

**JOINT WASTE DEVELOPMENT PLAN –
PREPARATION FOR SUBMISSION OF THE CORE STRATEGY**

Purpose of the Report

1. To report on progress with the Nottinghamshire and Nottingham Waste Core Strategy where the process is moving towards Full Council approval from both Authorities in December for the submission of the Draft Waste Core Strategy for independent examination.

Information and Advice

2. The preparation of the Waste Core Strategy has gone through a number of key stages to gather and present evidence and put forward the issues and establish the options that been considered as part of developing the final Plan. This has included several stages of informal consultation and a recent publication stage to allow for formal representations from the public and other stakeholders.
3. As reported to the last Joint Committee the Waste Core Strategy Proposed Submission Document was published for a formal period of public representations between 5 March and 30 April 2012. 220 representations from a 34 different organisations and individuals have now been considered. A schedule of representations received and the councils' responses has been produced and published as a background paper to the relevant committee/executive board reports.
4. As reported to the previous Committee there are changes necessary to the Plan arising from the representations. Other changes to policies are necessary as a result of discussions with nearby waste planning authorities under the Councils' Duty to Co-operate', which is a requirement of the Localism Act. Finally, changes are also needed as a result of the introduction of the National Planning Policy Framework (NPPF) in March 2012.
5. These changes fall into two categories,
 - Main changes; this is the term given to major changes, which will be considered by the Inspector at the forthcoming Examination of the Plan as an integral part of the Submission Draft Plan.
 - Minor changes; these are minor, technical and typographic changes that do not affect the substance of the Plan. These are also published, but will not be considered at the Examination.
6. A schedule of all the Proposed Changes, main and minor has been presented as an appendix to the relevant committee/executive board reports.

Summary of Key Responses to Representations and Main Changes

7. There were challenges to waste data used as evidence in the Plan. Whilst this could be a significant matter, the challenge is not accepted on the grounds that the Plan uses the most up to date figures/estimates and no additional, more reliable or accurate information has been presented by the objectors. As the objectors are seeking a reduction to waste arisings without any substantive evidence to support it, no changes are proposed to the Plan.
8. There have also been objections from Natural England and the Environment Agency on points of detail. These are more appropriate for the Development Management policies, which will be in a later Development Plan Document (DPD).
9. In line with the NPPF, and in accordance with guidance from the Government's Planning Advisory Service (PAS), the Councils need to amend the Plan to include a policy that reflects the overarching principle of sustainable development. Advice received indicates that inclusion of this policy is the most straightforward way of demonstrating compliance to an Inspector. The addition of this policy is one of the main changes set out in the schedule.
10. A nearby waste authority has objected to the lack of a specific policy on hazardous and low level radioactive waste. Officers from the Authorities have met regarding this matter and changes are proposed to Policy WCS4 (now *Disposal sites for hazardous, non-hazardous and inert waste*) to reflect this.
11. Changes are proposed to Policy WCS5 (*Power station ash*) to recognise the potential for, but limitations of, stockpiling pulverised fuel ash (PFA) for future recycling or re-use.
12. Amendments are proposed to Policy WCS6 (*General Site Criteria*) to clarify that this applies to facilities for all types of waste, including hazardous, unless specified otherwise in the text. Additional text also confirms that Green Belt policies will also apply where relevant.
13. A proposed amendment to Policy WCS9 on safeguarding expands this policy to cover the need to safeguard land for the possible future expansion of facilities.
14. Changes are also proposed to Policy WCS11 to reflect that Planning Policy Statement 10 (PPS10) does not allow for an assessment of need where facilities are in line with an up to date development plan. The policy has therefore been amended to ensure that proposals likely to bring in waste from outside Nottinghamshire must demonstrate wider sustainability benefits in terms of either the site location or the waste hierarchy. It is now titled *Managing non-local waste*.
15. Concerns were raised over an inadequate level of environmental protection in policy WCS12 with wording being overly positive towards waste facilities. Officers held subsequent discussion with objectors, development management teams and took into account the new guidance in the NPPF. Policy WCS12 has been re-drafted to be more specific on the circumstances in which development would not be allowed; this should provide a more robust basis against which to determine future planning applications and

if necessary defend against appeals. It is also now titled *Protecting and enhancing our environment*).

16. Further Sustainability Appraisal work has been undertaken in order to assess the potential impacts on social, economic and environmental factors brought about by the Proposed Changes to the Plan. An Equalities Impact Assessment has also been done, as required.

Next steps

17. The two Authorities will now approve the Schedule of Changes through Full Council meetings scheduled for September. The changes to the Core Strategy will then undergo a six week period for representations ending in November. Once this process has been completed, the Authorities' Full Councils will be asked to give approval for the Plan to be submitted to the Secretary of State for Examination. The Examination of the Plan by an independent inspector is anticipated to take place in the New Year.

Other Options Considered

18. Not applicable as preparation of the Waste Core Strategy and other development plan documents is a statutory function of both authorities.

Reason/s for Recommendation/s

19. To ensure that members are aware of the progress of the Waste Development Framework.

Statutory and Policy Implications

20. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION

- 1) It is recommended that Members of the Committee discuss and note the above report

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