

CABINET
8 SEPTEMBER 2026

TEES VALLEY JOINT MINERALS AND WASTE LOCAL PLAN

Responsible Cabinet Member -
Councillor Chris McEwan, Economy Portfolio

Responsible Director -
Trevor Watson, Executive Director Economy and Public Protection

SUMMARY REPORT

Purpose of the Report

1. In order to meet the Council's statutory duty to prepare a development plan for the area, it is necessary to commence work on the Tees Valley Joint Minerals and Waste Local Plan.
2. The current Tees Valley Joint Minerals and Waste Local Plan was adopted in September 2011 and is therefore significantly out of date. If a joint Minerals and Waste Plan is not prepared, individual authorities will need to include this in their own Local Plans.

Summary

3. In accordance with the requirements of the Planning and Compulsory Purchase Act 2004, the Levelling-up and Regeneration Act 2023, and the Town and Country Planning (Local Planning) (England) Regulations 2026, Darlington Borough Council is required to review and update its planning policy framework relating to minerals and waste development.
4. The purpose of this report is to seek approval to commence preparation of a new Tees Valley Joint Minerals and Waste Local Plan, in partnership with neighbouring Tees Valley authorities. The new plan will provide an up-to-date statutory framework for managing mineral extraction, safeguarding mineral resources, waste management infrastructure, recycling facilities, landfill restoration, and associated development across the Tees Valley.
5. Gateway 1 is the first of 3 mandatory gateways that support authorities in adopting a plan within 30 months. Gateway 1 involves self-assessing the readiness to start the 30-month plan preparation process and includes the publishing of a self-assessment.

Recommendations

6. It is recommended that Cabinet recommend that Full Council :-

- a) Approve the commencement of the preparation of the Tees Valley Joint Minerals & Waste Local Plan in accordance with the Planning and Compulsory Purchase Act (2004) and the Town and Country Planning (Local Planning) (England) Regulations 2026
- b) delegates authority to the Executive Director of Economy and Public Protection in consultation with the Economy Portfolio Lead to:
 - I. prepare, publish and submit a 'Notice of intention to commence the Tees Valley Joint Minerals & Waste Local Plan';
 - II. publish and update the Tees Valley Joint Minerals & Waste Local Plan Timetable monthly (or as required), to ensure an up-to-date timetable is publicly available in accordance with Regulation 6 of the Town and Country Planning (Local Planning) (England) Regulations 2026;
 - III. undertake a 'scoping consultation' on the joint Tees Valley Joint Minerals & Waste Local Plan; and
 - IV. produce all associated documentation to allow the joint Tees Valley Minerals and Waste Local Plan to progress through Gateway 1.

Delegations

- 7. In order to meet the deadlines, set by government for 'new style' plans, the delegations recommended are required to progress the early stages of the preparation of this document.
- 8. Further details on the preparation of 'new style' local plans are included in the main report. It should be noted this process is different to that of the Local Plan Review which is being undertaken under transitional arrangements.

Reasons

- 9. The recommendations are supported by the following reasons: -
 - (a) In accordance with the requirements of the Planning and Compulsory Purchase Act 2004, the Levelling-up and Regeneration Act 2023, and the Town and Country Planning (Local Planning) (England) Regulations 2026, Darlington Borough Council is required to review and update its planning policy framework relating to minerals and waste development.

Trevor Watson
Executive Director Economy and Public Protection

Background Papers

No background papers were used in the preparation of this report

David Nelson : Extension 6291

Council Plan	The Tees Valley Joint Minerals and Waste Local Plan will sit alongside the Darlington Local Plan and are integral to the delivery of the Council Plan and its priorities (adopted by Council in July 2024). The key priorities are: ECONOMY - building a strong sustainable economy and highly skilled workforce with opportunities for all. The Local Plan allocates land for employment sufficient to meet the future needs of the borough. The Tees Valley Joint Minerals and Waste Local Plan will ensure sufficient supply of minerals and capacity for waste processing to ensure this happens. HOMES – affordable and secure homes that meet the current and future needs of residents. The Local Plan allocates sufficient land to meet the Boroughs needs, sets affordable housing requirements and ensures new developments are well planned, safe and attractive. The Joint Tees Valley Minerals and Waste Plan will explore the possibilities to supply locally sourced aggregate and ensure waste is handled in a sustainable manner. Although the scope of the Minerals and Waste Plan is more focused than the Local Plan it is still key to the Council's growth aspirations.
Addressing inequalities	An Equalities Impact Assessment will be part of the plan when submitted for examination.
Tackling Climate Change	The Tees Valley Joint Minerals and Waste Local Plan will set out a policy framework to deliver sustainable minerals and waste development, and will be subject to Strategic Environmental Assessment. The approach will consider climate change impacts.
Efficient and effective use of resources	The preparation of a joint plan as opposed to having to evidence policies in each of the Tees Valley Authorities individual Local Plans makes financial sense as costs of evidence gathering can be split. This is also a strategic matter which makes sense to be considered on a larger scale.
Health and Wellbeing	A key objective of Local Plan and supporting documents is to improve people's health and wellbeing by protecting and

	improving the economic, social and environmental conditions in the Borough. The Tees Valley Joint Minerals and Waste Local Plan will help secure some of these objectives.
S17 Crime and Disorder	Potential crime and disorder issues will be considered during the preparation of this document.
Wards Affected	All
Groups Affected	All
Budget and Policy Framework	The Tees Valley Joint Minerals and Waste Local Plan will be prepared using existing budgets and will form part of the Council's Planning Policy Framework.
Key Decision	Yes
Urgent Decision	No
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Information and Analysis

Background and relevant information

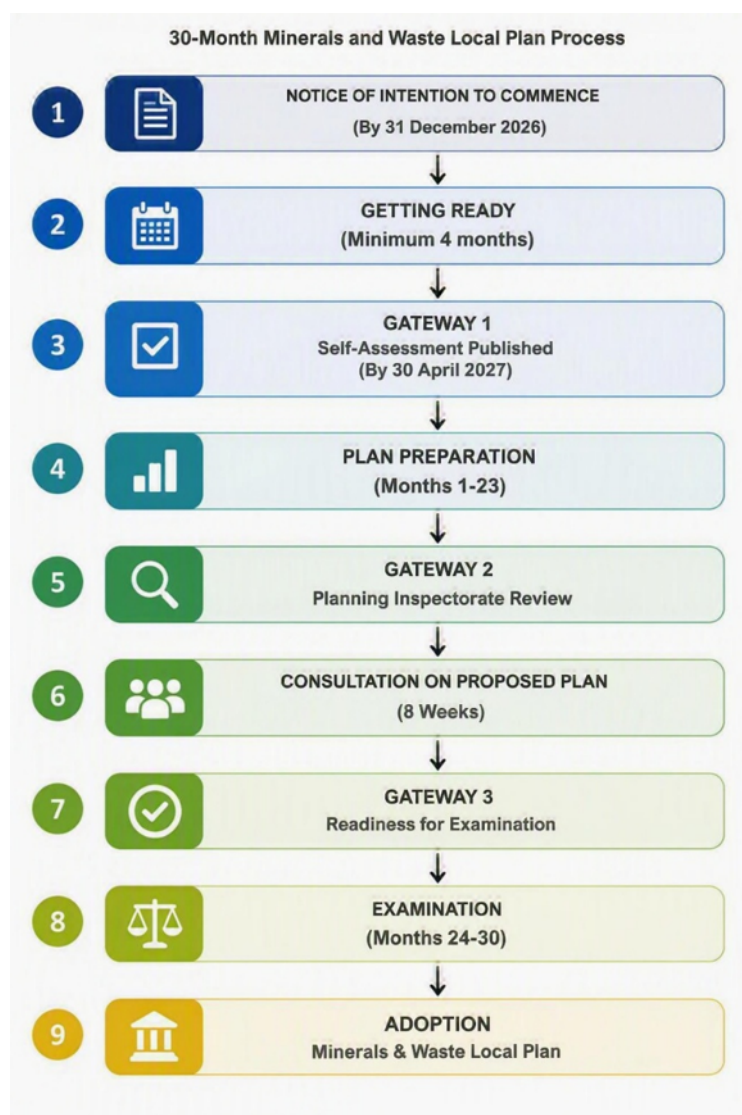
10. Under the provisions of the Planning and Compulsory Purchase Act 2004, the Council is required to prepare a statutory development plan that sets out the policies and land allocations to guide development in the Borough. The new Local Plan, that is currently at examination and due for adoption in December 2026, covers all development matters except for Minerals and Waste.
11. Planning for Minerals and Waste has historically been undertaken jointly by the five Tees Valley local planning authorities. The policy framework for Minerals and Waste currently comprises:
 - (a) The Tees Valley Minerals and Waste Joint Core Strategy Development Plan Document (DPD) (2011); and
 - (b) The Tees Valley Minerals and Waste Joint Policies & Sites DPD (2011).
12. The Joint DPDs cover the period to 2026 and are due to be reviewed. It is proposed that Darlington Borough Council continues to plan for Minerals and Waste jointly with the other Tees Valley Local Planning Authorities.

New Plan Making System

13. The Levelling-up and Regeneration Act 2023 introduced a new plan-making framework that fundamentally reshapes the development plan system with a streamlined 30-month process. The Government has subsequently introduced the Town and Country Planning

(Local Planning) (England) Regulations 2026 in March 2026 confirming the procedures for this new plan-making framework.

14. The updated plan-making system has introduced new statutory requirements which the Council must comply with. This includes a 30-month timeframe for plan preparation and adoption, and involves a scoping consultation, two plan consultations and progression through three gateways as the Local Plan progresses through the system.
15. The overall process is outlined within the figure below:



16. Please note this process is different to the review of the existing local plan which is being undertaken in line with the previous system under transitional arrangements due to end this year.

Next Steps – the ‘Getting Ready’ Stage

17. The Council has agreed joint working principles with the other Tees Valley Local Planning Authorities through Terms of Reference for the Plan. An officer working group has been established with representatives from each authority. The project will be overseen by the

Tees Valley Investment Board, which comprises senior managers from each authority. Each authority will be responsible for seeking political direction for the Plan. Decisions on the Joint Plan will need to be taken by each authority individually.

18. The legislation requires that a Gateway 1 self-assessment must be published by 30th April 2027 (and no earlier than 4 months after the notice is issued).
19. In order to achieve Gateway 1, a number of key requirements must be met:
 - (a) preparing and publishing a local plan timetable;
 - (b) issuing a notice to commence plan making (no later than 31st December 2026);
 - (c) establishing project management and governance arrangements about the preparation of the plan;
 - (d) confirming the need for a Strategic Environmental Assessment (SEA); and
 - (e) undertaking a Scoping consultation for a minimum of six weeks to provide an early opportunity for public engagement, which must seek views on:
 - (i) developing an approach to consulting and engaging on the plan; and
 - (ii) developing the anticipated content of the plan, including base line information, vision, land availability and evidence.
20. To ensure this process is properly coordinated with the other Tees Valley Authorities, and to allow the completion of the initial 'Getting Ready' stage in a timely manner, this report seeks delegated authority to undertake a number of tasks including the Initial Notice, Timetable, Scoping consultation and the preparation of other documents required to reach Gateway 1.
21. Once Gateway 1 has been passed, a summary of the Scoping consultation must be published before the formal 30-month Plan preparation commences. This must explain the key issues raised and how the responses received have been considered.
22. As the plan develops beyond Gateway 1 it will be necessary to bring further reports to members at key stages.

Financial Implications

23. Preparation of a joint Minerals and Waste Local Plan across all Tees Valley Authorities will have a significant cost but with these costs being split between authorities it will be more cost efficient than commissioning evidence as individual authorities.

Legal Implications

24. There is a statutory requirement for the Council to prepare a Local Plan for the Borough. The Tees Valley Joint Minerals and Waste Local Plan will deal with the issues not covered by the Darlington Local Plan.
25. The preparation of the Local Plan must be undertaken in accordance with the Planning and Compulsory Purchase Act 2004, the Levelling-up and Regeneration Act 2023, and the Town and Country Planning (Local Planning) (England) Regulations 2026.

26. Decisions on the statutory stages of the Local Plan are a non-executive function and must be made by the Council, as required by the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and the Council's Constitution.

Procurement Advice

27. A joint procurement exercise will need to be undertaken in due course to appoint specialist consultants to develop an appropriate evidence base. It has not been determined yet at this early stage who will lead on this.

Carbon Impact and Climate Change

28. The Tees Valley Joint Minerals and Waste Local Plan will set out a policy framework to deliver sustainable minerals and waste development and will be subject to Strategic Environmental Assessment. The approach will consider climate change impacts.

Equalities considerations

29. An equalities impact assessment will be prepared alongside the Joint Tees Valley Minerals and Waste Plan.

Consultation

30. To satisfy the Regulations, it is necessary to prepare and submit a 'Notice of intention to commence the Tees Valley Joint Minerals and Waste Local Plan' and the Tees Valley Joint Minerals and Waste Local Plan Timetable. It is also necessary to undertake a Scoping consultation and complete various other tasks before 'Gateway 1' is passed, and work can formally commence on preparing the Plan.