



Leicester
City Council

WARDS AFFECTED: ALL

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

OVERVIEW & SCRUTINY MANAGEMENT BOARD
CABINET

SEPTEMBER 13th 2007
OCTOBER 1st 2007

LEICESTERSHIRE AND LEICESTER WASTE DEVELOPMENT FRAMEWORK

Report of the Corporate Director, Regeneration and Culture

1. Purpose of Report

- 1.1 This report seeks approval to publish the documents to be issued for public consultation in relation to the Leicestershire and Leicester Waste Development Framework Core Strategy and Development Control Policies Development Plan Document (DPD). They are lengthy documents and the main issues for the City are summarised in this report. The documents are listed below (para. 2.3) and a copy of the documents will be available in the Members' Library.

2. Summary

- 2.1 The County and City Councils joined forces to prepare a Waste Development Framework (WDF). It will cover the period up to 2021. It will replace the current Waste Local Plan, which runs until 2006, and is being prepared under the new planning system brought in by the Planning and Compulsory Purchase Act 2004. Within the City, the Bursom Ball Mill has the capacity to deal with all domestic waste up to 2021. However, domestic waste makes up only 14% of all waste. The opportunity to recycle construction and demolition waste, near to where it arises, poses a particular challenge for the City as regeneration and redevelopment continue apace.
- 2.2 The two authorities published a preferred options report for public consultation last year. However issues have arisen which potentially could lead to the document being found unsound and therefore, on the recommendation of the Government Office for the East Midlands (GOEM), additional work was carried out, and there will be a secondary consultation to take these changes to stakeholders and members of the public.
- 2.3 The WDF Core Strategy and Development Control DPD has three parts:
- (i) **The Core Strategy and Development Control Policy Document** includes a vision, objectives and policies for the spatial aspects of waste reduction, re-use and treatment. It also sets out development control policies that would apply to new development and facilities to treat, recycle and manage all types of waste.
 - (ii) **Draft Spatial Diagram**, which shows existing waste sites in Leicester and Leicestershire, and broad locations for of search for future key waste facilities.

(iii) **The Sustainability Appraisal**, which incorporates the Strategic Environmental Assessment.

3. **Recommendations**

Cabinet is recommended to approve this report and agree that the documents be published for consultation

4. **Report**

4.1 **Background**

4.1.1 The County and City Council have joined forces to prepare a Waste Development Framework (WDF). It will cover the period up to 2021 and replace the Leicestershire, Leicester, and Rutland Waste Local Plan 1995-2006 in setting out policies and proposals for the development and use of land for waste management within the area. Initial work has shown that unless we recycle more waste of all types, additional new waste management facilities will be needed. Additional landfill site capacity is likely to be required in the framework area by 2008, and there are indications that additional materials recovery, composting, treatment/recycling as well as construction and demolition waste recycling centres will be required even sooner. At present neither the City nor County is disposing of all its domestic or commercial waste within the County, nor is construction waste recycled near to redevelopment sites as a matter of course. Addressing this will clearly be challenging for the City Council, as Leicester is constrained by the shortage of sustainable sites for waste treatment of any type.

4.2 **Waste Development Framework (WDF)**

4.2.1 The current stage of the WDF process is to re-consult on the revised Waste Core Strategy preferred options, which sets the spatial vision for the plan. It defines both the core policies which will set the over arching strategy for the provision new facilities to meet future needs and the development control policies which will be used to determine applications for these new waste facilities. The preferred options for the plan were taken to consultation last year. However following the consultation concern was raised regarding the potential soundness of the plan, and therefore a revised timetable was agreed with the Government Office of the East Midlands (GOEM) to allow extra time for these potential issues to be addressed.

The re-consultation is to engage stakeholders and members of the public on the following changes:-

- Revised spatial vision for the plan.
- More detailed assessment of both the preferred options and the various discounted options.
- Revised Spatial Diagram

4.2.2 Revised spatial vision for the plan.

The revised core strategy now provides a detailed character assessment of both the City and the County.

Currently 4 million tones of waste is produced in the whole framework area annually. Considering that the population within Leicester and its principle urban area is going to increase by an estimated 5.8% and household numbers by an estimated 14% by 2016,

this will mean there will be a similar increase in the amount of waste produced by these extra residents.

Leicester is very fortunate to have the Ball Mill at Bursom industrial estate, and its associated anaerobic digestion facility at Wanlip. These facilities mean that Leicester will be able to process this increased municipal waste and meet the associated waste targets. However Leicester has currently a serious shortage of facilities to process construction waste, which has dramatically increased due to the large-scale regeneration currently on going within the city. New facilities will be required to process this increased construction waste.

4.2.3 More detailed assessment of the preferred options and the various discounted options.

The main objective of the core strategy is to enable sufficient provision of waste management facilities to help meet the increased waste until the end of the plan period in 2021. The new facilities should increase re-use, recycling, composting and energy recovery, while limiting the amount of waste going to final disposal in facilities such as landfill.

The preferred options report recommends 10 preferred objectives to under pin the waste core strategy: -

1. To promote the implementation of waste minimisation initiatives
2. To enable the delivery of sufficient waste management facilities in the framework area to meet the waste management capacity apportionment requirement identified by the Regional Waste Strategy to at least 2021.
3. To support the delivery of the Leicestershire Municipal Waste Management Strategy and Leicester's municipal waste management requirement
4. To encourage waste management facilities which increase re-use, recycling, composting and value / energy recovery, including through the use of new waste management technologies where appropriate, in order to meet or exceed regional targets.
5. To promote use of waste as a resource including optimum use of recycled waste materials as aggregates.
6. To minimise final disposal as a means of managing waste arising.
7. To provide for a distribution of waste management facilities in the framework area at locations which optimise the use of previously developed land and reduce the need to transport waste from origin to management destination.
8. To protect local communities, and the natural and built environment from unacceptable effects of waste management development.
9. To encourage opportunities for means of transporting waste other than by road.
10. To promote the delivery of measures for environmental, recreational, economic and community gain in mitigation or compensation for any adverse effects of waste related development where appropriate.

4.2.4 Revised Spatial Diagram.

The updated spatial diagram shows the existing waste sites within Leicester and Leicestershire and also the broad locations of search for key wastes sites, which maybe required to process future waste needs of Leicester and Leicestershire. Key waste sites are strategically important waste sites, which can be used to process large amounts of

Municipal waste. These can include Mechanical-biological treatment, Anaerobic digestion, Mechanical Heat Treatment, and potentially Energy for waste/incineration.

- 4.2.5 Leicester currently has a key waste site, this being the Ball Mill at Bursom, which has enough capacity to process the increased waste that will arise during the plan period. Leicester is shown on the revised spatial diagram as a potential area for search for a key waste site because the first area of search should be close to the source of waste, i.e. urban areas. There is no evidence that Leicester will require a new key waste facility within the plan period, but Leicestershire County Council will be looking for an appropriate key waste site as close as possible to the urban areas. To date there has been no decision on what types of facilities the County will be looking to implement within the plan period. This will be subject of a further report.
- 4.2.6 The consultation will commence in October 2007 to meet the timetable set out in the Local Development Scheme. Following public consultation the final document will be submitted the Sectary of State in June 2008, with adoption expected in October 2009.
- 4.2.7 The second part of the Waste Development Framework, the Site Allocation DPD, has been put on temporary hold while the changes are made to the Core Strategy. Background work is being undertaken by Environmental & Planning Consultants Entec, which will attempt to identify other potential waste sites in both the City and the County. Initial results of this search should be available either end of October or beginning of November 2007. Re-consultation on this document is timetabled for October 2008 with adoption timetabled for June 2011.

4.3 Next Stages

- 4.3.1 After the consultation finishes in November the responses will be appraised and a further series of documents prepared that will be submitted to the Secretary of State for independent examination. There will be another opportunity at submission stage to make representations on the documents. These will then be considered by a Planning Inspector appointed by the Secretary of State who will look at the soundness of the plan and the representations made at an examination in public.

4.4 Conclusion and Recommendations

- 4.4.1 Cabinet are recommended to agree that the following documents should be published for consultation: -
- Core Strategy and Development Control Policies Preferred Options Report
 - Spatial Diagram
 - Sustainability Appraisal

5. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

5.1. Financial Implications

- 5.1.1 Costs from the Local Development Framework process, including the examination in public will be met for existing budgets.

Martin Judson; Head of Finance R&C; Ext 297390

5.2 Legal Implications

- 5.2.1 The Waste Development Framework will be a local development document within the meaning of the Planning and Compulsory Purchase Act 2004. It has been prepared in

accordance with statutory guidance and other statutory provision, eg, the Environmental Protection Act 1990.

- 5.2.2 The Framework will now be subject to consultation and is subject to a sustainability appraisal. The framework will have to be submitted to the Secretary of State for independent examination (i.e. a public inquiry) for the purpose of determining whether or not the provisions are 'sound'. The council will be bound by the recommendations made by the inspector appointed by the Secretary of State.

Anthony Cross, Head of Litigation Ext 296362

6. Other Implications

OTHER IMPLICATIONS	YES/NO	Paragraph References within the report
Equal Opportunities	NO	
Policy	YES	The proposals are consistent with the Adopted City of Leicester Local Plan 2006
Sustainable and Environmental	YES	The documents are subject to a sustainability appraisal and strategic environmental assessment.
Crime and Disorder	NO	
Human Rights Act	YES	Detailed proposals will be subject to planning applications in due course. These are policy Documents that will guide future decisions and enable people's involvement in the process of policy development.
Elderly/People on Low Income	NO	

7. Risk Assessment Matrix

Risk	Likelihood L/M/H	Severity Impact L/M/H	Control Actions (if necessary/appropriate)
If no progress is made with the LDF process there will not be an up to date policy document against which planning decisions relating to waste can be made	L	M	Ensure the LDF process progresses to the timetable set out on the Local Development Scheme.

L – Low L – Low
M – Medium M – Medium
H – High H – High

8. Background Papers – Local Government Act 1972

None.

9. Consultations

Consultee

R&C Head of Finance
Legal

Date Consulted

13th July 2007
13th July 2007

10. Report Author

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DECISION STATUS

Key Decision	Yes
Reason	Significant effect on one or more wards
Appeared in Forward Plan	Yes
Executive or Council Decision	Executive (Cabinet)