

Subject:	East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan - Background Papers		
Date of Meeting:	19 January 2012		
Report of:	Strategic Director, Place		
Contact Officer:	Name:	Mike Holford	Tel: 29-2501
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Key Decision:	No		
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 This report seeks approval of twelve technical studies that provide background and supporting evidence for the draft East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan. A report on the Waste and Minerals Plan itself is elsewhere on this agenda.
- 1.2 Some of these studies are considered draft as they will be updated as new information becomes available as time progresses.

2. RECOMMENDATIONS:

- 2.1 That the following documents as supporting evidence for the draft East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan be approved:
 - Landfill, Landraise and Surcharging in East Sussex and Brighton & Hove
 - Sustainable Locations for Waste
 - Review of Future Waste Management Capacity Requirements
 - Assessing the potential for Heat Capture from Energy from Waste Facilities
 - Defining Strategic Waste Facilities
 - Hazardous Waste Review
 - Low Level Radioactive Waste - Review of the future Management Needs
 - Residual Waste from London Study
 - Sustainable Transport Feasibility Study (draft)
 - Road Transport Implications of Strategic Locations for Waste Facilities
 - Waste Minimisation Research (draft)
 - Strategic Flood Risk Assessment

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The Waste and Minerals Plan (formerly Core Strategy) is being produced with East Sussex County Council and the South Downs National Park Authority.

Consultation on a draft Waste and Minerals Plan took place from 27th October to 8th December 2011. Comments received during this informal consultation have been considered and a revised Waste and Minerals Plan (WMP) is being reported to Cabinet and Council in January 2012 with a recommendation that the Plan be submitted for public examination. The City Council's two partners are following similar timetables. Statutory public consultation will then take place prior to submission of the Plan to Government. A public examination is likely to be held in autumn 2012. Adoption is programmed for early 2013.

- 3.2 The WMP when adopted will be a policy document within the Local Development Framework that was introduced by the Planning and Compulsory Purchase Act 2004. The WMP will sit alongside the City Plan, when adopted, and will provide an overall strategic vision and policy framework for waste and minerals policies for the City and East Sussex until 2030 (including that part of the South Downs National Park which falls within the City and County). The WMP is required to conform to national policy and be supported by a sound evidence base. Although the background studies inform the policy approach they do not determine policy. However, the background studies do require formal adoption by the Council. Some of the studies are considered draft as they will be updated as information becomes available as time progresses.
- 3.3 The twelve background studies subject to this report are technical documents produced to help ensure that the WMP is considered sound. The background studies under consideration here are:-

Landfill, Landraise and Surcharging in East Sussex and Brighton & Hove:

Further work analysing the suitability of land disposal sites (namely landfill or land raising sites), has demonstrated that they all suffer from significant, previously unidentified constraints which seriously inhibit the development of such sites. At a strategic level changes to the financial context, caused in particular by further increases to landfill tax, mean that development of a new land disposal site within the WMP Area is increasingly unlikely while capacity exists elsewhere in the South East.

Sustainable Locations for Waste Development: The draft WMP identifies a "capacity gap" between the amount of waste that will be produced and the capacity of existing waste recycling and recovery facilities, and provides an indication of the number of new facilities that could be required during the plan period to meet the gap. The purpose of this background paper is to provide further clarification about the approach proposed in the draft WMP. The paper only considers aspects relating to waste recycling and recovery facilities.

Review of Future Waste Management Capacity Requirements: This report focuses on updating previously completed work and identifying the requirements for the development of additional waste management. As such the report is aimed at providing additional confidence in the approach, data and assumptions used to establish the existing and the likely future waste management capacity requirement. The report establishes that sufficient opportunities for waste management have been planned for and, in doing so, demonstrates the deliverability of the Waste and Minerals Plan.

Assessing the potential for Heat Capture from Energy for Waste Facilities:

Critical success factors in the development of waste derived Combined Heat & Power include:

- Establishing a reliable long term heat market;
- Local authorities taking the lead in establishing local heat loops, linking their own premises to it and adopting planning policies that support their expansion;
- Creation of an energy services supply vehicle to share installation costs of the heat supply.

Defining Strategic Waste Management Facilities: The objective of this report is to establish the site (land use) requirements of the different types and sizes of Strategic Waste management facility that will be required to fill the waste management capacity gap for municipal solid waste and commercial and industrial waste in the plan area.

Hazardous Waste, Review of the Future Management Needs: This is a review of an earlier study. Data sources and predictions on hazardous waste growth and capacity needs were re-evaluated in light of national and local policy changes and commercial and other factors which could influence the longer term provision of hazardous waste management capacity.

Low Level Radioactive Waste : Review of the Future Management Needs:

Low-level and very low level radioactive wastes have hazardous properties which require a specialist waste management approach. It is evident that self-sufficiency is not appropriate for all waste streams and facilities to deal with this waste stream are already provided in the wider South East region and nationally.

Residual Waste from London Study: The study draws together data from the findings of a number of studies to demonstrate, through a thorough process of gathering and testing evidence at the local level, that it is not appropriate for East Sussex and Brighton & Hove to meet the apportionment of land disposal of London's waste, as set out in the South East Plan.

Sustainable Transport Feasibility Study (draft): The purpose of the study is to establish the feasibility of transporting waste and minerals by rail and water into, out of and within the plan area. The main finding was that a transport strategy for waste based around rail freight is likely to be viable provided certain conditions could be met.

Road Transport Implications of Strategic Locations for Waste Facilities:

The main conclusion based on the impacts on the road network reveals a preference for strategic locations that are located close to the freight network and which are not concentrated on a single centralised facility. Vehicle movements associated with waste trip movements are very low compared to most other land use types.

Waste Minimisation Research (draft): The research suggests that minimum estimated future Municipal Solid Waste arisings might be achievable by successful implementation of the waste reduction initiatives identified. Insufficient information regarding the potential of Commercial & Industrial waste reduction initiatives to reduce waste arisings was identified.

Strategic Flood Risk Assessment: An assessment of flood risk is provided for each of the existing and allocated waste and minerals sites within East Sussex and Brighton & Hove. Guidance is provided for sites at risk of flooding to assist in the application of the Sequential Test as well as the implications for existing waste and mineral sites identified as being at risk of flood. Recommendations are included for preparing a site specific Flood Risk Assessment, where one is required, to accompany a planning application and for new sites, for changes to existing sites, or for new development on allocated waste or mineral sites

4. COMMUNITY ENGAGEMENT AND CONSULTATION

- 4.1 Public Consultation took place on the draft Waste and Minerals Plan from 27th October to the 8th December 2011. The technical studies were available on the consultation portal. The studies themselves were technical supporting documents not requiring formal public consultation. Consultation took place with stakeholders on technical issues where appropriate.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 Costs are shared proportionally between the City Council, East Sussex County Council and the National Park Authority. The Council's share of the costs will be met from within existing Planning revenue budgets.

Finance Officer Consulted: Karen Brookshaw

Date: 23/11/11

Legal Implications:

- 5.2 The Studies referred to in this report are background papers that will inform policy in the Waste and Minerals Plan. The Waste and Minerals Plan is a development plan document as defined in the Planning and Compulsory Purchase Act 2004. Section 20 (5)(b) of the 2004 Act requires development plan documents to be tested by planning inspectors for soundness prior to adoption. As part of this test Planning Policy Statement 12: Local Spatial Planning (paragraph 4.37) provides that development plan documents should have a sound evidence base. The Studies the subject of this Report will form part of the required evidence base for the relevant policies in the Waste and Minerals Plan.

No adverse human rights implications are considered to arise from the Report

Lawyer Consulted:

Name Hilary Woodward

Date: 21/11/11

Equalities Implications:

- 5.3 An Equalities Impact Assessment has been carried out on the draft WMP. No specific equalities issues have been identified.

Sustainability Implications:

- 5.4 A statutory Sustainability Appraisal has been produced to inform production of the WMP.

Crime & Disorder Implications:

- 5.5 None arising from this report.

Risk and Opportunity Management Implications:

- 5.6 The City Council as waste planning authority has responsibility for ensuring that planning polices allow for all waste (and not just municipal waste for which it also has responsibility for collection) to be managed in a sustainable manner. It is important that these polices are supported by robust evidence.

Public Health Implications:

- 5.7 None directly arising from the report.

Corporate / Citywide Implications:

- 5.8 The WMP once adopted will ensure that waste is managed in a sustainable manner and give certainty to the waste management industry and the public alike as to the Council's approach.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The Studies are required by Government planning guidance requiring plans to be supported by a sound evidence base. Without formal approval of the background studies the evidence base to the WMP may be considered unsound.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To gain formal approval of the twelve background studies that form part of the evidence base for the East Sussex, South Downs and Brighton & Hove Waste & Minerals Plan.

SUPPORTING DOCUMENTATION

Appendices:

None

Documents in Members' Rooms

None

Background Documents

1. Landfill, Landraise and Surcharging in East Sussex and Brighton & Hove
2. Sustainable Locations for Waste
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6. Hazardous Waste Review
7. Low Level Radioactive Waste - Review of the future Management Needs
8. Residual Waste from London Study
9. Sustainable Transport Feasibility Study (draft)
10. Road Transport Implications of Strategic Locations for Waste Facilities
11. Waste Minimisation Research (draft)
12. Strategic Flood Risk Assessment
13. Proposed Submission Draft Waste and Minerals Plan for East Sussex, South Downs and Brighton & Hove