
Report to: Cabinet
Council

Date of Meeting: 20 June 2013
27 June 2013

Subject: Merseyside and Halton Joint Waste Local Plan: Adoption of Plan

Report of: Director Built Environment

Wards Affected: All

Is this a Key Decision? Yes

Is it included in the Forward Plan?
Yes

Exempt/Confidential No

Purpose/Summary

All local authorities are required to prepare a Local Plan that provides a policy framework and land allocations for new waste management infrastructure to meet the identified needs of each Council. This is in addition to the Local Plan which is discussed elsewhere on the agenda.

The report includes the results of public consultation on the proposed modifications to the Waste Local Plan which was undertaken between November 2012 and January 2013.

Members are asked to note the report from the Planning Inspector which concluded that, subject to the proposed modifications, the Plan is 'sound', and "provides an appropriate basis for waste planning for Merseyside and Halton over the next 15 years".

The report asks Council to agree that the Plan be formally adopted as part of the statutory "development plan".

Recommendations

That Cabinet:

- (i) notes the results of public consultation on the proposed modifications to the Merseyside and Halton Joint Waste Local Plan which was undertaken between November 2012 and January 2013
- (ii) welcomes the report from the Planning Inspector which concluded that, subject to the proposed modifications, the Plan "meets the criteria for soundness in the National Planning Policy Framework" and "provides an appropriate basis for waste planning for Merseyside and Halton over the next 15 years"
- (iii) notes that several of the Sefton Unitary Development Plan policies will be replaced by Waste Local Plan policies including the site allocations
- (iv) recommends that Council consider the Waste Local Plan for adoption.

That Council:

- (i) agrees to delegate powers to the Head of Planning Services to make necessary minor typographical changes to the Waste Local Plan prior to its final publication.

- (ii) agrees to adopt the Waste Local Plan as part of the statutory development plan and in so doing note that the adoption is contingent upon all other Merseyside Councils and Halton Council also adopting the plan as set out in Section 3 of the report. Should all Council proceed to adopt the Waste Local Plan this will take effect on 18 July 2013. Should all Councils for whatever reason not proceed to adopt the plan, then Council will be advised accordingly.

How does the decision contribute to the Council’s Corporate Objectives?

	<u>Corporate Objective</u>	<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		✓	
2	Jobs and Prosperity		✓	
3	Environmental Sustainability	✓		
4	Health and Well-Being	✓		
5	Children and Young People		✓	
6	Creating Safe Communities	✓		
7	Creating Inclusive Communities		✓	
8	Improving the Quality of Council Services and Strengthening Local Democracy		✓	

Reason for the Recommendation:

To ensure the Joint Waste Local Plan becomes part of the statutory planning framework fwithin which to assess proposals for new waste energy infrastructure in Sefton.

What will it cost and how will it be financed?

(A) Revenue Costs

Budgetary provision has already been made to complete the preparation of the Waste Local Plan [WLP] including printing costs. This has been met from within the 2012/13 Planning Department’s (Planning Policy) Revenue budget.

Financial implications of implementation and monitoring of the WLP have also already been agreed with each District through the existing planning services and through the joint core service provided by Merseyside EAS. There is a commitment to regular monitoring and review of the Plan and any financial implications arising will be reported at the appropriate time.

(B) Capital Costs

None

Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

Legal	Incorporated into report
Human Resources	None
Equality	
1. No Equality Implication	<input checked="" type="checkbox"/>
2. Equality Implications identified and mitigated	<input type="checkbox"/>
3. Equality Implication identified and risk remains	<input type="checkbox"/>

Impact on Service Delivery:

None

What consultations have taken place on the proposals and when?

The Head of Corporate Finance (FD2322/13) has been consulted and has no comments on the report.

The Head of Corporate Legal Services (LD1638/13) has been consulted and has no comments to make.

Are there any other options available for consideration?

No. All local authorities are required to have a Plan of this kind.

Implementation Date for the Decision

Council meeting on 27th June 2013.

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1. Introduction

1. Government planning policy requires Local Plans to address sustainable waste management. Through Planning Policy Statement 10 (Planning for Sustainable Waste Management) and the National Planning Policy Framework, local authorities, either individually or as a group, are required to put in place a Local Plan that provides a policy framework and land allocations for new waste management infrastructure to meet the identified needs of each Council.
2. Following full Council resolutions Halton, Knowsley, Liverpool, Sefton, St. Helens and Wirral entered into a joint arrangement to prepare the joint Merseyside and Halton Waste Local Plan (WLP). Work commenced in 2006 and Merseyside Environmental Advisory Service (Merseyside EAS) has co-ordinated the plan preparation process including several public consultation stages.
3. The WLP is primarily focused on (i) providing new capacity and new sites for waste management uses and (ii) delivering a robust policy framework to control waste development. The scope of the WLP is to deal with all controlled waste including commercial and industrial, hazardous, construction, demolition, excavation and local authority collected waste and this amounts to several million tonnes of waste requiring collection, recycling, treatment and disposal each year. This process is quite separate from the work of the Merseyside Waste Recycling Authority which manages the municipal waste collected by the Merseyside authorities and operates the household waste recycling centres.
4. The WLP aims to deliver significant improvements in waste management across the sub-region whilst also diverting waste from landfill. Specifically, the WLP will, through its land allocations and policies, provide Districts with a high degree of control to direct the waste sector to the most appropriate locations primarily on allocated sites. It will also provide industry with much greater certainty in terms of bringing forward proposals that are more likely to be acceptable to the Districts and is supported by a robust and detailed evidence base.
5. The WLP principally contains:
 - A Vision statement to guide future waste management decision taking over the next 15 years;
 - Strategic objectives and a Spatial Strategy to guide delivery of the Vision;
 - Controlling and enabling Development Management Policies designed to provide certainty in planning decisions;
 - Site allocations for both local and sub-regional sites which are broadly distributed across all six Council areas; the sites in Sefton comprise Alexandra Dock, Bootle [a sub-regional site]; land north of Farriers Way, Atlantic Business Park, Netherton; Acorn Way, Bootle; and 55 Crowland St, Southport [local sites]; [local sites normally take waste generated in the borough in which they are situated; a sub-regional site is larger and is capable of supporting facilities which will be of strategic importance to Merseyside and Halton – each authority has at least one sub-regional site];
 - Implementation and Monitoring Framework.

6. The policies in the WLP will now supersede Policies EMW6, EMW7 and EMW8 in the Sefton Unitary Development Plan.
7. Following a total of five public consultations at the various stages of WLP preparation, the published WLP was submitted by the six Councils for public examination by an Independent Planning Inspector in February 2012.
8. Public hearings were held over a two-week period by the Planning Inspector, Elizabeth Ord, in June 2012.

2. Agreed Modifications to the Published Plan and Results of Consultation

9. As a result of the Public Examination process, a number of modifications were discussed between the Representors, the Waste Planning Authorities and the Inspector. These were approved by Members between September and November 2012. The modifications were the subject of a further public consultation held between November 2012 and January 2013.
10. During the consultation, 23 representations were received in total from 15 organisations and two individuals. The representations were classified as “positive”, “negative” or “neutral” with respect to the modifications. “Neutral” responses were mainly those which stated that the representor had noted the contents of the consultation but had no comment to make in response. 11 representations were neutral, seven were positive and five were negative. Of the five objections, some did not relate to the proposed modifications to the WLP and were therefore not directly relevant at this stage. Of those which were valid, an operator from the waste industry raised technical concerns, and Cheshire West and Chester, together with Lancashire County Council, objected to how the concept of ‘waste self sufficiency’ was being interpreted in the WLP.
11. Following consideration of all of the representations received the Inspector decided to recommend no further changes to the Plan as a result of the consultation. The Inspector concluded that the Plan “meets the criteria for soundness in the National Planning Policy Framework”. The WLP itself can be viewed at <http://www.wasteplanningmerseyside.gov.uk>. The Inspector’s report and a short report on the Consultation Responses, together with the full archive of supporting documents, can be found at <http://merseysideeas-consult.limehouse.co.uk/portal>.

3. Adoption

12. The WLP will need to be formally adopted, like all other statutory planning documents, by each of the six Districts to become part of the adopted statutory development plan. Each District should do this through a Full Council resolution. Because this is a joint plan a single adoption date must be agreed. Given that the Full Council dates vary between Districts it is recommended that adoption takes place on a single date one working day after the last of the six Councils has

approved the Plan for adoption. On the basis of the current programme of Full Council meetings this is anticipated during July 2013.

Table 1. Targets dates for adoption meetings

	Target Cabinet date		Target Council date
Halton*	23-May		17-Jul
Knowsley*	29-May		26-Jun
Liverpool*	05-Jul		17-Jul
Sefton	20-Jun		27-Jun
St.Helens	29-May		10-Jul
Wirral	13-Jun		15-Jul

*provisional dates

13. A similar process as with other Land Use Plans will be used to advertise the Council's intention to adopt the WLP ("Notice to Adopt") depending on local requirements. Members should note that under the Planning and Compulsory Purchase Act 2004 there is a period for possible judicial review which ends six weeks after adoption.
14. Following adoption, progress and compliance with the Plan will be monitored by Merseyside EAS staff and the Districts in accordance with the Implementation and Monitoring Plan.

4. Financial Implications

15. Budgetary provision has already been made to complete the preparation of the WLP including Public Examination and printing costs. The joint preparation of the WLP has not only delivered significant financial savings to the Districts compared to preparing individual waste plans but has also been an effective example of how the Districts have fulfilled their new Duty to Co-operate.
16. Financial implications of implementation and monitoring of the WLP have also already been agreed with each District through the existing planning services and through the joint core service provided by Merseyside EAS. There is a commitment to regular monitoring and review of the Plan and any financial implications will be reported at the appropriate time.