

SURREY COUNTY COUNCIL

CABINET

DATE: 14 JULY 2016

REPORT OF: MR MIKE GOODMAN, CABINET MEMBER FOR ENVIRONMENT AND PLANNING

LEAD OFFICER: TREVOR PUGH, STRATEGIC DIRECTOR, ENVIRONMENT AND INFRASTRUCTURE

SUBJECT: REVISED SURREY WASTE LOCAL PLAN – ISSUES AND OPTIONS CONSULTATION



SUMMARY OF ISSUE:

Surrey County Council is the Waste Planning Authority for Surrey. This means we need to create a framework for the delivery of waste management infrastructure to ensure Surrey's economy remains strong and sustainable.

The current Surrey Waste Plan (SWP) was adopted in 2008 and needs to be replaced. A new Surrey Waste Local Plan (SWLP) 2018 – 2033 will need to go through several stages of public consultation. The first stage of formal consultation is 'Issues and Options'.

The Issues and Options stage sets out the context for a new SWLP. The Issues and Options Consultation Report includes our draft vision, draft objectives and draft options which consider different approaches the council could take for managing waste in Surrey.

Our vision is for Surrey to be truly sustainable in terms of waste management. This means encouraging communities to take responsibility for the waste they produce and providing facilities in the right locations at the right time. These facilities need to use the best management methods in order to maximise the resource potential of this waste and avoid adverse impacts on communities and the environment.

The consultation will run for 12 weeks from 2 September 2016 until 25 November 2016 to give statutory, non-statutory and public stakeholders a chance to have their say on what should be included in the new SWLP.

RECOMMENDATIONS:

It is recommended that:

1. Cabinet agrees that Surrey County Council, as the Waste Planning Authority, consult on the Issues and Options Report (**Annex 1**) as the first stage in preparing a new Surrey Waste Local Plan (SWLP) 2018-2033.
2. Delegated authority be given to the Strategic Director for Environment and Infrastructure in consultation with the Cabinet Member for Environment and Planning to agree any amendments to the Issues and Options Report prior to

consultation taking place.

REASON FOR RECOMMENDATIONS:

It is a statutory requirement for Surrey County Council to have a Waste Local Plan. In addition, the National Planning Policy Framework (NPPF) emphasises that Local Plans should be kept up to date.

The SWP was adopted in 2008 and plans for the management of waste over a 10 year period until 2018. When determining planning applications for waste management the County Council has regard to this plan and for it to remain fit for purpose it is therefore important that it is consistent with current policy, legislation and local context. The SWP 2008 now needs to be reviewed, with the revised plan scheduled to be adopted in 2018.

It is important that the Council engage with communities and organisations on how waste is managed in Surrey and the consultation on Issues and Options provides the first formal opportunity to do this which is consistent with the Councils approach set out in its Local Development Scheme (LDS) and Statement of Community Involvement (SCI).

DETAILS:

Introduction

1. Surrey County Council is the Waste Planning Authority (WPA) for Surrey. This means we need to create a framework for the delivery of waste management infrastructure to ensure Surrey's economy remains strong and sustainable. The WPA will do this by planning for the facilities needed to manage the increased amount of waste recycled and reduce the amount of waste sent to landfill (Confident in Surrey's future: Corporate Strategy 2016-21).
2. As the WPA, the council is required under the Planning and Compulsory Purchase Act 2004 to produce a local plan which sets out how waste will be managed in Surrey.
3. All Local Plans should be positively prepared, justified, effective and consistent with national policy. It is also considered preferable that plans account for development that is likely to occur over a period of 15 years and so this review is intended to result in a Plan that provides an updated strategy and policies to 2033.
4. The NPPF's presumption in favour of sustainable development expects that any proposed development that accords with an up-to-date local plan is approved. Therefore, an up-to-date Waste Local Plan is needed to meet this requirement and ensure appropriate waste related development occurs in future.
5. As the WPA we work with a range of stakeholders, including other parts of the council such as the waste disposal authority (WDA). The WDA is responsible for managing household including projects and activities to reduce waste. The WPA seeks to make sure that sufficient land is available to manage this waste, and other non-household waste, sustainably.

6. The main consultation document is the Issues and Options Report (See **Annex 1**). This is supported by background papers
- Surrey Waste Plan Policy Paper No.1 Context and Issues which sets out the key constraints and considerations in preparing the plan.
 - Capacity Estimate Scoping Statement which sets out how we are proposing to calculate the capacity of current sites.
 - Site Assessment Scoping Statement which sets out how we are proposing to assess potential sites for inclusion in the plan.
 - Surrey Waste Plan Review Duty to Cooperate Scoping Statement which sets out how we are going to work with our stakeholders to make sure we meet the requirements under the duty.

All background papers are available on the Surrey County Council Minerals and Waste Policy web pages and should be read in conjunction with the main Issues and Options report.

Surrey Waste Plan

7. The SWP was adopted on 6 May 2008 and subsequently amended by order of the High Court on 5 March 2009. The SWP plans for the management of waste up to 2018. It will not expire in 2018 but beyond this date its relevance and effectiveness will increasingly be open to challenge.
8. Since the adoption of the SWP there have been a number of legislative and policy changes relating to the management and planning for waste. In particular the changes are:
- The revision (in November 2008) of the European Waste Framework Directive 1975 (WFD).
 - The enactment of the Localism Act 2011.
 - The publication of the National Planning Policy Framework (NPPF) in March 2012.
 - The publication of the National Planning Policy for Waste (NPPW) in October 2014.
9. An assessment of the SWP's consistency with the WFD, NPPF and NPPW was undertaken in December 2014. The assessment concluded that the SWP was compliant with the WFD and the NPPW.
10. Nevertheless, this assessment also highlighted that it would be necessary to complete a review and have a replacement plan in place by 2018. This assessment was considered by Cabinet on 16 December 2014 and, at that time, it was agreed that a review commence in early 2016.

Issues and Options Consultation

11. The review of the Surrey Waste Plan 2008 needs to follow a number of stages. The Issues and Options stage is the first formal consultation in the process for adopting the new Surrey Waste Local Plan (SWLP) 2018 – 2033.
12. The Issues and Options consultation has two distinct parts: Issues and Options Consultation Report (**Annex 1**) and a 'Search for suitable land'. The details of each part are set out below.

Issues and Options Consultation Report

13. Issues and Options Consultation Report (**Annex 1**) includes the draft vision, draft objectives and draft options.
14. The draft vision and objectives are as follows:

Vision:

Our vision is for Surrey to be truly sustainable in waste management. That means managing waste in facilities within the county which will be provided in the right locations at the right time so that communities and businesses can take ownership of the waste they produce. By 2033 there will no landfill of waste.

The facilities will help maximise the resource potential of waste, ensuring it is managed in line with the waste hierarchy's aim of extracting the maximum benefit from a waste material by reusing, recycling or recovering energy from it.

Technology and processes will be in place to ensure the production of waste has reduced.

Waste management development will maximise economic, social and environmental benefits and avoid adverse impacts on local communities and the environment.

Objectives:

Objective 1: To increase the sustainable management of waste through waste prevention, re-use, recycling and recovery.

Objective 2: To encourage communities and businesses to take responsibility for their own waste.

Objective 3: To ensure new waste management facilities are developed in suitable locations.

Objective 4: To make best use of land when managing waste.

Objective 5: To maximise the economic benefits of waste management.

Objective 6: To encourage innovation and new technologies which provide opportunities to minimise the impact of waste development on communities and businesses.

Objective 7: To support the reduction of greenhouse gas emissions through sustainable management of waste.

Objective 8: To make sure movement of waste by road is kept to minimum practicable levels.

15. Through this consultation we are asking the communities and businesses of Surrey what they think of the draft vision, draft objectives and draft options. We are also seeking comments on what a new SWLP might contain and how it is produced.
16. In order to give communities, businesses and other interested organisations the opportunity to comment on the emerging SWLP we will use questionnaires to gather views and use a range of channels and tactics to make people aware of the consultation and encourage their feedback.

Search for suitable land

17. The Issues and Options consultation will include a proposed methodology for identifying suitable land. As part of the Issues and Options landowners will be given the opportunity to put forward land in their control that might be appropriate to consider as part of the preparation of the SWLP.

Technical Documents

18. Alongside the Issues and Options Consultation Report it is proposed that the following technical documents be published:
 - Duty to Cooperate Scoping Statement which outlines what the duty to cooperate is and how we intend to meet the requirements of this duty.
 - Site Assessment Scoping Statement which outlines the proposed methodology for assessing potential waste sites for inclusion in the new SWLP.
 - Capacity Estimate Scoping Statement which outlines the proposed methodology for estimating capacity of our current waste sites which is used in forecasting how many additional facilities we need to plan for.

CONSULTATION:

19. At its meeting on 9 June 2016, the Economic Prosperity, Environment and Highways Board supported the approach for the Issues and Options Consultation and for a paper to be taken forward to Cabinet with a change to the proposed timing for undertaking the consultation.
20. This report is setting out the proposed approach that the WPA intends to follow when consulting on the revised Surrey Waste Local Plan. The consultation will be addressed to a range of stakeholders including:
 - Surrey District and Borough Councils
 - Other Waste Planning Authorities

- Adjoining Authorities outside Surrey
- Duty to Cooperate Bodies¹
- Local Enterprise Partnerships
- Statutory Environmental Bodies
- Parish Councils
- General public

21. The consultation will run for 12 weeks between 2 September 2016 to 25 November 2016. The consultation will be held in accordance with the adopted SCI.

RISK MANAGEMENT AND IMPLICATIONS:

22. It is important that Surrey County Council's minerals and waste plans remain effective and compliant with national legislation and policy. Failure to do so could lead to successful challenges to decisions on relevant planning applications, whereby they are overturned and costs are potentially awarded against Surrey County Council.

23. The WPA is managing this risk by being proactive about reviewing the SWP 2008 to ensure that the Surrey Waste Plan remains up-to-date and compliant with national legislation and policy and takes account of the most recent local context affecting the management of waste.

Financial and Value for Money Implications

24. The cost of reviewing the SWP was agreed by Cabinet in December 2014. The review is expected to cost £0.3m, although costs could be higher depending on external factors. Costs will arise from 2016/17 to 2018/19. This spend includes limited consultant support to deliver the new SWLP over the next two and half years and some costs associated with consultation.

25. By far the largest proportion of the cost will arise at the later stages of the review of the SWP. High costs are associated with the independent public examination that includes public hearings. By planning positively and early engagement of stakeholders through a Issues and Options Consultation we are seeking to minimise the time and cost of the independent examination.

26. The proposed approach which includes maximising the use of existing and online forums for consultation, while still catering for those without access by providing printed hard copies, demonstrates the best use of available resources.

¹ As identified in Regulation 4 of The Town and Country Planning (Local Planning) (England) Regulations 2012

Section 151 Officer Commentary

27. A The Section 151 officer confirms that all material financial issues and risks have been addressed in this paper. The anticipated costs of reviewing the Surrey Waste Plan will be met from within the wider Medium Term Financial Plan.

Legal Implications – Monitoring Officer

28. Surrey County Council is the WPA for Surrey. It is required by the Planning and Compulsory Purchase Act 2004 (as amended) to prepare development plan documents and other documents that provide the framework for delivering waste planning policy in Surrey.
29. The act also requires every planning authority to prepare a development scheme which sets out the programme for the preparation of development plan documents.

Equalities and Diversity

30. In order to develop the SWLP we are required to carry out several stages of plan preparation and public consultation. We will review our Equalities and Diversity Assessment (EqIA) at each stage to ensure that we capture and address any equalities issues that arise.

Climate change/carbon emissions implications

31. No direct implications will result from the Issues and Options Consultation. Preparation of the SWLP will consider how the management and transport of waste affects the emissions of greenhouse gases and will take account of the need for their minimisation. The SWLP will also consider how new facilities should be developed in a manner which adapts to climate change.

WHAT HAPPENS NEXT:

32. Subject to Cabinet approval for the Issues and Options Consultation, the consultation will run for 12 weeks between 2 September 2016 and 25 November 2016.
33. Once the consultation has concluded the WPA will analyse the responses and provide an assessment of how these responses will inform the emerging SWLP. The WPA will publish this assessment, highlighting the key issues and how we intend to address these in the draft SWLP.
34. A draft SWLP will be produced in early 2017. Before further consultation on the draft SWLP the WPA will seek approval from Cabinet on the content of the draft plan which will show how consultation has been taken into account and include more detail including potential sites suitable for waste management.
35. As discussed at the EPE&H Board, a member reference group will be convened to provide informal advice, and comment during the preparation of

the SWLP. This will report to the EPE&H Board and meet broadly bi-monthly or as required.

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Consulted:

Mike Goodman, Cabinet Member for Environment and Planning
Economic Prosperity, Environment and Highways Board
Relevant Officers

Annexes:

Annexe Issues and Options Consultation Report

Sources/background papers:

All background reports Are available on the Planning Policy website
(<http://www.surreycc.gov.uk/environment-housing-and-planning/minerals-and-waste-policies-and-plans>)

- Surrey Waste Plan Policy Paper No.1 Context and Issues
 - Capacity Estimate Scoping Statement
 - Site Assessment Scoping Statement
 - Surrey Waste Plan Review Duty to Cooperate Scoping Statement
 - Surrey County Council Statement of Community Involvement
 - Surrey County Council Local Development Scheme
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