Report to the Chief Executive

GM Joint Minerals and Waste Plan

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Reason for Decision

The new plan making legislative framework requires certain decisions, such as ones in relation to the timetable to be made at speed. In addition, having agreed to produce a joint plan some of the required steps must be completed simultaneously by all of the authorities. The proposed delegations will enable the plan to be progressed in a timely fashion and in line with regulations. Not having appropriate delegations in place could result in difficulties in producing the plan to the 30-month timeline required by legislation.

Recommendations

The Chief Executive is requested to:

1. Approve the decisions set out in the table at Appendix; and
2. Approve delegated authority, to the extent not already captured by existing delegations or delegated to AGMA, to the Assistant Director of Planning & Development to take any executive decisions necessary for the Authority to progress through the plan making stages including those identified in the table at Appendix 1.

Pre-Decision Scrutiny 19 November 2026
Leaders' consultative meeting 30 November 2026

GM's Joint Minerals and Waste Plan

1 Background

1.1. The ten Local Authorities in Greater Manchester are the waste and minerals planning authorities for their respective areas. Each authority is responsible for land use planning matters for waste and minerals development. The 10 Greater Manchester authorities worked together to produce a Greater Manchester Joint Waste Development Plan Document (the Waste Plan), adopted in 2012, and a Greater Manchester Joint Minerals Development Plan Document (the Minerals Plan) which was adopted in 2013.

1.2. The Waste Plan considers all types of waste arisings, including: construction, demolition and excavation waste; commercial and industrial waste; hazardous waste; and Local Authority Collected Waste. It allocates sites and areas to provide sufficient opportunities for waste management facilities across Greater Manchester and provides a policy framework for determining planning applications for new waste management facilities. Sites needed to deliver household waste management strategies and individual waste management streams e.g. recovery, recycling anaerobic digestion of food waste would be identified and safeguarded in the Waste Plan.

1.3. The Minerals Plan provides a guide to operators and the public about where mineral extraction may take place in future and safeguards mineral resources from other forms of development.

1.4. The Waste Plan and the Minerals Plan form part of the development plan for each of the 10 authorities and planning applications for minerals and waste development are determined in accordance with these plans unless material considerations indicate otherwise, in line with planning law.

1.5. By law, local authorities must ensure that waste and minerals planning policies are regularly monitored and kept up to date. This will give greater certainty to both industry and communities about where waste facilities and minerals infrastructure will be located.

1.6. Over recent years, including during the preparation of the Places for Everyone (PfE) plan, concerns have been raised regarding the need for the plans to be reviewed and updated, given the passage of time and changes to national policy since they were adopted. In response to these concerns, a review was carried out and concluded that the policies in the plans are no longer effective in addressing specific local issues and, therefore, that both plans should be updated in whole.

1.7. The conclusion of the review of the existing plans was reported to the AGMA Executive in March 2025. At that meeting, the AGMA Executive Board agreed to replace the existing Greater Manchester minerals and waste plans by working together to produce a single, Greater Manchester Joint Minerals and Waste Plan (GMJMWP).

1.8. Since that meeting (over summer 2025), all 10 Greater Manchester local authorities (GM LAs) agreed to the principle of a new GM joint minerals and waste plan and agreed Executive/Cabinet approval to delegate certain plan making responsibilities to the AGMA Executive, while retaining Full Council approval, including adoption of the final plan, once it has been through the examination in public.

1.9. Authorities have also since included a commitment to review the Minerals and Waste Plans in their Local Development Schemes (LDS) – an LDS is a document which sets out a forward look of development plans being produced by the local planning authority.

1.10. Work on the GMJMWP is underway, albeit at a very informal, early evidence gathering stage, given the fact that a new plan making system has only just come into force. Although it is a plan of the 10 authorities, not a mayoral plan, and will form part of the authority's development plans on adoption, the work is being coordinated by the Planning Team at the GMCA, in a similar way to that of the Places for Everyone Plan (PfE).

Link to Corporate Plan and Priorities

1.11 The Great Manchester Joint Minerals and Waste Plan relates to Oldham's Corporate Plan (*Ready for the future)* and Priorities through impacts on two of the corporate priorities identified in the accompanying Impact Assessment (Appendix 2). Oldham's three corporate priorities set out in the Corporate Plan are; Green And Growing; A Great Place To Live; and Happier Healthier Lives. Adopting the GMJMWP links to Corporate Priority 1: Green and Growing, as a structured policy for management of minerals and waste will highlight Oldham's ambition to grow its reputation within sustainability which may boost green investment and create job opportunities. The GMJMWP may also link to Corporate Priority 2: A Great Place To Live, because it will help to ensure current and future developments are properly serviced by waste and mineral management facilities.

2 Current Position

2.1 Legislative change impacting the making of the Plan

2.1.1 Government has recently published new legislation for plan making. The GMJMWP will need to be produced under these new regulations.

2.1.2 The intention of the new plan making system is to speed up plan making, with the new process expected to take 30 months from start to finish. This is much faster than the average time taken to prepare a plan under the existing system and establishing appropriate governance arrangements is vital to meeting these challenging timescales.

2.1.3 The new system introduces new terminology/stages in the plan making process. The initial stage is referred to as "get ready" which culminates with the first "Gateway". Following Gateway 1, we move fully into plan preparation, with further consultation and two further "Gateways" (2 and 3) to pass through. After Gateway 3, the plan is submitted for independent Examination and then follows the adoption process. It should be noted that local planning authorities should only enter Gateway 3 when they consider that their plan is ready for independent examination. At that point in time, the ten LAs will be asked to approve the plan for submission to the assessor and, if successful through Gateway 3, for examination.

2.2 Proposed approvals process

2.2.1 When the 10 authorities gave approval in summer 2025 to delegate the formulation and preparation of the GMJMWP to the AGMA Executive Board, it was envisaged that these would be sufficient, with each Council giving approval for publication, submission and adoption of the plan. However, in light of the changes to the steps in plan making and the emphasis on speed, delegations secured in 2025, for producing the Joint Minerals and Waste Plan have been reviewed and need to be amended. This will ensure the plan can be progressed in a timely fashion, while retaining appropriate oversight at key stages in the new plan making process.

2.2.2 The table, provided at Appendix 1 of this report, sets out the various tasks/stages in the plan making process and proposes the appropriate/necessary delegation, for each stage.

As detailed, it is proposed that some tasks be delegated to Officers within the Local Authority (in consultation with Members as necessary) and some, like final adoption, will remain with each Full Council. It was proposed that some tasks should be delegated to AGMA, as the joint committee, but as Oldham Council does not currently have a Leader or Cabinet, pursuant to the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012, officers do not have the power to delegate executive functions to another local authority.

2.3 Proposed timetable for producing the GMJMWP

2.3.1 A table of the proposed initial timetable for producing the plan is provided at Appendix 3 of this report. Although local planning authorities can set the timings of most stages, within the overall 30 month "envelope", transitional arrangements exist for plans as outdated as the existing GM Joint Waste Plan and GM Joint Minerals Plan. These arrangements require the Greater Manchester authorities to give formal notice of commencement (Regulation 44) by 31st December 2026 and to pass Gateway 1 (Regulation 46) by 30th April 2027 (after having completed an initial scoping consultation). Therefore, these early milestones are set by Government and cannot be altered.

2.3.2 The legislative framework requires plan timetable to be updated regularly, with revisions to be published on the website. Updates to the timetable will be carried out in accordance with the relevant delegations secured through this report.

2.3.3 Some of the notices that need to be issued are required imminently and so specific approval to issue those notices is recommended by this Report.

2.4 Proposed scoping consultation

2.4.1 The new plan making system introduces a requirement for an early consultation on the types of matters that the plan should include and how to approach future engagement during preparation of the GMJMWP. This stage is called the 'Scoping Consultation' and must be at least 21 days in length. It provides the local community and other key stakeholders with the opportunity to have their say at the very start of the plan-making process. The Scoping Consultation cannot take place until after the 10 LAs have given notice of intention to commence the GMJMWP (December 2026) but must be completed by Gateway 1 (April 2027). Therefore, in the timetable at Appendix 3, it is proposed that the Scoping Consultation will take place during January / February 2027.

2.4.2 It is recommended that approval of the exact content of the Scoping Consultation is delegated as set out in Appendix 1 but it is likely to invite views on:

i. The matters covered by the existing Minerals and Waste Plans and whether/how these matters should be included in the GMJMWP,
ii. Whether there are any new relevant topics that should be considered as part of preparation of the GMJMWP.
iii. Different engagement activities (as based on the LAs existing Statements of Community Involvement) and how these might be used to shape the future approach to consultation and engagement in preparing the GMJMWP.

2.4.3 The Scoping Consultation will not set out policy direction or draft policies.

2.5 Call for Sites

2.5.1 As part of the evidence gathering stage, it will be necessary to invite stakeholders, including landowners, developers and operators to respond to a 'Call for Sites'. Given the scope of the plan, this will be limited to suggestions for possible sites for future minerals and waste development only, it will not be a call for general development sites. For reasons of efficiency and given the 30-month timescale for producing the plan, it is proposed to undertake this call for sites simultaneously with the Scoping Consultation (currently planned for January / February 2027). The submission of sites through this process, does not

automatically result in the sites being included in the GMJMWP or receiving future planning permission. Instead, it enables the LAs to understand what land might be available for minerals and waste and for detailed assessment of this land as part of the plan preparation.

2.6 Next Steps

2.6.1 Each LA has an obligation to publish the timetable (see proposed timetable set out in Appendix 3) and formal notice to commence plan making. Therefore, each LA will need to update their website, on the same day, no later than 31st December 2026, linking through to the relevant page(s) on the GMCA website which host the GMJMWP documentation

2.6.2 Following necessary approvals, as agreed at this meeting, the GMCA (on behalf of the other nine LAs) and Oldham Council will publish the Scoping Consultation documentation for a minimum of 21 days and will undertake a call for minerals and waste sites concurrently with that consultation.

3 Options/Alternatives

3.1 Option 1: To approve the following recommendations:

a) Approve the decisions set out in the table at Appendix 1; and
b) Approve delegated authority, to the extent not already captured by existing delegations, to Assistant Director of Planning & Development to take any executive decisions necessary for the Authority to progress through the plan making stages including those identified in the table at Appendix 1.

Advantages of Option 1

The advantage of selecting Option 1 is that approving delegated authority will enable the plan to be progressed in a timely fashion and in line with regulations.

Disadvantages of Option 1

There are no disadvantages of selecting Option 1.

3.2 Option 2: To not approve the following recommendations

a) Approve the decisions set out in the table at Appendix 1; and
b) Approve delegated authority, to the extent not already captured by existing delegations, to Assistant Director of Planning & Development to take any executive decisions necessary for the Authority to progress through the plan making stages including those identified in the table at Appendix 1.

Advantages of Option 2

There are no advantages of selecting Option 2.

Disadvantages of Option 2

The disadvantage of selecting Option 2 is that appropriate delegations not being in place could result in difficulties in producing the plan within the 30-month timeline required by legislation.

4 Preferred Option

4.1 The preferred option is Option 1: To approve the recommendations set out in paragraph 3.1.

5 Consultation

5.1 To date, as work is at informal early evidence gathering stage, no formal consultation has taken place. A Scoping Consultation and a Call for Sites consultation is planned for January / February 2027 as set out in paragraphs 2.4 and 2.5 above.

6 Financial Implications

6.1 There are no immediate financial implications resulting from the recommendations within this report. Should future decisions require additional funding, resources or expenditure, these will be identified and presented through a subsequent report for consideration and approval.

(Mohammed Hussain)

7 Legal Implications

7.1 The new plan-making requirements are set out in the Town and Country Planning (Local Planning) (England) Regulations 2026. Statutory Guidance has also been issued. The content and recommendations in this Report reflect those Regulations and Guidance and sets out the steps now required in relation to progressing a joint waste and minerals DPD, including the decisions that need to be made to allow AGMA, as a joint committee of the 10 GM authorities, to formulate and prepare the joint plan. This report also sets out the decisions that are reserved to each of the Councils, and which cannot therefore be taken by AGMA as a joint committee.

7.2 Section 9E of the Local Government Act 2000 provides that subject to any provision made under section 9EA or 9EB, any functions which, under executive arrangements, are the responsibility of a leader and cabinet executive may be discharged by the Leader or the Leader may arrange for the discharge of those functions by the Cabinet, a Cabinet member, a Cabinet committee, an area committee or an officer of the authority. Therefore there is wide discretion to delegate executive functions, including to Council officers, but the decision to delegate lies with the Leader. Section 9EA of the Act enables the Secretary of State to make regulations for enabling an executive of a local authority to arrange for the discharge of any functions which under executive arrangements are the responsibility of the executive by another local authority or by the executive of another local authority or a committee or specified member of such an executive.

7.3 The Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 (SI 2012 no. 1019) were made pursuant to section 9EA. The Regulations provide at Regulation 4 that in an authority with a Leader and Cabinet (as in Oldham), the persons with the power to make arrangements under Regulation 5 are the Leader (as respects any functions which are the responsibility of the Cabinet), the Cabinet, a member of the Cabinet other than the Leader, or a committee of the Cabinet, as respects any functions which by virtue of section 9E of the Act may be discharged by the Cabinet, that member or that committee. Officers do not have the power to make arrangements under Regulation 5.

7.4 Regulation 5 provides that the person with the power to make arrangements under Regulation 5 (by virtue of Regulation 4) may make arrangements for a function which is the responsibility of the executive of the local authority to be discharged by another local

authority or the executive of another local authority. Any arrangements made under Regulation 5 shall not prevent the person who made the arrangements from exercising the functions to which they relate and shall be made with the other local authority concerned. Consequently, unlike with other executive functions which can be discharged by officers pursuant to section 9E of the Local Government Act 2000, by virtue of Regulations 4 and 5 of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012, the power to delegate an executive function to another local authority can only be exercised by the Leader, the Cabinet, a member of the Cabinet other than the Leader, or a committee of the Cabinet. The power cannot be exercised by an officer.)A Evans)

8 Procurement Implications

8.1 There are no immediate procurement implications contained within this report. Should any procurement activity arise or be required as a result of this report, then Procurement must be contacted for advice and support.

Tom Pyne – Assistant Director Procurement, Contract Management and Social Value

9 Equality Impact, including implications for Children and Young People

9.1 Yes - see Appendix 2 Impact Assessment Greater Manchester Joint Minerals and Waste Plan

10 Key Decision

10.1 Yes

11 Key Decision Reference

11.1 KDD-26-41

12 Appendices & Background Papers

Appendix 1 – Proposed Delegations
Appendix 2 – Impact Assessment Greater Manchester Joint Minerals and Waste Plan
Appendix 3 – Greater Manchester Joint Minerals and Waste Plan Timetable

Approved by the Chief Executive following consultation with the political group leaders who were in attendance as follows:- Councillors: Decision made under the authorisation contained in Section 9C (5) Delegations of Specific Officers of Part 3 (Responsibility for Functions) and Section 3.6 of Part 4 (Executive Procedure Rules) of the Council Constitution for the Chief Executive to take emergency decisions in respect of the Council's executive functions.
Signed: Shelley Kipling, Chief Executive Dated:
Date of Leaders' Consultative meeting:
Summary of feedback from the political group leaders