONBs, unless scaled to meet local needs in a designated area. Other locational principles included maximising capacity of the existing network; supporting the development of new sites for district scale needs giving priority to locations in or close to main settlements; and for larger scale facilities to locate them where the overall transport impacts would be minimised taking into account the market area to be served.

Site identification principles:

Rob Smith went on to detail that depending upon the type of waste involved the site identification principles included locating sites on previously developed land, industrial and employment sites, existing waste sites, and At active quarries in certain circumstances (such as recycling inert waste)

Rob Smith noted that the draft plan highlighted the importance of safeguarding key facilities from other developments which could impact on them. As part of this 'buffer zones' would be introduced.

Members made the following comments:

- The extent to which there was co-operation between the district and County Council in keeping buffer zones free from housing or commercial development. Rob Smith replied that there was a consultation requirement between both tiers when planning applications were submitted.

Rob Smith referred to a map showing the overall distribution of waste facilities in the county. In response to a question he confirmed that the map did not include recently operational or recently approved sites.

Resolved: That the (NYCC) Member Working Group on the Minerals and Waste Development Framework approves the overall approach for the preferred options for waste, and for this to be communicated back to the Joint Member Group with City of York Council and North York Moors National Park Authority.

ACTION: Rob Smith/Cllr Bob Packham

**The following item was considered in private
and the public have no right of access to the information that was discussed**

4 Site allocations (minerals & waste)

The Members Working Group was provided with details of a range of proposed sites across the county for minerals extraction and waste facilities. This item was considered in private for reasons of commercial sensitivity.

5 Next steps

- *Executive sign off expected on 28 July 2015 (sign-off also required from City of York Council and NYMNPA)*
- *Launch public consultation on preferred options in summer 2015*
- *Assess consultation responses and identify potential changes to policy direction – reporting back to the Members Working Group in late Autumn.*
- *Draft 'pre-submission' document (6 weeks consultation)*
- *Submission to the Secretary of State by early 2016.*

Date of next meeting: tbc.

The meeting finished at 3.55pm