

Update – UKMF’s meeting 25 June

1. DCLG’s Ministerial Team

Consists of six Ministers:

- The Rt Hon Greg Clark MP, Secretary of State
- The Rt Hon Mark Francois MP, Minister of State for Communities and Resilience
- Brandon Lewis MP, Minister of State for Housing and Planning
- Marcus Jones MP, Parliamentary Under Secretary of State (Minister for Local Government)
- James Wharton MP, Parliamentary Under Secretary of State (Minister for Local Growth and the Northern Powerhouse)
- Baroness Williams of Trafford, Parliamentary Under Secretary of State for Communities and Local Government

2. Manifesto and other policy commitments

Manifesto commitments:

- “Helping you to buy a home of your own”
- “Protecting and enhancing our natural environment”

Policy priorities:

- Deliver Starter Homes
- Take forward the Right to Build
- Promote development on brownfield land
- Protect Green Belt and other designations
- Encourage neighbourhood planning
- Get Local Plans in place
- Simplify and speed-up planning to support house building
- Give local people the final say on wind farm applications
- Support safe development of Shale Gas

Devolution and decentralisation:

- Key Government priority
- Further devolution of planning powers in London
- Deal-based devolution – city, extended-city/county and growth deals
- Responding to local priorities and asks, including planning and housing delivery

- Delivering Government priorities through deals

Brownfield land:

- Housing Bill will require local authorities to have a register of brownfield land suitable for housing to provide up-to-date transport information about local availability
- Register will provide more certainty for developers, encouraging investment in local housing
- Estimated 200,000 units are on viable brownfield sites in areas where housing is needed
- Ensure that 90% of suitable brownfield sites have planning permission for housing by 2020

Other planning workstreams:

- Community Infrastructure Levy review
- Speed up Section 106
- Streamline planning process further, including establishing principle of development
- Implement Compulsory Purchase Order reforms

Primary legislation:

Housing Bill (planning measures)

- Starter Homes
- Right to Build
- Statutory register for brownfield land
- Simplify and speed-up neighbourhood planning

Enterprise Bill (planning measures to be determined)

3. Non energy minerals

Surveys

Annual Mineral Raised Inquiry (AMRI)

- AMRI 2013 survey was published in February 2015
- AMRI 2014 survey, ONS (contractor) are currently undertaking this survey
- Given clearance by the department's Research Gateway to make the case to Ministers to progress the AMRI 2015 survey

Aggregate Mineral Survey (AMS) 2014

- BGS (contractor) has commenced the AMS 2014 survey,
- AMS 2014 first steering group held on 07/05/15 and next will be held on 13/10/15

- Working towards completing and publishing the AMS 2014 survey report in early 2016

Contracts

Joint Mineral Information Programme (JMIP)

- Given clearance by the department's Research Gateway to make the case to Ministers to progress the JMIP contract tender process, covering Financial Years 2015/16 to 2017/18

Aggregate Working Parties (AWPs) Technical Secretariat tenders

- 9 - AWP's Technical Secretariat contracts went out to tender on 20/03/15
- On 29/05/15 we received 9 tenders covering 7 regions out of the 9 regions on offer, received no tenders for the East Midlands and West Midlands
- Ministers gave clearance to undertake a second tender round which began on 20/06/15, the closing date for receipt of tenders will be 17/07/15
- If enough tenders are received and we achieve national coverage for the 9 – AWP's areas, we will week opening 20/07/15 start to hold moderation meetings to award the new AWP's contracts

Publications

- Currently taking forward the publication of the 9 AWP's Annual Reports 2013 on the department's website

4. Onshore oil and gas development

Infrastructure Act

- The Infrastructure Act received Royal Assent on 12 February 2015. It creates a new right to use land below 300 metres for the purposes of exploiting petroleum or deep geothermal energy. This right is independent of the planning system. Operators will not be able to undertake drilling unless they have obtained all the necessary regulatory permits and permissions required by the shale oil and gas regulatory regime.
- The Act also provides that the DECC Secretary of State may not issue a consent for onshore high volume hydraulic fracturing (that is, hydraulic fracturing exceeding prescribed levels of fluid injection) in relation to a particular well unless they are satisfied that certain conditions are met (see section 50 of the Act - <http://www.legislation.gov.uk/ukpga/2015/7/enacted>).
- Several of those conditions relate to planning. These are:
 - the **environmental impact** of the development which includes the relevant well has been taken into account by the MPA.

- the hydraulic fracturing will not take place within a **other protected area**. The meaning of 'protected area' will be set out in secondary legislation which must be laid before Parliament by 31 July 2015.
 - the MPA has taken into account, where material, the **cumulative effect** of the proposed development and any other development relating to the exploitation of onshore petroleum obtainable by hydraulic fracturing.
 - the MPA has considered whether to impose a **restoration condition**.
 - relevant **water and sewerage undertakers** have been consulted before planning permission is granted.
 - the **public has been notified** of the application for the relevant planning permission.
- In relation to each of the above, the DECC Secretary of State can be satisfied that the condition is met if the MPA provides a notice saying that certain actions have taken place.
- The Government has an obligation to publish draft regulations to define other protected areas by the end of July.

Shale support for Mineral Planning Authorities

- On 5 March announced that DCLG has £1.2 million grant funding available during 2015-16 to support MPAs dealing with shale oil and gas applications;
- Full details are provided in the prospectus: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/409694/Final_Shale_exploration_support_for_mineral_planning_authorities_-_Invitation_to_bid.pdf
- Funding is available at different trigger points in the planning application process;
- Applications are welcome from MPAs that meet the eligibility criteria.

PDRs for boreholes

- In March DCLG published a consultation on whether to extend PDRs to the drilling of boreholes for groundwater monitoring for the purpose of oil and gas exploration.
- DCLG is considering responses to the consultation

Water companies as statutory consultees

- To support the new legislative requirement under section 50 of the Infrastructure Act 2015 and to provide further public reassurance regarding the consideration of water issues relating to shale development, the Government made water and sewerage undertakers statutory consultees in respect to planning applications for shale and oil and gas.
- Measures were included as part of wider DMPO consolidation that came into force on 15 April 2015.

5. Sustainable waste management

Circular Economy

- On May 28 the European Commission launched a 12-week public consultation on the main policy options which will feed into an “ambitious new approach” on waste management and the “circular economy”. The consultation closes on 20 August.
- A “circular economy” is one in which we keep resources in use for as long as possible, extract the maximum value from them whilst in use, then recover and regenerate products and materials from them once they become unusable.
- DCLG is considering the “circular economy” package and will contribute to the Government response on the EC proposals.

National planning policy for waste

- National planning policy for waste, published in October 2014, provides a positive framework to drive waste management towards reducing, re-using and recycling more of our waste and only looking at disposal as the last option.
- The Government’s planning policy approach places an importance on up-to-date local authority Local Plans being the keystone of the planning system.
- The policy makes clear the expectation that Local Plans reflect a collective vision and a set of agreed priorities when planning for waste, emphasising a need for early and meaningful engagement with local communities in their preparation.

Geographic coverage of waste plans

- New planning guidance on waste published in October 2014 highlights the role of waste planning in meeting European obligations and makes it clear that up-to-date Local Plans dealing with waste are a necessary part of the implementation of the EU Waste Framework Directive. The

guidance sets out the key issues which waste planning authorities must include in their Local Plans to ensure compliance with the Directive.

Waste plans progress

- Progress has been made with getting up-to-date local plans in place. Of the 87 waste local plans, 68 (78%) have been found sound/adopted and of the 19 (22%) outstanding, 12 are due to be published during 2015 and the remaining 8 to be published in 2016