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Please find enclosed the response from Warwickshire County Council in relation to the Grand Union Canal Transfer Project.

Grand Union Canal – EIA Scoping Report  
Chapter 21 – Materials and Waste

Warwickshire is affected by Parts 1b and 2. Part 1b comprises the pipeline and the outfall at Atherstone while Part 2 is the canal.

Comments are based on the pages and paragraphs in the chapter.

Page 5. Environmental Improvement Plan – we need details of the proposed “Soil Reuse and Storage Depot scheme” as it will be significant particularly in the pipeline section. Pages 10.11 and 13. For some reason the minerals and waste elements WCC are responsible are duplicated by district and borough. WCC needs to be separate authority to avoid confusion and duplication.

Page 10. There is a significant omission of the implications for the scheme from the adopted minerals local plan. Firstly, there is no mention of the safeguarded mineral resources the project will pass through. Many MSAs will be affected including Brick clay, crushed rock at Atherstone, building stone, shallow coal, and sand and gravel. This needs to be properly assessed. Second there is no differentiation between existing mineral sites and allocations in the minerals local plan.

At the moment the non-inclusion of Mineral Safeguarding is in the opinion of WCC inconsistent with the up-to-date policies in the NPPF (216 c, d, and e and 218.) and the adopted mineral Plan (MCS 5 and DM10).

In essence the NPPF and the local plan policies require the following elements to be considered for non-mineral development such as this:

- (a) it should avoid sterilising mineral resources of local and national importance.
- (b) it should avoid constraining or preventing the operation of existing mineral and mineral infrastructure and.
- (c) it should avoid constraining the operation of allocated sites.

As far as I can see from the Scoping Report none of these items has been adequately addressed.

The development is not exempt development for the purposes of Appendix 3 of the adopted Minerals Local Plan, so a Minerals Assessment Report is required to be submitted

and agreed. Paragraphs 9.177 – 9.180 in the adopted Minerals Local Plan set out the requirements to be met in preparing a report. In the opinion of the WCC the evidence in the Scoping Report does not fully address these requirements and therefore unnecessary sterilisation of valuable mineral resources may take place

WCC believe that potential peat resources sterilisation has not been addressed.

Page 19. Section 21.4 and Table 21-3 reference needs to be made to safeguarded mineral resources and allocations in the adopted minerals local plan.

Pages 19, 20 and 21 and Table 21-4. Due to the location of Part 1b which is close to both the Staffordshire and Leicestershire borders the study areas needs to be expanded to reflect this particularly as there are mineral resources, mineral sites and waste sites which could be affected. These elements would also be important for supplying materials to the project and taking waste to landfill. So, in Table 21- 4 Part 1b should include Staffordshire and Leicestershire and the East Midlands Region.

There is also no mention of the requirement to consider other projects (cumulative assessment) which may have an impact on the availability of resources and capacities. This would include HS2, the A46 DCO and also the major development at Ansty north of Coventry.

Page 22. Paragraphs 21.5.4 and 21.5.5- Baseline Conditions. Reference needs to be made to the 2023 Aggregates Minerals Survey for Great Britain which will be published this year and will have implications for determining future supplies of construction materials for the project locally, regionally, and nationally. There is also a need to make reference to the Local Aggregates Assessments for Warwickshire, West Midlands, Staffordshire, and Leicestershire. A key document regionally is the West Midlands Aggregates Working Party annual reports. All of these documents have the potential to change the data in Table 21-5 on page 23.

Page 22 Paragraph 21.5.2 – A key component will be the extent to which the pipeline section will consume existing resources released along the route. The emphasis should be on avoiding importing primary aggregates to form the base and also for backfilling the pipeline trench.

Pages 24 -27 and 32 Tables 21 – 7, 21-8 and 21 -9. There is no reference to safeguarded mineral resources set out in MSAs. The data for waste derived from the adopted Waste Core Strategy is well out of date. Figure 3.1 reflects the position as of 2009 and therefore will need to be updated.

Page 39. Landfill capacity. Reference should be made to the West Midlands RTAB publication “Landfill in the West Midlands – 2019”. During this year, a new document will be produced for the West Midlands by the RTAB – “Resilience of Non- Hazardous Residual Waste Management Capacity in the West Midlands.” Another key document is DEFRA’s “Residual Waste Infrastructure capacity note 2024”. It is not clear from the document how different waste types are to be dealt with in particular canal dredgings and whether there

will be sufficient facilities available to treat the waste.

Page 41. Future baseline. There is publicly available information on construction materials, minerals, and waste so the arguments made are not supported. The following sources are relevant:

Minerals – Adopted minerals local plans, AM 23, LAAs and WWAMP annual reports.

Waste – adopted local plans, RTAB reports and the DEFRA capacity note.

Pages 42 and 43 Table 21 -15 and also page 51 and paragraph 21.7.12 a. WCC do not agree that waste from construction components should be scoped out. This assumes that all the materials will be imported to the project which will have significant environment and climate change effects. There is also a need to ensure that the contribution of recycled aggregates is maximised. At the moment the effects on safeguarded mineral resources must be scoped in.

Page 43 Table 21-16 Because the impact of other projects mentioned above has not been assessed at all “Changes in availability of materials” should be scoped out.

Page 44 Table 21-16. Because the exact quantities of waste to be created and then dealt with has not been provided and not related to the needs and demands of other projects “changes in available landfill void capacity “should not be scoped out.

Page 44 Table 21 -16 B Because the waste sites data is well out of date there is no information on the capacities of the existing sites to accommodate the needs of the GUC project, no information on mineral resources and no details of the impacts on existing permissions, permits, site closure and new sites coming forward “Changes to safeguarded mineral and waste sites “should not be scoped out.

Page 45 paragraph 21.7.3 “Safeguarded mineral resources” should be included as a sensitive receptor. This will also require a change to Table 21- 17

#### Development Management:

From a Development Management perspective, we would like to see routing agreements for all accesses onto the public highway to ensure minimal disruption from HGV's on the rural highway network.

We would also request that the following informative notes are applied:-

1. Prior to commencement of development, the applicant is required enter into an agreement with the Highway Authority under Section 59 of the Highways Act 1980. Prior to works taking place on site and following completion of the development, a joint survey shall be undertaken with the County's Locality Officer to agree the condition of the public highway. Should the public highway be damaged or affected as a consequence of the works being undertaken during the development of the site, the developer will be required to undertake work to remediate this damage as agreed

with the Locality Officer.

2. Before commencing any Highway works the applicant / developer must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Application should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less, ten days notice will be required. For works lasting longer than 10 days, three months notice will be required.

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