

CITY COUNCIL – 9 DECEMBER 2013

REPORT OF THE PORTFOLIO HOLDER FOR PLANNING AND TRANSPORTATION

NOTTINGHAMSHIRE AND NOTTINGHAM WASTE CORE STRATEGY EXAMINATION- RECEIPT OF INSPECTOR'S REPORT AND ADOPTION

1 SUMMARY

- 1.1 The Nottinghamshire and Nottingham Waste Core Strategy has been through several stages of consultation and recently tested at Examination in Public. The Inspector's Report into this examination has now been received and it concludes that the Plan is 'sound' and provides an appropriate basis for planning of the area over the next 15 years. As such, Nottingham City Council and Nottingham County Council are seeking approval to 'Adopt' the Waste Core Strategy, now called the 'Nottinghamshire and Nottingham Replacement Waste Local Plan Part 1: Waste Core Strategy'.

2 RECOMMENDATIONS

- 2.1 That Council approve the adoption of the Nottinghamshire and Nottingham Waste Core Strategy and authority to be given to the Portfolio Holder in consultation with the Planning Policy Manager to make any final minor changes required to correct typographical or other errors.

3 REASONS FOR RECOMMENDATIONS

- 3.1 To ensure that the Council is able to fulfil its statutory function as the Waste Planning Authority for Nottingham.

4 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 4.1 The City Council has a statutory duty to prepare and maintain an up to date Waste Local Plan. The only alternative would be not to adopt the Waste Core Strategy which would result in policies becoming out of date and the lack of an appropriate local policy framework for future development decisions.

5 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 5.1 The Nottinghamshire and Nottingham Waste Core Strategy has been prepared jointly with Nottinghamshire County Council. It is the first in a series of new waste policy documents which will progressively replace the City Council's existing joint Waste Local Plan which was adopted in 2002. When adopted, the Waste Core Strategy will set the strategic direction for all future proposals for waste development such as recycling plants, energy from waste plants and landfill. Subsequent policies will deal with site allocations and development management issues.
- 5.2 In line with European and national legislation and policy, the Waste Core Strategy sets out the overall vision and strategic planning policies for the development of future waste management facilities across Nottinghamshire and Nottingham. Key principles are the need to manage waste according to the 'waste hierarchy' which promotes waste prevention and re-use followed by recycling, recovery and finally disposal; and the 'proximity principle' which seeks to ensure that waste is managed at one of the nearest, most appropriate facilities. The strategy therefore seeks to encourage the movement of waste away from landfill with an ambitious target of 70% recycling for all waste by 2025. This is supported by a moderate increase in energy recovery where appropriate, and a reduction in landfill disposal to approximately 10% or less of all waste arisings.
- 5.3 The Waste Core Strategy identifies broad locations where future development is likely to be acceptable but does not allocate any specific sites as this will be carried out in separate supporting policies that will be subject to further consultation and public examination. In broad terms facilities for the sorting, processing and treatment of waste are supported in, or close to, the main urban areas of Nottingham, Mansfield/Ashfield, Newark, Worksop and Retford. Within these broad locations development will be focused on existing or proposed employment sites and other derelict or previously developed land in order to minimise environmental impacts. Limited provision is also made for small-scale recycling or recovery facilities in rural locations where these can meet a specific local need; especially where this would allow for the re-use of existing farm or forestry buildings.
- 5.4 Although the Waste Core Strategy aims to minimise future waste disposal as far as possible, it is recognised that there will still be a

need for the disposal of residual waste which cannot be further recycled or recovered. Where there is a proven need for disposal, the strategy promotes a sequential approach which favours the extension of existing sites where this would be environmentally acceptable, followed by the restoration and/or re-working of old colliery tips and other mineral voids.

- 5.5 The Waste Core Strategy has been through a number of stages of consultation and was submitted to the Secretary of State for Communities and Local Government on 14th January 2013. The Planning Inspectorate subsequently appointed Inspector Susan Holland to undertake the independent examination of the Core Strategy to determine whether or not the Strategy is legally and procedurally sound. This included public hearing sessions held at the National Water Sports Centre between 8th May and 17th May 2013. These resulted in three main modifications to the Waste Core Strategy in relation to Green Belt policy and clarifying the basis of the plan estimates. Delegated authority to approve these modifications was granted to the Corporate Director for Development by Council on 10th December 2012 and has subsequently been advertised for public consultation. A number of other minor modifications were also made for reasons of clarity which did not need to be advertised or consulted on but were published at the same time for information. A pre-print copy of the final Waste Core Strategy, which incorporates all of these changes, is attached to this report at Appendix 1.
- 5.6 Shortly after the hearing sessions, the Government published a new Waste Management Plan for England, and updated national waste planning policy, for consultation. In light of this national consultation the Inspector invited those who had previously made representations to submit further comments on possible implications for the Waste Core Strategy. Two additional responses were received at this stage and passed to the Inspector.
- 5.7 The Inspector's final report was received on 7th October 2013 and concludes that the Waste Core Strategy is 'sound' and provides an appropriate basis for the planning of the area over the next 15 years, subject to the inclusion of the main modifications referred to above. A copy of the Inspector's Report is attached to this report at Appendix 2 and has been published on the Council's website and made available for inspection. All those who made formal representations, or who have asked to be kept informed, have been notified separately.

- 5.8 The County Council approved the Adoption of the Waste Core Strategy on 21 November 2013. Subject to approval from the City Council the Waste Core Strategy will be adopted on 10 December 2013. There is then a statutory six week period during which anyone aggrieved by the adoption of the Waste Core Strategy can make a legal challenge on procedural grounds.
- 5.9 For reasons of clarity the final Waste Core Strategy document, when printed, will be re-titled as the Nottinghamshire and Nottingham Replacement Waste Local Plan Part 1: Waste Core Strategy. The policies within the Plan will also be re-numbered to accommodate the inclusion of the model policy on the presumption in favour of sustainable development. This will be numbered as Policy WCS1 and all other policies will be re-numbered accordingly.
- 5.10 Following adoption of the Waste Core Strategy, work will continue with the preparation of the site specific and development management policies development plan document which will form Part 2 of the Replacement Waste Local Plan. This will again be subject to several stages of public consultation which are due to start early next year.

8 EQUALITY IMPACT ASSESSMENT (EIA)

- 8.1 Has the equality impact been assessed?

Not needed (report does not contain proposals or financial decisions)

9 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

- 9.1 The Nottinghamshire and Nottingham Replacement Waste Local Plan Part 1: Waste Core Strategy.

10 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

- 10.1 The Nottinghamshire and Nottingham Waste Local Plan 2002.

**COUNCILLOR JANE URQUHART
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