

Draft Issues and Options Report

Leicestershire Minerals
Development Framework

May 2005

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1. Introduction

- 1.1 Minerals development in Leicestershire is particularly high profile. The County has consistently been in the top group of mineral producing Counties, with total mineral output in the order of 20Mt per annum. A significant proportion of this (around 75%) being crushed igneous rock aggregates. Large quantities of these materials serve distant markets beyond the East Midlands region and transportation by rail plays a key part in this process. Other significant minerals produced in the County are sand and gravel and limestone aggregates, brick clay, gypsum and coal and fireclays.
- 1.2 It is the role of the mineral planning system to provide the land use planning framework through which the necessary development of these finite and valuable resources can be planned for and provided. In so doing it is vital that a balance is struck between the winning and working of the mineral and the protection of the environment and the amenity of local communities living in Leicestershire. Sustainability objectives will therefore be at the forefront of development plan formulation and the decision-making process, to ensure that extracted minerals are put to their best possible use, that mineral waste is minimised and that the role of recycled and substitute materials are maximised in meeting society's overall needs. Consequently, this framework needs to respond to the type, quantities and location of minerals required within the County and must balance the needs of minerals development with the need to protect the natural environment and the quality of life enjoyed by those who live, visit and work in Leicestershire.
- 1.3 In Leicestershire, the land use planning framework for minerals at the local level has been provided by the Leicestershire Minerals Local Plan Review (LMLPR), which was adopted in May 1995. This has provided an effective framework for the planning of land use requirements for minerals development in the County. However, the Government requires plans to be reviewed regularly; at least every five years.

- 1.4 Leicestershire County Council have resolved to review the LMLPR for two main reasons:
- Firstly, the Government has introduced a new style of development plan through the Planning and Compulsory Purchase Act 2004, which requires the adoption, by 2007, of Local Development Frameworks to replace the existing system of Local Plans. This will require a review of the content of the LMLPR in order to prepare the 'new style' Leicestershire Minerals Development Framework (LMDF) which will replace the LMLPR.
 - Secondly, the content of the Plan is to be reviewed to ensure that the policies and proposals remain the best available in the light of changes in planning and environmental legislation and recent information on mineral production in the County. The review also provides the opportunity to extend the plan period from 2006, in the existing LMLPR, to 2016, which will reflect the plan period of the Leicestershire, Leicester and Rutland Structure Plan adopted in March 2005.
- 1.5 The new style development frameworks are to be adopted by the end of 2007 and therefore preparation needs to begin immediately. This Issues and Options Report is the first stage in reviewing the planning policy supporting minerals development in Leicestershire and in developing the new LMDF. It is hoped that this report will stimulate debate and ideas about the future of mineral planning in the County and will generate comments that will help in the formulation of planning policy and proposals. It should be noted that, in contrast to the LMLPR, the LMDF will relate to the administrative area of Leicestershire County Council only.
- 1.6 The content of this report is based on the following supporting LMDF documents:
- Key Issues and Monitoring Report May 2003
 - Sustainability Appraisal Scoping Report – Minerals Development Framework

1.7 This Issues and Options Report is set out in six sections:

- **Introduction** - explains the role and format of the LMDF, the purpose of this report and how to take part in defining the LMDF;
- **Background** - explains the nature of minerals within the County and provides a context for Leicestershire's environment and the existing minerals situation;
- **National and Regional Context** - explains the national and regional legislative and policy context for mineral planning;
- **Needs Review** - identifies future mineral needs;
- **Key Objectives** - identifies the key objectives for the LMDF, and;
- **Issues and Options** - sets out issues and options for reviewing the LMLPR, focused on the content of the existing Plan.

1.8 Over the next two years, and with the help of those parties contributing ideas and comments, Leicestershire County Council will be preparing the LMDF. This will help shape the future approach to minerals development in Leicestershire and the achievement of a balance between the essential needs for minerals and those of local communities and the environment.

1.9 The LMDF will eventually replace the LMLPR. It will be one of a number of Development Frameworks to be produced by Councils as a framework to guide decisions about planning applications and to provide a 'spatial plan' or 'geographic blueprint' to help shape the future of Leicestershire. The LMDF will:

- Update any outdated policies in the LMLPR;
- Introduce new policies where necessary;
- Reflect the aims and requirements of national and regional law and policy;
- Extend the plan period to 2016.

1.10 In accordance with Government advice, it is intended for the policies in the LMDF to be eventually grouped into three types of development plan documents:

- A Core Strategy;
- A suite of Detailed Development Control Policies;
- A Minerals Site Specific Allocations Document.

There will also be a proposals map and there may possibly be supplementary planning documents to expand policies or provide additional detail if needed.

1.11 Government guidelines on the preparation of development frameworks emphasise the importance of:

- Links to other important policy documents such as Community Strategies;
- Opportunities for community involvement;
- Focusing on the most significant issues;
- Keeping documents as clear and as short as possible;
- Efficient production with minimal delays.

1.12 There will be ongoing contributions from stakeholders and interested parties in the development of the LMDF. Consultation will take place at each key stage in the process over the next two years.

About this Report

1.13 This report seeks to identify the key issues arising from a review of the existing LMLPR. Each issue is explained briefly and related questions are posed, typically asking the reader whether they favour a continuation of the current approach or a change to one of a suggested range of options. There is also the opportunity to suggest an alternative option.

1.14 In considering these questions, readers may wish to refer back to the Leicestershire, Minerals Local Plan 1995 and the previous Monitoring and Key Issues Report and Consultation 2003. These may be seen and downloaded on the County Council's website at www.leics.gov.uk, and at libraries throughout Leicestershire. Copies of the LMLPR may also be bought from Leicestershire County Council's Planning Group priced at £15.00 to collect or £18.00 through the post.

- 1.15 The setting of objectives including guidelines for the provision of aggregate minerals is carried out at a national and regional level. (MPG6 and the Regional Spatial Strategy for the East Midlands (RSS8). The new LMDF will perform a critical role in ensuring that the planning mechanisms are in place to deliver the necessary minerals infrastructure to accord with national and regional policy advice.

Related Environmental and Sustainability Information

- 1.16 The Issues and Options Report is accompanied by a sister document entitled "Leicestershire Minerals Development Framework - Sustainability Appraisal Incorporating Strategic Environmental Assessment: Scoping Report." This was produced for the County Council by Atkins Ltd. The report:

- identifies related plans and programmes;
- identifies sources of existing and future baseline information;
- proposes environmental and sustainability objectives for the LMDF;
- summarises the key sustainability issues;
- establishes a sustainability framework;
- assesses the compatibility of the sustainability objectives; and
- provides methodologies for assessing significant effects.

How to Find out More about Preparations for the LMDF

- 1.17 This is an initial informal consultation where we hope to harness the views of a wide cross section of interested parties in the early stages of preparation. More formal consultation with the public and interested parties will follow later when Preferred Options and, eventually, Draft Development Documents are published.
- 1.18 The County Councils' programme for preparing the LMDF before 2007 is set out in a separate document called "Leicestershire County Council's Minerals and Waste Local Development Scheme" dated March 2005.
- 1.19 A draft Statement of Community Involvement (SCI) is also being prepared and is expected to be published for consultation in June 2005. An SCI Newsletter explaining the community engagement process may be accessed at www.leics.gov.uk.

- 1.20 The aim of the draft SCI is to enable all sectors of the local community to become involved in the LMDF consultation process. Views and feedback will be considered in the preparation of the final LMDF. The main objectives of the SCI are to:
- explain the various stages of the LMDF process;
 - describe how and why the chosen approach for consultation has been reached;
 - explain how the community will be involved at each stage of the LMDF;
 - identify who will be involved and how those groups, bodies, members of the wider community and organisations can be involved;
 - provide guidance on how the community can influence policy development and decisions on planning applications; and
 - provide guidance on feedback, monitoring and review as well as resourcing and management.
- 1.21 As part of the SCI process, five workshops were held at County Hall in Leicester to speak with stakeholders and find out how the public wanted to be consulted. This was then followed by a series of feedback sessions where the public could speak to Atkins staff about any aspect of the SCI. Comments arising from the workshops and feedback sessions have been incorporated into the Draft SCI.

Your Response

- 1.22 The County Council will welcome any feedback on this Report. It will be taken into account and may influence the formulation of draft policies and preferred options.
- 1.23 To help the feedback process, response sheets with contact addresses are provided.
- 1.24 Responses may be made electronically at www.leics.gov.uk or by sending an email to planningcontrol@leics.gov.uk. Alternatively, responses can be made on paper and posted to the County Council. Responses should be submitted before 31st July 2005.
- 1.25 Feedback on the related Scoping Report should be submitted separately as indicated in the sister document.

2. Background

Introduction

- 2.1 The minerals sector in Leicestershire is not expected to change considerably over the LMDF period, as the current industry presence has become fairly well established within the County over recent years. The industry consists in the main of national and multi-national companies and although these are occasionally subject to take-over and amalgamation, due largely to the level of mineral interest within the County it is unlikely that noticeable changes will become common.
- 2.2 It is the purpose of this section to provide an understanding of what mineral resources are present, a brief insight as to how these are managed, and to give an overview of the County's environment identifying its key pressure points.

An Understanding of Minerals

- 2.3 In a planning context, and for the purposes of the LMDF, the minerals within the County have been grouped into categories associated with their main uses. These are aggregate minerals, other construction minerals and energy minerals.
- Aggregate Minerals: form the largest component of the construction minerals group and are the most voluminous materials extracted in the County (and nationally). The term describes granular or particulate material which is suitable for use on its own or with a binder such as cement or bitumen in construction as concrete, roadstone, asphalt or drainage courses or for use as constructional fill or railway ballast. The two principal types are crushed rock (igneous rock particularly in Leicestershire) and sand and gravel.

- Other Construction Minerals: that are currently extracted within the County include brickclays from the 'Keuper Marl' mudstones, fireclays from the Pottery Clays formation of the South Derbyshire Coalfield, and gypsum from the underground mine at Barrow Upon Soar. Various rock types have also been worked in the past as building stone. Processing and manufacturing works, sometimes on a large scale are often associated with the working of these mineral types. For example several brickworks, a clay pipe factory and a plaster mill are located adjacent to mineral extraction sites within the County.
 - Energy Minerals: coal activities are currently related to opencast operations within the north west of the County following the closure of the Asfordby Mine in 1997. Hydrocarbons in the form of oil and gas have been exploited for over 50 years albeit at a low rate, from sites within the Vale of Belvoir. The above position in respect of coal and oil/gas is unlikely to change significantly in the future.
- 2.4 Recycled aggregates are produced at a number of mineral sites within the County from construction and demolition waste arisings. In most cases these sites also import materials for restoration purposes.

The Leicestershire Environment

Community and Socio-Economic Characteristics and Pressures

- 2.5 Leicestershire is located at the heart of England and sits within three of the five sub-areas which make up the East Midlands region. These are the Eastern, Southern (the most southerly parts of Leicestershire) and Three Cities Sub-areas. The other two sub-areas are the Northern and Peak sub-Areas. The county borders Nottinghamshire to the north, Lincolnshire to the north east, Rutland to the east, Northamptonshire to the south east, Warwickshire to the south west and Derbyshire to the north west. Its westernmost tip just touches Staffordshire.
- 2.6 The largest settlements in the Leicestershire County Council administrative area are Loughborough (55,000), Hinckley (37,200), and Coalville (33,000) and there are 32 settlements with a population of over 5,000. The more affluent areas of the county are located towards the south-east in the Harborough District.

- 2.7 Leicestershire also has a strong agricultural base.
- 2.8 The population estimate for Leicestershire at mid-2003, was 619,200, and from 1991 to 2001 the population of the county grew by some 6%. Harborough District has the largest projected household growth to 2016 and Oadby & Wigston District has the smallest with a fall in overall population forecast to 2016.
- 2.9 By 2016, population levels are expected to rise by 5.8% and a strong growth in household numbers of 14% is expected, particularly in the Central Leicestershire Policy Area. Local demands for minerals and mineral-based construction products are likely to be affected by these trends.
- 2.10 Leicestershire is forecast to have a higher level of household growth than any other part of the East Midlands. Growth is forecast to be around the main settlements of Loughborough, Coalville, Hinckley, and Market Harborough. Particular growth is expected in Central Leicester and through the Leicester regeneration programme, though forecasts are uncertain as housing completions in Leicester have been below Structure Plan allocation targets.
- 2.11 Household earnings in Leicestershire are comparable to those for the region, though lower than the national average. Regarding social class and occupational structure, there is a noteworthy difference between Leicester and the rest of the County, with the County recording a greater proportion of the workforce in higher skilled occupations (particularly management and professional occupations).
- 2.12 The main industries in the county are: service industries, manufacturing, construction, food processing, pharmaceuticals and storage & distribution. The main centres of employment correspond broadly to the main population centres. Key regional growth areas which may also influence local mineral demands are the planned expansion of East Midlands Airport, the regeneration of Corby and the large forecast growth in the population of Northamptonshire.

Transportation Pressures

- 2.13 Leicestershire's location in the heart of England means it is served by excellent transport links. The M1 is the principal north-south arterial route linking the county with the rest of the country. The other major roads in Leicestershire are the M69 connecting to Coventry and the West Midlands via the M6, the A42 and the A46. Principal roads are the A511, A444 and A447, A6, A42, A46 and A47.
- 2.14 The A & B roads in the county have predominately witnessed around 3% to 7% growth in traffic in the period 2003-04.
- 2.15 Main line rail connections link Leicester to Birmingham, Peterborough, Nottingham, Derby and London. Beyond the county, long distance and international rail freight terminals are located in Birmingham and Daventry, both easily accessible via the motorway network.
- 2.16 Several navigable waterways exist within the county such as the Ashby Canal, the River Soar and the Grand Union Canal branching to Market Harborough and Welford. Scope for transporting freight on waterways may be limited, however, due to their other uses, such as leisure, which conflict with freight movement.
- 2.17 The Ivanhoe rail line used as a freight line through the former Leicestershire and south Derbyshire coalfield area passes close to several mineral sites and is used for the transportation of coal and crushed rock aggregates. All 4 major hard rock sites are rail-linked, as are the 2 opencast coal sites (Hicks Lodge connection has recently been removed following completion of coaling).
- 2.18 There are no intermodal freight terminals in Leicestershire, although there is a desire through the Regional Freight Strategy to establish one within the Region.

Environmental Features and Development Pressures

- 2.19 Leicestershire has a landscape of considerable variety and complexity. This is created by the varied physical and human influences that have acted on the land over time and by the underlying variations in the geology.

- 2.20 The county has no Green Belt but there are twelve Green Wedges around Leicester and five throughout other parts of the county.
- 2.21 Around 80% of the land use in Leicestershire is agricultural, with the emphasis on mixed cereal and livestock farming. The majority of soil quality is classified as Grade Three with relatively small areas of particularly good or bad land.
- 2.22 The county has 3.8% woodland cover and contains part of the National Forest. Charnwood Forest is also a valuable landscape asset identified in Regional Planning Guidance as a priority area for protection and enhancement. There are no Areas of Outstanding Natural Beauty (AONBs) or National Parks within Leicestershire. There are, however, eighteen landscape character areas. Designated sites in Leicestershire comprise the River Mease Special Area of Conservation, 91 Sites of Special Scientific Interest (SSSIs) (including Rutland), nine local nature reserves and many Sites of Importance for Nature Conservation (SINCs). The Vale of Catmose includes Rutland Water over the county boundary, a wetland of international importance designated as a Special Protection Area (SPA).
- 2.23 The River Soar runs roughly south to north through Leicestershire to join the River Trent just north of Kegworth. There are four other main rivers in the county and two canals: the Grand Union Canal Leicester Arm and the Ashby Canal.
- 2.24 The cultural heritage resource within Leicestershire is made up of Scheduled Ancient Monuments, historic townscapes or villages designated as conservation areas, parks or gardens identified on the English Heritage Register of Historic Parks and Gardens, a battlefield and many listed buildings.
- 2.25 Both the natural and built environments are subject to pressures, particularly from development and congestion linked to increased levels of traffic. The expansion of East Midlands Airport with associated industrial development pressures could have a significant effect on Leicestershire together with pressure of household growth.

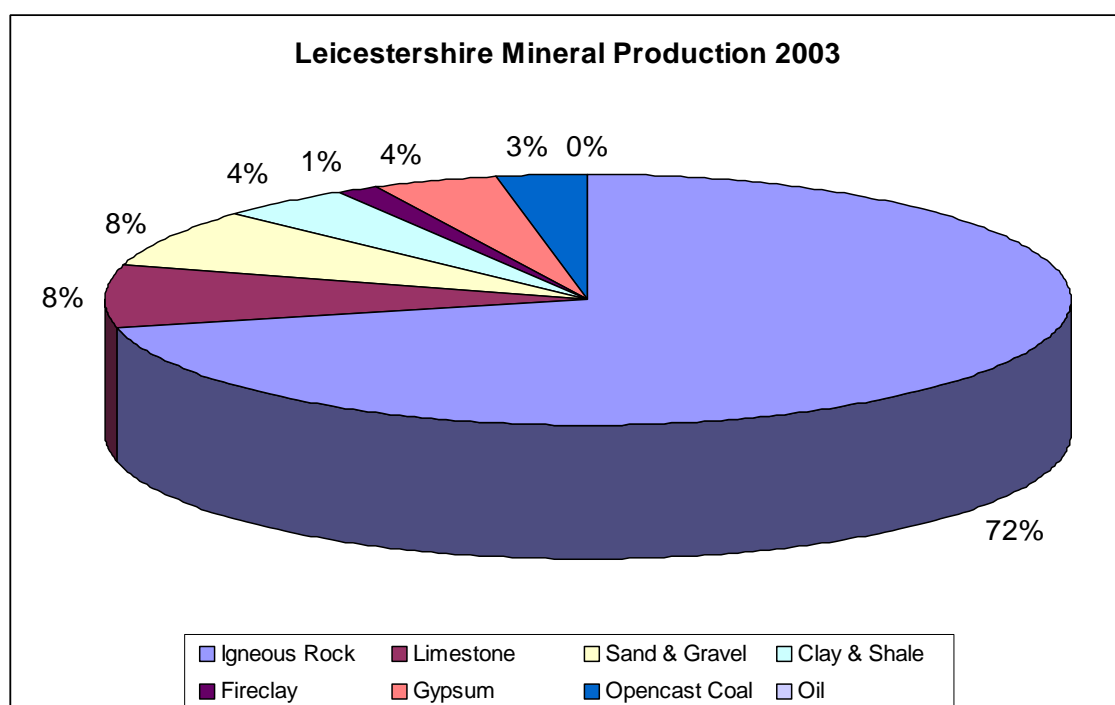
Minerals in Leicestershire

2.26 In 2003, in the order of 19.7Mt of minerals were sold that were extracted from sites in Leicestershire. This figure has consistently been around the 20MT mark, and it is expected to remain at about that overall level during the LMDF period up to the end of 2016. The quantities of the principal minerals are listed in Table 2.1 and illustrated in the following chart. The data clearly shows the importance of igneous rock extraction within the County, which accounts for over 70% of total sales, despite being presently undertaken at 4 sites only. These sites however are intensive, major operations, covering significant land holdings, with processing plant and transport infrastructure being key elements.

Table 2.1 Quantities of Minerals Sales 2003

Mineral	Sales
Igneous Rock	14,070,045 *
Limestone	1,596,045 *
Sand & Gravel	1,491,504 *
Clay & Shale	880,000 ^
Fireclay	274,000 ^
Gypsum	810,000 #
Opencast Coal	586,000 ~
Oil	9,000 <
Total	19,717,339 tonnes

Sources: * = MPA/RAWP Survey; ^ = Business Monitor PA1007; # = MPA estimate; ~ = MPA/POS Survey; < = DTI (2001 data).



- 2.27 There are nine sand and gravel sites working mainly alluvial and river terrace deposits, although the less consistent glacial deposits are also worked at several sites. Two quarries currently work the Carboniferous limestone deposit in the north of the County also for aggregate purposes.
- 2.28 Clays and shales are worked at six sites for brickmaking purposes, and each of these sites has a brickworks associated with it. Fireclays have been worked at two opencast coal sites until recently, although there is also a dedicated clay stocking and blending facility that serves both local and distant manufacturing works.
- 2.29 Gypsum is mined from an underground mine at Barrow upon Soar, and an associated manufacturing plant at the same site, produces a range of bagged plasters for the construction industry. Barrow is the largest of British Gypsum's producing units in the Country.

- 2.30 There are two opencast coal sites in the County, although production is now only taking place at one site, and this is due to finish this year. These sites have also released valuable fireclays through joint working practices, to enable local stockpiles to be replenished and brickworks to build stocks for the manufacture of buff coloured products. The coal sites have also contributed to the clearance of despoiled land, predominantly, the legacy of previous mineral activities.
- 2.31 The exploration for and exploitation of oil resources within the County have been established for a long time. Discoveries were made at Plungar in the 1950s and at Long Clawson in the mid 1980s. Production at two of the Long Clawson wells is on-going, albeit at a low rate.
- 2.32 The 2001 Aggregates Monitoring survey revealed that 36%, over 5Mt, of the County's igneous rock was transported by rail. The main destinations beyond the East Midlands being: East of England; West Midlands; Yorkshire and Humber; and the South East. The two opencast coal sites also despatched mineral by rail, and this was sent either to blending facilities or direct to the generating companies. The remainder of minerals produced within Leicestershire is transported to markets via lorry, and with the exception of Gypsum, these tend to be of a more local nature.
- 2.33 The Business Monitor PA1007, covering Mineral Extraction in Great Britain, indicates that around 600 jobs are directly involved with mineral extraction in Leicestershire. This figure will increase considerably however, if all the associated industrial suppliers, contractors and service sector jobs that are associated with the minerals industry are taken into account.

3. National and Regional Context

- 3.1 Guidance on the form that mineral planning should take in the LMDF is set out in a number of national and regional documents.

National Planning Policies

- 3.2 National policies for minerals planning in England are set out in Minerals Policy Statement MPS1 Planning and Minerals (consultation November 2004), and accompanying Good Practice Guidance. The MPSs are to replace existing advice contained in Mineral Planning Guidance Notes (MPGs). MPG6 presently contains guidelines for the provision of aggregates in England, and MPG3 provides advice relating to coal developments.

Statutory Basis

- 3.3 The Town and Country Planning Act 1990, the Planning and Compensation Act 1991, the Environment Act 1995 and the Planning and Compulsory Purchase Act 2004 provide the main basis for the control of mineral development. Minerals are defined in section 336 of the 1990 Act as including “all substances of a kind ordinarily worked for removal by underground or surface working, except that it does not include peat cut for purposes other than sale”.

Mineral Planning Authorities

- 3.4 A MPA is any local authority with responsibility for planning control over mineral working. Outside Greater London and the metropolitan areas, MPAs comprise county councils, National Park authorities and unitary authorities.

Planning For The Supply Of Minerals

3.5 Planning for the supply of minerals has a number of special characteristics:

- Minerals can only be worked where they naturally occur, so locational options for the economically viable extraction of minerals may be limited;
- Working is a temporary use of land, although it often takes place over a long period of time;
- Working often has adverse environmental effects that can be mitigated but not wholly eliminated;
- Following working, the land should be restored, to make it suitable for beneficial after-use and to avoid dereliction;
- The extraction of minerals has been held by the Courts to be a continuous process of development. There is therefore a requirement for long-term monitoring;
- Mineral working is essentially a physical process and the application of conditions to mineral permissions is the primary means of environmental control.

The Development Plan And Minerals

3.6 Regional Spatial Strategies – regional planning bodies have responsibility for preparing, reviewing and monitoring Regional Spatial Strategies (RSSs) under the provisions of the 2004 Act. RSSs replace Regional Planning Guidance and structure plans, providing the strategic spatial framework within which Local Development Frameworks, including Minerals and Waste Development Frameworks can be prepared.

3.7 Local Development Frameworks/Minerals and Waste Development Frameworks – county councils must prepare minerals and waste development frameworks, comprising a folder of documents for delivering the planning strategy for the area. These will include a Minerals and Waste Development Scheme, Local Development Documents and a Statement of Community Involvement. The framework documents should set out clear policies for mineral planning, which should be in general conformity with the RSS, and include details of how the community will be consulted in the planning process.

4. Needs Assessment

Background

- 4.1 A Needs Assessment has been undertaken to inform the Issues and Options Report and this has considered forecasts forward to 2016, plus appropriate landbank periods thereafter, in respect of aggregate minerals. In order to inform the future planning of other constructional minerals, a nominal landbank has been used to help the forecasting process. Due to difficulties with the nature and intricacies of building stone supply it has not been possible to produce forecasts for the likely level of supply through the LMDF period. It is not appropriate for the LMDF however to seek the same level of control over supply targets and output limits for energy minerals. Consequently coal and oil provision is discussed in paragraphs 4.4 – 4.6 below, rather than in table format.
- 4.2 Additionally, it should be noted that the following sources of information have been used in compiling the baseline data summary tables set out below.
- Aggregates Monitoring Survey 2001.
 - MPG6 new national and regional guidelines for aggregates 2001 – 2016, June 2003.
 - Minerals Local Plan Review 1995.
 - Minerals Local Plan Monitoring and Key Issues Report 2003.
 - Follow-up meetings with minerals industry representatives during 2003/04.
 - Survey of clay operators 2004.

Baseline Mineral Forecasts

Table 4.1 Igneous Rock

Calculation of Igneous Rock Provision 2001 -2016	
Regional Requirement 2001 - 2016	523Mt ODPM June 2003
a) Leicestershire Requirement 2001 – 2016	236.919Mt EMAWP adjusted average figure of 45.3%
Annual Requirement	14.807Mt Based over 16 year MDF period
b) 15 year landbank provision at 2016	222.105Mt
c) TOTAL REQUIREMENT (a+b)	459.024Mt
d) Permitted Reserves @ 1/1/2001	449.548Mt
2001 - 2016 Reserve Position (d-c):	449.548 - 459.024 = - 9.476Mt

Table 4.2 Sand and Gravel

Calculation of Sand and Gravel Provision 2001 - 2016	
Regional Requirement 2001 - 2016	165Mt ODPM June 2003
a) Leicestershire Requirement 2001 - 2016	20Mt EMAWP average figure of 12.1%
Annual Requirement	1.25Mt Based over 16 year period
b) 7 year landbank provision at 2016	8.75Mt
c) TOTAL REQUIREMENT (a+b)	28.75Mt
d) Permitted Reserves @ 1/1/2001 (revised)	11.02Mt
Additional Reserves Released	5.01Mt
	Total = 16.03Mt
2001 - 2016 Reserve Position (d-c):	16.03 - 28.75 = - 12.72Mt

Table 4.3 Limestone

Calculation of Limestone Provision 2001 – 2016	
Regional Requirement 2001 - 2016	523Mt ODPM June 2003
a) Leicestershire Requirement 2001 - 2016	19.989Mt EMAWP average figure of 4.9% (Adjusted for Leics. % only)
Annual Requirement	1.249Mt Based over 16 year MDF period
b) 15 year landbank provision at 2016	18.735Mt
c) TOTAL REQUIREMENT (a+b)	38.724Mt
d) Permitted Reserves @ 1/1/2001 (revised)	22.176Mt
Additional Reserves Released	17.000Mt
	Total = 39.176Mt
2001 - 2016 Reserve Position: (d-c) 39.176 – 38.724 = 0.452Mt	

Please note that a split of the currently agreed Leicestershire/Rutland combined regional apportionment figure, is included in the above table. This takes account of sales over the period 1997 – 2001 and emerges as: 78% for Leicestershire and 22% for Rutland.

Table 4.4 Brick Clay

Calculation Brick Clay Provision 2001 – 2016	
a) Requirement 2001-2016	9,671,920 Based on av. extraction rates 1999-2002
Annual Requirement	604,495 Based over 16-year MDF period.
b) 15-year landbank provision @ 2016	9,067,425 Based on 604,495 tonnes
c) TOTAL REQUIREMENT (a+b)	18,739,345
d) Permitted Reserves @ 1/1/2001	20,082,000
2001 - 2016 Reserve Position (d-c): 20,082,000 - 18,739,345 = 1,342,655	

Table 4.5 Fireclay

Calculation of Fireclay Provision 2001 – 2016	
a) Requirement 2001-2016	5,256,368 Based on av. extraction rates 1999-2002
Annual Requirement	328,523 Based over 16-year MDF period.
b) 15-year landbank provision @ 2016	4,927,845 Based on 328,523 tonnes
c) TOTAL REQUIREMENT (a+b)	10,184,213
d) Permitted Reserves @ 1/1/2001	2,421,397
MDF period Reserve Position (d-c): 2,421,397 - 10,184,213 = - 7,762,816	

Table 4.6 Gypsum

Calculation of Gypsum Provision 2001 – 2016	
a) MDF period Requirement 2001-2016	12,640,000 Previous and increased production rates used.
MDF period Requirement Annualised	810,000 Increased rate.
b) 15-year landbank provision @ 2016	12,150,000 Based on 810,000 tonnes
c) TOTAL REQUIREMENT (a+b)	24,790,000
d) Permitted Reserves @ 1/2001	19,300,000
MDF period Reserve Position (d-c): 19,300,000 - 24,790,000= - 5,490,000	

Building Stone

- 4.3 It has not been possible to produce an assessment of future needs for building stone in Leicestershire with any confidence that would lead to realistic forecasts at this stage in the planning process. The prediction of future requirements and matching these to supply is not a simple arithmetic exercise (as in the case of aggregates), as several key variables, unique to building stone production are present. These include specific stone types being reserved for particular repair and maintenance jobs on individual buildings. Also, a high percentage of wastage in producing dimension stone products, and sudden changes in the variability of the deposit that make adjacent areas unsuitable are common. There is likely to be a need for relatively small amounts of many different types of stone in order to provide a good supply position of building stone within the County. Nevertheless it may be appropriate to now include a specific building stone policy within the LMDF.

Coal

- 4.4 There are no targets to apply to the supply of coal or limits to set for its production, through the LMDF. MPG3 sets out this position clearly in guidance, which goes on to say that the sourcing of coal supplies is a matter for the individual generators rather than the planning system. MPG3 does encourage dialogue between coal operators and MPAs to help the forward planning system and to flag up key environmental constraints. The MPA does not however hold sufficiently detailed reserve data to be able to indicate likely levels and locations of future proposals and this is an area that may be appropriate to explore through the LMDF.

Oil and Gas

- 4.5 Again there is no provision with the planning system to set limits for the energy supply that is produced through the exploitation of indigenous oil resources. Guidance on oil is very dated and is expected to be replaced soon, it does however promote the maximum economic exploitation of oil and gas reserves, and expects the environmental impacts to be capable of being addressed in the majority of cases.

4.6 Based on the above paragraphs it is important to treat each proposal for energy supply, either coal or oil, on its merits and in accordance with national policy which can be applied to the local situation here in Leicestershire through the development of policies within the LMDF.

5. Mineral Development Framework Objectives

- 5.1 The MDF will seek to reconcile the balance that needs to be struck between supplying sufficient minerals to satisfy society's needs, and protecting the environment and the amenity of local residents. In achieving this balance, the safeguarding of mineral resources and the promotion of the use of recycled and substitute materials are also key factors to be considered.

The objectives for the MDF to guide minerals development in Leicestershire are therefore:

- The safeguarding of mineral resources, including encouragement for the most efficient use of high quality minerals and the minimisation of waste materials;
 - Making sufficient provision of aggregate minerals to meet recognised national and regional requirements;
 - The attainment of the maximum possible usage of recycled and secondary materials;
 - The restoration of land at the earliest possible opportunity, to facilitate beneficial after-uses and to maximise the potential for land enhancement;
 - The protection of residential amenity from unacceptable effects from mineral operations, including the transportation of minerals;
 - The provision of detailed policies to guide, assess and control mineral development, thereby limiting environmental harm and protecting important environmental assets;
 - Encouraging the maximum possible use of modes of transport other than road borne transport for the bulk movement of minerals, and ensuring that when HGVs are used, they do not travel on unsuitable parts of the road network.
- 5.2 In seeking to bring forward these objectives, the Issues and Options set out below have evolved as the key areas for discussion in the initial consultation process on the new MDF. The previous monitoring report and subsequent key issues consultation on the current MLP have informed the selection of the Issues and Options.
- 5.3 As part of the on-going appraisal The Issues and Options have been subject to Sustainability Appraisal and Strategic Environmental Assessment.

6. Issues and Options

Introduction

- 6.1 The review of the existing LMLPR has identified a range of issues that will need to be addressed by policies and proposals within the future LMDF. In the following, each of these issues is explained within the context of the particular proposed new objective(s) of the LMDF to which they relate and in the light of the existing policies. A series of options for addressing the issues are suggested. You may wish to comment on these options and / or suggest alternatives.

Aggregate Minerals

- 6.2 **Sand and Gravel Issue 1:** To meet National and Regional guidelines, it will be necessary to release additional sand and gravel resources over the MDF period. Would the sustainable provision of additional resources be best achieved from:

Option A: the use of extensions to existing operations to supply the bulk of required resources;

Option B: the release of new sites to supply the majority of this need;

Option C: a criteria based policy approach;

Option D: existing allocations and policies included in the MLP.

6.3 **Sand and Gravel Issue 2:** Guidance encourages any additional resources to be defined clearly to assist all stakeholders. Would the identification and release of additional resources be best achieved through:

Option A: the identification of broad areas of search within the sand and gravel resource blocks;

Option B: the narrowing of the resource blocks to the identification of preferred areas;

Option C: the identification of site allocations with boundaries defined at the local level;

Option D: not identifying any area but instead using a criteria based policy approach.

Stakeholders who previously promoted sites under the MLP review Key Issues consultation should confirm that they **do/do not** wish their sites to be considered for inclusion in the MDF. In order for proposals to be progressed through the MDF process, they will need to be subject to formal Sustainability Appraisal incorporating Strategic Environmental Assessment, in accordance with the planning reforms.

6.4 **Igneous Rock Issue 1:** Given the level of permitted reserves of igneous rock it will not be necessary to release any additional resources during this MDF period. It will be necessary however to make provision for policy controls within the MDF given the changes to the system of development plans, to ensure that priority is given to the sustainable use of this important resource. Priorities for specific igneous rock policy coverage might include therefore:

Option A: a strategy for igneous rock provision which has as its primary focus, the specific need to meet local and/or regional demands for crushed rock;

Option B: a need to strike a balance between the continued supply of major markets beyond the East Midlands and the impacts on the environment and resource depletion that arise locally;

Option C: a focus on continuing levels of extraction at present rates, having regard to national guidelines and reflecting current Structure Plan Policy.

6.5 **Limestone Issue 1:** Given the level of permitted reserves of limestone aggregate it will not be necessary to release any additional resources during this MDF period. It will be necessary however to make provision for policy controls within the MDF, given the changes to the system of development plans, to ensure that priority is given to the sustainable use of this resource. Priorities for specific limestone policy coverage might include therefore:

Option A: a strategy for limestone aggregate provision which has as its primary focus, the specific need to meet local and/or regional demands for crushed rock;

Option B: a need to strike a balance between the continued supply of major markets beyond the East Midlands and the impacts on the environment and resource depletion that arise locally;

Option C: a focus on continuing levels of extraction at present rates, having regard to national guidelines covering Leicestershire's apportionment and reflecting current MLP and Structure Plan policy.

6.6 **Recycled Materials Issue 1:** It is proposed that the MDF will give encouragement to the establishment of appropriately sited aggregate recycling facilities, in accordance with national guidance. It is envisaged that the following may provide preferred locations for aggregate recycling facilities:

Option A: existing mineral sites, especially those that import construction and demolition wastes;

Option B: former mineral workings with suitable hardstanding areas;

Option C: appropriate industrial estate locations that are close to the main sources of construction and demolition waste arisings;

Option D: continue to encourage recycling initiatives without offering locational advice.

6.7 It is intended to promote recycling facilities in conjunction with the Waste Development Framework, which will also cover sites within Leicester City area.

Other Construction Minerals

6.8 **Other Construction Minerals Issue 1:** To assist in the future planning of mineral resources, it is proposed to use a nominal landbank for guidance purposes, in relation to the supply of gypsum, brick clay and fireclay – having regard to the advice contained in MPG 10. It is considered that this would allow a better management of resource requirements, which balances future investment opportunities for the industry with a sustainable supply of mineral resources and certainty for interested parties:

Option A: It is proposed that the landbank should cover a 15-year period;

Option B: It is proposed that the landbank should cover a 25-year period;

Option C: It is proposed that no landbank figure is used for guidance purposes.

6.9 **Gypsum Issue 1:** Given the level of permitted gypsum reserves, it may be necessary to consider the release of additional resources during this MDF period. It will be necessary therefore to continue to provide policy controls within the MDF, to ensure that priority is given to the sustainable use of this resource. Priorities for specific gypsum policy coverage might include therefore:

Option A: a strategy for gypsum provision which has as its primary focus, the specific need to meet local and/or regional demands for plasters;

Option B: striking the right balance between the continued supply of major markets beyond the East Midlands and the impacts on the environment and resource depletion that arise locally;

Option C: a focus on continuing levels of extraction at present rates, having regard to proposed local landbanks.

6.10 **Brick Clay Issue 1:** Given the level of permitted brick clay reserves that were established from the results of the 2004 clay survey, it will not be necessary to release any additional resources during this MDF period. It will be necessary however to continue to provide policy controls within the MDF, to ensure that priority is given to the sustainable use of this resource. Priorities for specific brick clay policy coverage might include therefore:

Option A: a strategy for brick clay provision which has as its primary focus, the specific need to meet local and/or regional demands for bricks;

Option B: striking the right balance between the continued supply of major markets beyond the East Midlands and the impacts on the environment and resource depletion that arise locally;

Option C: a focus on continuing levels of extraction at present rates, having regard to proposed local landbanks;

6.11 **Fireclay Issue 1:** The long-term provision and management of valuable fireclay resources needs to be addressed, particularly with regard to the continued supply of local works. Options for future supply could include therefore:

Option A: more permanent stocking and blending facilities at works sites;

Option B: more permanent stocking and blending facilities at remote sites;

Option C: the establishment of new long-term clay extraction sites;

Option D: ensuring that access to fireclays associated with opencast coal operations is achieved;

Option E: imports of fireclays from elsewhere;

Option F: making no provision for the future supply of local fireclays.

Energy Minerals

6.12 **Coal Issue 1:** Government policy recognises that coal can contribute towards a secure, diverse and sustainable energy supply, subject to meeting certain tests. Future coal operations within Leicestershire are only likely to involve opencast operations. It will be necessary therefore to make provision for policy controls within the MDF, given the changes to the system of development plans, to ensure that priority is given to the sustainable use of this resource. Options for the extent of controls may have regard to:

Option A: identifying the extent of the shallow coalfield and highlighting potential areas of search for future extraction within it;

Option B: establishing a forward programme of potential workable reserves;

Option C: provide no MDF policies over coal operations and continue to look to strategic, regional and national policy for advice.

Reclamation of Sites

6.13 **Restoration Issue 1:** In order to achieve desired after-uses it is important that restoration designs are considered early in the planning process. Depending on circumstances, this may or may not involve the importation of fill materials. To give encouragement to national trends that seek a reduction in landfilling and the reuse and recycling of materials, options for future restoration of sites may include therefore:

Option A: a restriction on backfilling with construction and demolition wastes except in exceptional circumstances;

Option B: a preference for restoration designs at lower levels;

Option C: to allow restoration designs to develop without providing any particular steer.

6.14 **After-use Issue 1:** It is proposed to adopt an approach through the strategy of the MDF that seeks to provide a greater influence on the restoration and after-use of mineral sites. Emphasis will have due regard to landscape character and distinctiveness, and may include a sequential approach which includes:

Option A: a priority approach that seeks the promotion of bio-diversity;

Option B: a priority approach towards woodland establishment;

Option C: a priority approach for the protection of valuable soil resources;

Option D: a priority approach to facilitate leisure and recreation after-uses;

Option E: do not include any after-use priorities in the MDF.

6.15 **Site Management Issue 1:** In connection with the above priorities in After-use Issue 1, it is proposed to include controls in the MDF that seek to ensure the management of appropriate after-uses for the longer-term. Options for future management of sites may include therefore:

Option A: provision of a minimum 10-year management period for sites restored to nature conservation and woodland after-uses or for site enhancement;

Option B: provision of flexible long-term management periods for sites restored to nature conservation, where bio-diversity and/or management of recognised environmental assets are required;

Option C: provision of a nominal 5-year management period only, as allowed for currently under aftercare provisions.

