

	<h1>Report</h1>	Agenda Item <h1>10</h1>
--	-----------------	---------------------------------------

Report to:	Planning Committee
Date of Meeting:	23 March 2010
Report by:	Executive Director (Enterprise Resources)

Subject:	South Lanarkshire Minerals Local Development Plan: Main Issues Report
----------	--

1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ Inform Committee of the work undertaken to prepare a Main Issues Report for the South Lanarkshire Minerals Development Plan.
- ◆ Seek Committee approval to consult on the Main Issues Report
- ◆ Inform Committee of the next steps in preparing the South Lanarkshire Minerals Local Development Plan

2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that Committee approve the South Lanarkshire Minerals Local Development Plan: Main Issues Report and agree to a six week period of public consultation.

3. Background

- 3.1. Minerals development is currently the subject of the South Lanarkshire Minerals Local Plan (MLP) which was adopted on 12th September 2002. This plan has formed the basis of the Council's decisions relating to new mineral operations and has reflected the Council's desire that minerals developments should be properly planned, operated and restored. The MLP policies were designed to assist in achieving sustainable minerals development, prevent the sterilisation of mineral resources and protect the environment and communities from the effects of mineral extraction.
- 3.2. Seven years on from the MLP's adoption the plan should now be reviewed in light of new national planning policy and legislation and those years of experience in dealing with minerals development using the MLP as a basis for decision making.
- 3.3. This intervening period has also seen the introduction of the Planning etc. (Scotland) Act 2006 and a new development planning system for Scotland. The Local Plan process has been replaced by the Local Development Plan (LDP) and there are a number of differences to the process of preparation. This is explained further in the 'South Lanarkshire Development Plan Scheme' which is a separate item on the Committee's agenda.

4. The Main Issues Report

- 4.1. The Main Issues Report, is the first published document in the preparation of the new plan and is intended to be a focus for consultation and engagement before the LDP is prepared. The report has been available in Members' areas prior to Committee. Its preparation has already been informed by consultation, and by work to review the performance of the adopted Minerals Local Plan and a series of assessments as detailed below:

Consultation

- Community engagement workshops based on mineral development areas (Strathaven, 31 August 2009; Douglas, 7 September 2009; and, Symington 14 September 2009)
- Minerals industry and operators conference – 5 October 2009
- Council wide community survey – 6 – 30 October 2009
- Meetings with Scottish Government key agencies and other consultees – October 2009 – March 2010

A Consultation and Engagement Report has been prepared

Further Assessments/Reports

- South Lanarkshire Minerals Local Plan Monitoring Statement
 - Strategic Environmental Assessment – Screening, Scoping and Environmental Reports
 - Natura 2000 Appropriate Assessment
 - Landscape Character Assessment
 - Health Impact Assessment
 - Equalities Impact Assessment
- 4.2. The Main Issues Report sets out the main considerations for policy that will be included in the LDP and possible alternatives. It is important to note that the MIR is not a draft version of the LDP itself, therefore it does not include draft policies, or propose new quarries. It sets out in text and map form how our preferences for dealing with the main issues might be dealt with in the LDP. The work with communities, the industry and consultees, as set out in paragraph 4.1, has informed the issues that the LDP needs to address. The purpose of the Main Issues Report is to allow early comment from interested parties on how the Council seeks to address key policy matters, before the policy is written or proposals brought forward.
- 4.3. The key areas addressed in the Main Issues Report are:
- Identifying what the preferred spatial strategy is for minerals extraction in South Lanarkshire
 - Safeguarding mineral resources to meet society's needs
 - Minimising effects on people and communities
 - Health and wellbeing
 - Transportation and community safety
 - Community benefit
 - Maximising local economic benefits
 - Protecting the environment
 - Preventing loss of peat land
 - Landscape impacts
 - Biodiversity and protected species
 - Flooding and the water environment
 - Site waste management

- Ensuring excellence in working practices and restoration

4.4. The new Minerals LDP requires to be consistent with the Glasgow and Clyde Valley Strategic Development Plan (SDP). The SDP is currently being prepared to replace the Glasgow and Clyde Valley Joint Structure Plan 2006. The Council, as a partner in the preparation of the SDP, will ensure that the LDP and SDP strategies for minerals complement each other.

5. Next Steps and Timescales

5.1. Following Committee approval the Main Issues Report will be published and made available for public comment during April and May.

5.2. Following consideration of the comments received, a Proposed Plan will be prepared and presented to the Planning Committee by the end of 2010. This Plan will be a fully developed statement of policy and once approved will become material in the consideration of new minerals applications. It will be subject to formal deposit and the opportunity given for interested parties to make objections which if not subsequently withdrawn would result in an Examination of the Proposed Plan conducted by a Reporter appointed by Scottish Ministers. Timescales for this part of the process is not yet known and will be informed by the number of objections received and the administrative resources for the examination.

6. Employee Implications

6.1. There are no implications for staff resources within this Service.

7. Financial Implications

7.1. All publications and staffing costs arising from the recommendations of this report are accounted for within established budgets.

8. Other Implications

8.1. The Main Issues Report has been assessed in terms of the Environmental Assessment (Scotland) Act 2005 for Strategic Environmental Assessment of Council plans, programmes, policies and strategies. An Environmental Report has been prepared and will be made available for consultation alongside the Main Issues Report and submitted to the statutory consultation authorities.

9. Equality impact assessment and consultation arrangements

9.1. An equality impact assessment has been carried out MIR and, where issues were identified, remedial action has been taken. The assessment is that the proposals do not have any adverse impact on any part of the community covered by equalities legislation, or on community relations, and the results of the assessment will be published on the Council website.

9.2. The Main Issues Report and its supporting documents will be made available on the Council's web site and at Council planning offices, libraries and Q&As. Copies will also be available for purchase. Comments can be made online or using a consultation form. The consultation period will last for six weeks.

Colin McDowall
Executive Director (Enterprise Resources)

10 March 2010

Link(s) to Council Objectives/Values

- Improve the quality of the physical environment

Previous References

None.

List of Background Papers

- Consultation and Engagement Report
- South Lanarkshire Minerals Local Plan Monitoring Statement
- Strategic Environmental Assessment – Screening, Scoping and Environmental Reports
- Natura 2000 Appropriate Assessment
- Landscape Character Assessment
- Health Impact Assessment

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Stuart McMillan, Planning and Building Standards Team Leader – HQ, Montrose House, Hamilton

Ext: 5152 (Tel: 01698 455152)

E-mail: stuart.mcmillan@southlanarkshire.gov.uk

Gordon Cameron, Planning & Building Standards Manager – HQ, Montrose House, Hamilton

Ext: 4294 (Tel: 01698 454294)

E-mail: gordon.cameron@southlanarkshire.gov.uk