

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

11th July 2008

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

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RECOMMENDATION

The Joint Committee is recommended to:

- (1) Note that the West of England Waste Management and Planning Strategy Member Project Board, at their meeting held on 17 June 2008, agreed to consult the West of England Partnership Joint Scrutiny on a Preferred Options Pre-Consultation Draft Document and Consultation Plan, and for the matter to return for further consideration at their next meeting to be held in mid September 2008; and
- (2) Make their formal views on the Preferred Options Pre-Consultation Draft Document and Consultation Plan, as set out under Appendix 1, known to the West of England Planning, Housing and Communities Programme Board, as successor to the Member Project 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 have agreed to work 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. In addition to pre-consultation with the West of England Partnership Joint Scrutiny the respective Unitary Authority Scrutiny Committees / Panels representing Bath and North East Somerset Council, Bristol City Council, North Somerset Council, and South Gloucestershire Council are also being consulted.

Context

4. The draft Preferred Options Pre-Consultation Document 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 for strategic waste management facilities. The proposals for sites suitable for Waste Recovery facilities are being informed by a study of sites considered suitable having regard to criteria determined at the previous Issues and Options stage. These represent draft proposals resulting from work in progress.
5. There is a need to provide substantial additional landfill capacity. An on-going assessment of the capacity of existing and planned landfill (including landraise) facilities in the West of England is highlighting the limited capacity of existing planned provision and the limited amount of land not otherwise constrained by major aquifers or international wildlife sites. The Joint Waste Core Strategy will need to show 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

4. The draft Preferred Options Consultation Document focuses on four policy areas relating to waste. These are: 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, 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 a Policy on the criteria for Recycling and Composting, including providing support for the provision of Inert Waste Recycling facilities, Household Waste Recycling Centres

in certain specified locations, 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 is to identify suitable sites to enable the distribution of waste recovery facilities sufficient to provide capacity for the treatment of some 800,000 tonnes of 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 is highlighting the limited existing and planned capacity. It is also demonstrating 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.
11. **Appropriate Assessment:** It is necessary, under the Habitats Directive, to ensure the protection of the integrity of European Wildlife Sites within and outside of the plan area.
12. A Screening Report is being prepared to see if the Preferred Options proposals are likely to have a significant effect on any European Wildlife Site. This will be consulted upon alongside the Preferred Options Document and Sustainability Appraisal.
13. **Strategic Flood Risk Assessments:** Planning Policy Statement 25 concerns development and flood risk. It requires that local planning authorities, in preparing their Local Development Frameworks should undertake a Strategic Flood Risk Assessment (SFRA) for the whole of their administrative area.

14. In the West of England, each Authority is undertaking a SFRA for their area. These are at different stages of preparation and, as with the Appropriate Assessment, the consideration of the findings of the Strategic Flood Risk Assessments may require reconsideration of the appropriateness of the currently identified sites.
15. **Sustainability Appraisal:** A Sustainability Appraisal of the Preferred Options is being prepared by external consultants. The interim Sustainability Appraisal report is a background report.

Consultation

16. The publication of Planning Policy Statement 12: Local Spatial Planning and the associated amendments to local development regulations on 4 June 2008 introduced changes to the process of preparing development plan documents. Consultation on “Preferred Options” is no longer a formal stage in the preparation of development plan documents.
17. Consultation on the Joint Waste Core Strategy Preferred Options document will be part of the consultation during the preparation phase of the Plan, which has included consultation on Issues and Options. The consultation requirements are less prescribed. However, the Consultation Plan will need to reflect the requirements of the Statements of Community Involvement of the constituent Authorities.
18. 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.
19. In line with the approach adopted at the previous Issues and Options stage, it is proposed to prepare both a full version of the Preferred Options Consultation Document and a non-technical summary. All consultation documents, including information about proposed development sites and general areas will be made available on the www.rubbishorresource.co.uk and the www.westofengland.org websites, with links from each Authority’s website. The public and stakeholders will be encouraged to respond to the consultation document online, but alternative means of responding will also be provided.

Legal and Resource Implications

Legal

20. The Joint Waste Core Strategy will need to be 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. They will have regard to Government policy as set out in PPS12 *Local Development Frameworks* and PPS10 *Planning for Sustainable Waste Management*, and be in general conformity with the Regional Spatial Strategy.

Financial

21. None arising directly out of this report. The financial costs associated with the proposed studies and consultation can be met from existing budgets.

Appendices:

Appendix 1: Preferred Options Pre-Consultation Document (June 2008)

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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