

# Transitioning to 2042 and beyond to maintain essential minerals supply

**The Town & Country Planning (Minerals) Act 1981 introduced a provision to impose an end-date on all historic planning permissions for mineral working across Great Britain which were granted permission before 22nd February 1982 without a specified end-date. This was set at February 2042, 60 years after the power came into effect.**

## Background

A significant number of mineral planning permissions will currently expire on the same day in 2042. While some operations will have exhausted their reserves by then, particularly sand and gravel sites, many sites supporting major rock and industrial mineral operations are likely to still contain commercially viable reserves and as such may still be producing essential minerals.

The importance of maintaining productive capacity up to and beyond 2042 is further compounded by the long-term decline in the permitted reserve base with mineral reserves continuing to be sold and consumed at a faster rate than they are being replaced as has been the case for well over ten years.

It can typically take 10 to 15 years to identify and prove resources, secure land and rights, prepare and submit planning applications, and for these to be determined and permissions issued. Therefore, in order to ensure a steady and adequate supply of essential mineral can be maintained, the implications of the 2042 deadline start to become significant in around 5 years time. Given the essential nature of mineral supply to the delivery of national ambitions for infrastructure and housing, whilst increasing our resilience to climate change and delivering the roadmap to net zero, it is vital that the issue of transitioning to 2042 and beyond whilst replenishing supply is addressed now.

## Significance of this issue

The 2042 deadline applies to all historic mineral permissions issued without an end-date before February 1982 across Great Britain. This includes sand & gravel and crushed rock used to support construction activity, but also a wide range of minerals that support other economic activity including cement production, building stone, silica sand, industrial clays and industrial lime.

Aggregates represent the largest proportion of these extractive activities, and the [Aggregate Minerals Survey 2019](#) (AM2019) for

England and Wales undertaken by the British Geological Survey illustrates the scale and significance of this deadline – both in terms of the total number of sites involved (including both active and inactive sites) and the reserves that are permitted within these.

For crushed rock, the planning permission for 152 sites ends in advance of 2042 with a further 115 sites expiring in 2042. Collectively, these permissions represent 68% of the 3.696 billion tonnes (Bnt) of crushed rock reserves permitted across England and Wales at the end of 2019. Significantly, the 115 sites that expire in 2042 are responsible for 48% of these reserves (1.759 Bnt).

For sand and gravel operations, planning permission for 260 sites ends in advance of 2042, with a further 33 sites expiring in 2042. Collectively, these permissions represent 85% of the 459 million tonnes (Mt) of sand and gravel reserves permitted across England and Wales at the end of 2019.

In terms of both the number of sites and the reserves they contain, these sites represent a significant proportion of the productive capacity of construction aggregate supply.

This trend is likely to be replicated across other mineral types across GB.

## Implications

In terms of aggregates, the impact on reserves at 2042 will depend on depletion through sales, and new reserves being permitted in the meantime. The MPA's [AMPS Report 2021](#) indicates that replenishment of aggregates reserves is already below 'parity' with sand and gravel at a 10-year average of 63% and rock at 76%, meaning that reserves are already gradually being run down. Assuming 150Mt of total primary aggregate sales annually, and not taking into account any ongoing reserve replenishment, the reserve base in England and Wales would fall from c.4.2Bnt today to c.1.2Bnt by 2042<sup>1</sup>. This would also have a marked impact upon production capacity beyond 2042 with the pending closure of a large number of sites.

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The need for a large number of sites and tonnage of reserves to be permitted, including through extension of time/end date as well as new reserves (extensions and new sites) will have significant implications for the capacity and resourcing of minerals companies and their consultants in preparing applications and associated evidence base, and also for mineral planning authorities and regulators including the Environment Agency to deliver the anticipated time-critical workload that will be required. Recent experience in both industry and regulators indicates difficulties in recruiting and retaining sufficient and experienced personnel to prepare and process applications and associated permits. The unprecedented scale of applications required to maintain a steady and adequate supply of minerals beyond 2042 will require substantial resourcing and recruitment of suitably qualified planning and technical staff. This represents an opportunity to consider alternative ways to deliver the timely, efficient and resilient mineral planning services that will be required.

## Next steps

In the case of those sites with planning permissions that expire in February 2042, many of these are likely to contain commercially viable mineral reserve. MPA is therefore undertaking further work to understand the legal routes through which the ability to continue to work these resources can be secured, where this may be appropriate.

In the meantime, central and devolved government, mineral planning authorities and where appropriate Aggregate Working Parties and Regional AWP's need to be aware of the potential for a supply crunch, especially for crushed rock, beyond 2042.

Mineral planning authorities will need to consider the potential reserve requirements, and maintenance of sufficient landbanks, beyond 2042 and recognise the risks to existing reserves when preparing Minerals Local Plans, Local Aggregates Assessments and evidence bases, and projections such as the Regional Technical Statement reviews including for making adequate provision for new reserves of aggregate and non-aggregate minerals.

Whether future mineral supplies are met by the re-consenting of existing reserves or through securing new and alternative reserves, the workload required to deliver the necessary casework over the next 20 years will be significant. All parts of the mineral planning process will therefore need to be properly resourced to ensure that sufficient applications are prepared and determined in a timely manner.

Given the role of minerals across the wider economy, DLUHC and devolved administrations must consider strengthening national minerals planning policy to give weight to the need to ensure timely permissions are granted and reserves are replenished to ensure the availability and supply of essential minerals beyond 2042.

<sup>1</sup> BGS AM2019 cites 148mt sales in England & Wales in 2019 of which crushed rock was 95.8mt and sand & gravel 40.9mt. Aggregates reserves in England & Wales in 2019 were 4,157mt of which 3,687mt were crushed rock and 460mt sand & gravel.



The Mineral Products Association is the trade association for the aggregates, asphalt, cement, concrete, dimension stone, lime, mortar and silica sand industries.

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