

<b>Subject:</b>	<b>East Sussex, South Downs and Brighton &amp; Hove Waste and Minerals Plan (Core Strategy)</b>		
<b>Date of Meeting:</b>	<b>13 October 2011</b>		
<b>Report of:</b>	<b>Strategic Director, Place</b>		
<b>Lead Member:</b>	<b>Cabinet Member for Planning, Employment, Economic Development and Regeneration</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Mike Holford</b>	<b>Tel: 29-2501</b>
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<b>Key Decision:</b>	<b>Yes</b>	<b>Forward Plan No: CAB23471</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

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

- 1.1 Following proposed changes in legislation the Waste and Minerals Core Strategy has been re-named the Waste and Minerals Plan (WMP) in anticipation of those changes being adopted. The WMP is being produced with East Sussex County Council (ESCC) and the South Downs National Park Authority (SDNPA) and will eventually replace much of the Councils' Waste Local Plan and Minerals Local Plan. The WMP will cover that part of the South Downs National Park within East Sussex and Brighton & Hove.
- 1.2 The WMP will provide a land-use planning strategy and policies for the management of all wastes and production of minerals to 2026. No sites are identified in Brighton & Hove. Cabinet is being asked to agree that the WMP be published for public consultation. The ESCC Cabinet and SDNPA Planning Committee are also to be asked to agree the draft WMP for consultation at relevant meetings.

**2. RECOMMENDATIONS:**

- 2.1 That Cabinet approves the recommendation to publish the Draft Waste and Minerals Plan for a six week period of public consultation between 27 October and 8 December 2011, subject to any minor grammatical or editorial alterations that may be made by the Strategic Director, Place and in agreement with East Sussex County Council and the South Downs National Park Authority.

**3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 The shortened version of the draft Waste and Minerals Plan (WMP) of the draft Plan is attached as an appendix) includes a vision, objectives, draft planning policies and a draft implementation framework covering the following key areas:

- Providing support for the prevention of waste generation and preparation for re-use;
- The need for facilities to increase recycling and divert waste away from landfill including Areas of Focus for strategic waste recovery facilities. The whole of Brighton & Hove, as a major urban area, is identified as an Area of Focus;
- Setting minimum targets for recycling. Targets for recovery are higher than the Preferred Strategy;
- Minimising the transport of waste and minerals and promoting sustainable modes of transport;
- Safeguarding of wharves for the import of marine-dredged sand and gravel and other minerals at Shoreham Harbour (and Newhaven and Rye Harbours).

3.2 The revised Plan does not have any Areas of Search for landraise or landfill, nor does it make provision for any new land disposal sites or retain the Waste Local Plan allocation at Ashdown Brickworks in East Sussex. Existing landfill capacity at Pebsham will be safeguarded. The draft Plan has been informed by the following:

- Comments made on the Preferred Strategy;
- A robust evidence base (the various technical studies informing the draft WMP are listed at the end of this report);
- Further discussions with key organisations including the waste and minerals industry, district and borough councils (in East Sussex) and statutory environmental bodies;
- National and regional policy, taking into account the Coalition Government's review of waste policies published in June 2011 and its intention, as included in the Localism Bill, to revoke the South East Plan;
- Sustainability Appraisal and other environmental assessments (Appropriate Assessment and Strategic Flood Risk Assessment).

3.5 As part of the approach to providing increased built facilities, site specific policies in the Waste Local Plan covering existing allocations for treatment facilities will be saved until more detailed work is undertaken following adoption of the Plan.

3.6 It is recommended that the draft WMP be published for public consultation for six weeks between 27th October and 8th December 2011. A pro-active programme of awareness raising and engagement is proposed with a further newsletter, workshops, and offers to attend meetings. All documentation will be on the councils' consultation portal. Comments received during this time will inform the content of the Councils' final WMP that, following consideration by Cabinet and full Council will be submitted to Government for examination by the Planning Inspectorate. Consultation on the submission draft WMP is a statutory requirement will take place prior to the public examination which is programmed for autumn 2012.

3.7 Detailed site assessment will be undertaken as part of the production of two site allocation documents (one for waste sites and one for minerals sites).

#### **4. COMMUNITY ENGAGEMENT AND CONSULTATION**

4.1 East Sussex County Council and the South Downs National Park Authority have been consulted on a draft of this report.

## 5. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 5.1 The Waste and Minerals Plan is being prepared with East Sussex County Council and the South Downs National Park Authority and costs are being shared proportionally. The council's costs will be met from within the existing Waste Planning revenue budget.

*Finance Officer Consulted: Karen Brookshaw Date: 16/09/11*

### Legal Implications:

- 5.2 The Planning and Compulsory Purchase Act 2004 introduced a series of documents to be produced by local planning authorities and which would form the development plan for the purposes of determining planning applications. One of these documents is the "core strategy". Further detail as to the production of the documents is contained in the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended) ("the 2004 Regulations"). The Government now proposes to simplify the 2004 Regulations and has carried out a consultation exercise, ending 7 October. The proposals include the adoption of a more simple definition of "development plan document" which definition would not refer to terminology such as "core strategy". It is not proposed to change the current public participation procedure. However, unless and until revoked the 2004 Regulations contain the procedure for publicising and adopting development plan documents, such as the draft Waste and Minerals Plan. The recommendation contained in this Report complies with those legislative requirements.
- 5.3 It is not considered that any adverse human rights implications arise from the Report.

*Lawyer Consulted: Hilary Woodward Date: 16/09/11*

### Equalities Implications:

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

### Sustainability Implications:

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

### Crime & Disorder Implications:

- 5.6 None arising from this report.

### Risk and Opportunity Management Implications:

- 5.7 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 has a responsibility to collect) to be managed in a sustainable manner.

### Public Health Implications:

- 5.8 None directly arising from the report

### Corporate / Citywide Implications:

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

## **6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 There are no practical alternative options.

## **7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 Cabinet approval is needed to publish a revised Plan for consultation.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Short version of the draft Waste and Minerals Plan

### **Documents in Members' Rooms**

#### **Information Papers**

1. The Future Need for Waste Management
2. The Future Need for Minerals Production and Management
3. Sustainable Waste Management
4. Waste Management Methods and Technologies
5. Land Disposal
6. Spatial Portrait of East Sussex, South Downs and Brighton & Hove
7. Hazardous and Radioactive Waste
8. Transportation of Waste and Minerals
9. Climate Change and Waste and Minerals
10. Wastewater and Sewage Sludge Treatment

#### **Studies and Assessments**

Land Disposal Report  
Sustainable Locations for Waste – report  
Review of Future Waste Management Capacity Requirements  
Combined Heat and Power Study  
Defining Strategic Waste Management Facilities - report  
Hazardous Waste Study  
Radioactive Waste Study  
Residual Waste from London Study

Equalities Impact Assessment

Responses to the consultation on the Preferred Strategy document

Sustainability Appraisal – full report

Sustainability Appraisal – non-technical summary

### **Background Documents**

None

