

**JOINT SCRUTINY OF THE WEST of ENGLAND PARTNERSHIP
BATH AND NORTH EAST SOMERSET COUNCIL, BRISTOL CITY
COUNCIL, NORTH SOMERSET COUNCIL AND SOUTH
GLOUCESTERSHIRE COUNCIL**

5th September 2008

**TITLE: JOINT WASTE CORE STRATEGY: PREFERRED OPTIONS
DOCUMENT AND CONSULTATION PLAN**

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RECOMMENDATION

The West of England Joint Scrutiny Committee is recommended to:

- (1) Agree the statement set out under Appendix 1 as their formal views on the Preferred Options Pre-Consultation Draft Document and Consultation Plan for consideration by the West of England Planning, Housing and Communities Programme Board.

Policy

1. Following changes introduced by the Planning and Compulsory Purchase Act 2004, Councils are required to prepare a local development framework, which, together with the Regional Spatial Strategy, will replace existing development plans.
2. The four West of England Authorities are working together to prepare a Joint Waste Core Strategy in recognition of the strategic benefits that such an arrangement offers. When adopted, the Joint Waste Core Strategy will become part of the Local Development Framework of each constituent Authority. It will provide a framework to guide the more detailed waste planning policies of each Authority.

Consultation

3. The West of England Partnership Joint Scrutiny Committee together with the Unitary Authority Scrutiny Committees / Panels are being consulted on the Pre-Consultation Preferred Options Document.

Context

4. The Preferred Options Pre-Consultation Document is prepared in the context of an emerging Regional Spatial Strategy. It proposes a spatial planning option for the distribution of the waste management facilities that will be required over the plan period and identifies the potential sites considered suitable for strategic waste management facilities.
5. The document also proposes how the identified need for landfill can be met either within the West of England or by continuing to export waste to landfill elsewhere.

Proposals of the Pre-Consultation Preferred Options Document

4. The draft Preferred Options Pre-Consultation Document focuses on four waste planning policy areas: Waste Minimisation; Recycling and Composting; Recovery and Landfill.
5. **Waste Minimisation:** The recommended preferred option is to include in the Joint Waste Core Strategy a Policy that promotes the use of Waste Audits in accordance with the draft Regional Spatial Strategy Policy W4 and to identify the types of development that it would apply to.
6. **Recycling and Composting:** The recommended preferred option is to include in the Joint Waste Core Strategy the criteria for assessing the suitability of sites for Recycling and Composting facilities, including supporting the provision of Inert Waste Recycling facilities, Household Waste Recycling Centres, small-scale Open Windrow Composting on farms, In-vessel Composting facilities and maintaining the existing provision of Non-inert Material Recycling / Waste Transfer facilities.
7. **Recovery:** This is the process of extracting a product of value from waste materials, including recycling, composting and energy recovery. The preferred spatial option (option C) identifies suitable sites to enable the distribution of waste recovery facilities sufficient to provide capacity for the treatment of some 800,000 tonnes of residual waste each year.
8. **Landfill / Landraise:** The Joint Waste Core Strategy will need a strategy to provide additional capacity for non-inert landfill space if the West of England is to become self-sufficient in landfill capacity for non-hazardous waste. The draft Regional Spatial Strategy sets out indicative capacity targets for non-inert landfill / landraise (but not for inert landfill). These assume that the capacity to divert non-hazardous waste from landfill to other forms of treatment will mean that the requirement for landfill / landraise reduces over time.

9. While there is an acknowledged need, an on-going assessment of landfill / landraise capacity highlights the limited existing and planned capacity. It also shows that there are limited areas not otherwise constrained by major aquifer or international wildlife designation (including buffer zones) to search for new landfill / landraise sites.
10. The preferred option for non-hazardous landfill (including landraise) is that the Joint Waste Core Strategy should identify on the Key Diagram Landfill Search Areas based on the findings of the Landfill Study and to identify relevant criteria for the consideration of planning proposals for landfill coming from the market, together with investigating the scope for continued reliance on landfill facilities outside the West of England.

Consultation on the Preferred Options

11. As part of the Consultation Plan, it is proposed to hold public events; one in each area of the four constituent Authorities. These will be informal “drop-in” events, supported by exhibition and information material. Officers will be on hand throughout each event to inform the public about the Preferred Options.

Joint Scrutiny Committee consideration of the Pre-Consultation Preferred Options Document

12. The Joint Scrutiny Committee discussed the pre-Consultation Preferred Options Document at its meetings on 11 and 25 July and at a Workshop on 15 August 2008. A number of detailed points were raised and responses were made by Officers and, in the case of the Workshop, consultants who had undertaken technical studies and a Sustainability Appraisal. A summary of some of the headline issues are as follows:

A. Why Option C?

Option C provides for residual waste capacity of 390,000 tonnes in North West Bristol, 150,000 tonnes in Keynsham, 100,000 tonnes in each of Weston-super-Mare and Yate and 60,000 tonnes in Inner / South / East Bristol, and would be in general conformity with the emerging Regional Spatial Strategy.

Option C is more deliverable than the more dispersed Option B, which envisages eight separate 100,000 tonne facilities, with no economies of scale, and it is more flexible than Option A which includes two 400,000 tonne facilities.

The Sustainability Appraisal identifies Option C as providing the greatest sustainability benefits. Option C:

- is deliverable and would provide the required strategic waste management infrastructure;
- provides more opportunities for the commercial sector;
- minimizes waste transport, energy consumption, greenhouse gas emissions and other emissions from waste transport, and

requires fewer sites than Option B and captures other benefits derived from economies of scale.

B. Why accept RSS Apportionment Figures, which are based on old data?

The Joint Waste Core Strategy is required to be in general conformity with the Regional Spatial Strategy. The Examination in Public Panel considered representations that the indicative waste capacity apportionments should be based on the latest data available. The conclusion was that the delay and cost involved in providing up-dated apportionments could not be justified given the urgent requirement for new treatment facilities other than landfill.

C. Is there scope for using Commercial and Industrial facilities in the West of England for Municipal Waste?

Other than landfill facilities, there are limited Commercial and Industrial facilities located within the West of England. In the future there may be scope for the joint use of treatment facilities by Municipal and Commercial and Industrial waste.

D. What is the role of Combined Heat and Power facilities in the proposed Urban Extensions?

Waste treatment facilities that provide fuel directly or indirectly for the Combined Heat and Power could have an important part to play in the proposed new urban extensions. The opportunity to install such facilities from the outset should be tested during the early planning / master-planning stages.

E. There is a need for smaller facilities.

In terms of residual waste treatment facilities there will be economies of scale relating to the size of plant. Option C attempts to optimise the benefits of waste treatment facilities.

F. What will the legal status of the Joint Waste Core Strategy be in relation to other core strategies?

The Joint Waste Core Strategy will formally be part of the Core Strategy of each of the Unitary Authorities. It will have the status commensurate with a planning policy document that is part of the development plan for each Unitary Authority area, and as such is a material to the consideration of planning applications concerning strategic waste management facilities.

G. Why not improve recycling – there will then be no need for so much recovery capacity?

The Joint Waste Management Strategy assumes that there will continue to be improvements to recycling in order to achieve at least the targets set out under the National Waste Strategy. However, there would still be a substantial amount of residual municipal waste to be managed. In addition there would continue to be substantial amounts of Commercial and Industrial residual waste to be managed at recovery facilities.

H. Why is there no indication of the type or range of types of technology that could be located on the identified sites?

The proposal is that the Joint Waste Core Strategy should be technology neutral. The sites themselves were chosen because it was considered that they would be suitable for a range of waste treatment technologies. This increases the flexibility to allow new technologies, some of which may be at a prototype stage at the present time, to come forward at a later date. However, if further study (such as in relation to the Habitats Regulations Assessment or Flood Risk) suggests that certain technologies would not be suitable for specific sites, this could be reflected in the wording of the site specific planning policies and proposals.

Legal and Resource Implications

Legal

13. The Joint Waste Core Strategy is being prepared in accordance with the statutory provisions of the Planning and Compulsory Purchase Act 2004 and regulations set out in The Town and Country Planning (Local Development) (England) Regulations 2004.

Financial

14. None arising directly out of this report.

Appendices:

Appendix 1: Recommended Response of the Joint Scrutiny Committee

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers :

- Planning and Compulsory Purchase Act 2004
- The Local Authorities (Functions and Responsibilities)(England) Regulations 2000 (No. 2853) (as amended)
- The Town and Country Planning (Local Development) (England) Regulations 2004 as amended by the Town and Country Planning (Local Development)(England)(Amendment) Regulations 2008
- The Appropriate Assessment (Regulation 48) The Conservation (Natural Habitats &c) Regulations 1994 (as amended)
- Planning Policy Statement 10 Planning for Sustainable Waste Management, July 2005
- Planning Policy Statement 12: Local Spatial Planning, June 2008
- Draft Regional Spatial Strategy for the South West, June 2006
- Draft Regional Spatial Strategy for the South West, Examination in Public Panel Report, December 2007
- Issues and Options: A Consultation Document to Develop a Waste Management and Planning Strategy for the West of England, Technical Document, January 2007
- Report on Responses to the Issues and Options Consultation January – March 2007
- West of England Joint Waste Strategy
- Joint Waste Core Strategy Preferred Options - Interim Sustainability Appraisal

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Joint Waste Core Strategy: A Response to the invitation of the West of England Waste Strategy Member's Project Board for views on the draft Pre-Consultation Preferred Options Document and Consultation Plan.

The Joint Scrutiny Committee welcomes the opportunity to comment on the draft pre-Consultation Preferred Options Document and Consultation Plan.

Less Waste, more Resource

Less waste involves a more efficient use of resources, and requires less waste collection and treatment. Continued improvements in waste minimisation are imperative if we are to achieve a more sustainable approach to the management of waste. More needs to be done to promote a reduction in Commercial and Industrial waste, although it is recognised that this is outside of the remit of the Joint Waste Core Strategy.

More efficient re-use and recycling that meets or exceeds national waste strategy targets will also promote the better use of resources, and the Joint Scrutiny Committee recognises that the Joint Waste Core Strategy does have a role to play in enabling a strategic network of recycling and composting sites within the West of England. As a planning document, the Joint Waste Core Strategy also has a role to play in promoting better use of waste in new development, both during the construction stage and during the operational life of the development.

Proposals for Strategic Waste Management Facilities

The Joint Scrutiny Committee supports the proposal to engage with the public and stakeholders on the spatial options and possible sites suitable for delivering the much needed waste management infrastructure within the West of England in order to divert residual waste away from landfill. While it is recognised that there is a continuing need for landfill / landraise in the West of England, the Committee is keen to see dialogue taking place with other authorities on cross-boundary issues. There may be waste management facilities, including landfill, available in adjoining authorities with spare capacity. There may also be scope for Commercial and Industrial facilities either within or outside of the area to be used to manage Municipal waste.

Regional Spatial Strategy Proposals

The baseline data used to inform the sub-regional apportionments for recovery capacity set out in the draft Regional Spatial Strategy is out of date and not sufficiently robust to justify the proposals in Policy W1.

The Joint Scrutiny Committee accordingly recommends that in responding to the Proposed Changes to the draft Regional Spatial Strategy, the West of England Unitary Authorities should request that RSS Policy W1 be amended to require more up-to-date data to be taken into account by waste planning authorities when making proposals for strategic waste management facilities.

With improvements in recycling and re-use, it should be recognised that there will be less need for the indicative waste capacity apportionment proposed by the draft Regional Spatial Strategy.

Opportunities for Combined Heat and Power Schemes powered by waste

It is recognised that the additional houses proposed in the draft Regional Spatial Strategy will have significant implications for the future management of waste. This may present opportunities to enhance the network of waste management facilities. The opportunities for waste, either directly or indirectly (through the production of “Refuse Derived Fuel”) to contribute to Combined Heat and Power (CHP) schemes as part of the proposed urban extensions should be investigated as a matter of urgency.

Hazardous Waste

The Joint Scrutiny Committee accepts that due to the specialist nature of its treatment, hazardous waste should continue to be exported.

Consultation

The consultation strategy should reflect the importance to the public of establishing the most effective and sustainable strategy waste management strategy. Consideration should be given to holding more than one “drop-in” consultation event in each Unitary Authority area, giving priority to areas most likely to be affected by the emerging proposals for strategic waste management sites.