

1. **Silica Sand Modifications Delegated Decision 150817** (Pages 2 - 7)

CABINET MEMBERS DELEGATED DECISION

Open/Exempt		Would any decisions proposed :		
Any especially affected Wards	Mandatory/	Be entirely within Cabinet's powers to decide	YES/NO	
	Discretionary/	Need to be recommendations to Council	YES/NO	
	Operational	Is it a Key Decision	YES/NO	
Lead Member: Cllr R Blunt E-mail: <i>cllr.richard.Blunt@west-norfolk.gov.uk</i>		Other Cabinet Members consulted: None		
		Other Members consulted: None		
Lead Officer: Alan Gomm E-mail: <i>alan.gomm@west-norfolk.gov.uk</i> Direct Dial:01553 616237		Other Officers consulted: None		
Financial Implications YES/NO	Policy/Personnel Implications YES/NO	Statutory Implications YES/NO	Equal Impact Assessment YES/NO If YES: Pre-screening/ Full Assessment	Risk Management Implications YES/NO
Date meeting advertised: 15 th August 2017		Date of meeting decision to be taken: 22 nd August 2017		
Deadline for Call-In: 30 th August 2017				

**NORFOLK MINERALS SITE SPECIFIC ALLOCATIONS DEVELOPMENT PLAN DOCUMENT (DPD):
SINGLE ISSUE SILICA SAND REVIEW – PRE-SUBMISSION ADDENDUM:
MODIFICATIONS - INVITATION TO MAKE REPRESENTATIONS**

Summary

Modifications are proposed by the County Council to the Silica Sand Single Issue Review. Some reflect comments made originally by the Borough Council, others will improve the Plan.

Recommendation

The Main Modifications given be supported.

Reason for Decision

To achieve a more appropriate set of policies in the Silica Sand Single Issue Review.

1. Background

The County Council, as part of its work on the Single Issue Silica Sand Review of the adopted Minerals Site Specific Allocations DPD, has prepared Modifications to the Pre-Submission document. In Norfolk, the silica sand resource occurs entirely within West Norfolk.

The hearing sessions for the independent examination of the Single Issue Silica Sand Review took place on 14 and 15 March 2017. There were some issues which the Planning Inspector considers should be regarded as Main Modifications. There are also two additional modifications to the Single Issue Silica Sand Review that are not considered to be Main Modifications (i.e., when taken together they do not materially affect the policies set out in the plan). Further information is provided in the 'Main Modifications and Additional Modifications' document.

The 'Main Modifications and Additional Modifications', including associated changes to the supporting documents, are now published to allow representations on the soundness and legal compliance of the document be made, over a six week period, from 9am on 17 July to 5pm 1 September 2017.

A total of 18 Modifications are being proposed, but the more significant ones can be summarised as follows:

1. Deletion of Area of Search (AoS) D – an area of land amounting to some 85 hectares in the parishes of East Winch and Pentney. This is due to 53 hectares of AOS D being designated as open access land under the Countryside and Rights of Way Act 2000.
2. A modification to reduce the area of AoS E (at Wormegay; Shouldham; Marham) by 1 hectare from 816 hectares to 815 hectares. This is due to:
 - The southern boundary of AOS E being changed to exclude the site of Fairstead Medieval Market from the area of search. AOS E would be reduced by approximately 1 hectare.
 - More accurately reflect the northern boundary of AOS E in relation to the historic environment, and further information provided by the Historic Environment Service.
3. Cross referencing to other policies in the Minerals Local Plan to stress the fact that careful consideration needs to be given to general mineral policies also. (These include cumulative impact and historic environment).

There are a number of other detail modifications (see schedule at Appendix 1) but these relate to detail numerical calculations, or are consequential to the main geographical changes as above.

(Further information is provided in the Modifications document, which is viewable at: www.norfolk.gov.uk/nmwdf.)

The 'Main Modifications' and 'Additional Modifications', including associated changes to supporting documents, have been published to allow representations on the soundness (whether it is justified, effective, positively prepared and consistent with national policy) and legal compliance of the modifications to be made, over a six week period, between **9am on 17 July and 5pm on 1 September 2017** (inclusive).

Only the modifications are subject to this representations period, so any representations on other matters will not be accepted. Any previously made

representations on these matters do not need to be repeated if they are unchanged. Any representations on the modifications must be received during the representations period; late representations will not be accepted.

2. Consideration of the proposed modifications

The Cabinet agreed a response to the original consultation on the substantive silica sand plan in June. However at the Examination there was significant questioning from the inspector about various environmental and historic environment matters, and the County Council went away to address things. The result is the modifications now proposed.

In terms of the proposed modifications a schedule is attached as Appendix 1, they do reflect careful consideration of the Examination discussions and the Inspectors questions. Most were not subjects raised directly by the Borough Council at previous stages. Notwithstanding that the view of your officers is that they should be supported

3. Conclusion

The proposed main modifications should all be supported.

4. Options Considered

The question is whether we agree or disagree with the changes proposed by the County Council.

5. Policy Implications

None specifically for the Borough Council policies, but the Silica Sand Review will become a statutory plan and part of the Development Plan for the County.

6. Financial Implications

None specifically.

7. Personnel Implications

None specifically.

8. Statutory Considerations

None specifically.

9. Equality Impact Assessment (EIA)

(Pre-screening report template attached)

No impacts.

10. Risk Management Implications

None specifically.

11. Declarations of Interest / Dispensations Granted

None advised.

12. Background Papers

(Definition: Unpublished work relied on to a material extent in preparing the report that disclose facts or matters on which the report or an important part of the report is based. A

copy of all background papers must be supplied to Democratic Services with the report for publishing with the agenda)



**Pre-Screening Equality Impact
Assessment**

Name of policy/service/function	Minerals Site Specific Allocations – Single Issue Silica Sand Review (from Norfolk County Council)				
Is this a new or existing policy/ service/function?	New / Existing (delete as appropriate)				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations	The Borough Council is responding to policies and allocations from Norfolk County Council. We are statutorily obliged to respond in the procedurally correct way.				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			x	
	Disability			x	
	Gender			x	
	Gender Re-assignment			x	
	Marriage/civil partnership			x	
	Pregnancy & maternity			x	
	Race			x	
	Religion or belief			x	
	Sexual orientation			x	
	Other (eg low income)			x	
Question	Answer	Comments			
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	Yes / No				
3. Could this policy/service be perceived as impacting on communities differently?	Yes / No				
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	Yes / No				
<p>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>	Yes / No	Actions:			
		Actions agreed by EWG member:			
Assessment completed by: Name Alan Gomm					
Job title Planning Policy Manager	Date 25 July 2017				

Please Note: If there are any positive or negative impacts identified in question 1, or there any 'yes' responses to questions 2 – 4 a full impact assessment will be required.
Appendix 1



Norfolk Minerals and Waste Local Plan

Minerals Site Specific Allocations
Development Plan Document (DPD) –
Single Issue Silica Sand Review

Main Modifications & Additional Modifications

July 2017



www.norfolk.gov.uk

The link to this document is:

www.norfolk.gov.uk/nmwdf