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Ask for: Andrew Tait  
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Dear Member

**PLANNING APPLICATIONS COMMITTEE - WEDNESDAY, 15 MAY 2019**

I am now able to enclose, for consideration at next Wednesday, 15 May 2019 meeting of the Planning Applications Committee, the following report that was unavailable when the agenda was printed.

**Agenda Item No**

E5

**County Matter proposals agreed pursuant to the Urgent Matter Procedure under Delegated Powers (Pages 3 - 6)**

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ben Watts', is written over a faint, illegible printed name.

Benjamin Watts  
General Counsel

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## **E5 - COUNTY MATTER PROPOSALS AGREED PURSUANT TO THE URGENT MATTER PRODEDURE UNDER DELEGATED POWERS - MEMBERS' INFORMATION**

Since the last meeting of the Committee, the following matters have been determined under delegated powers: -

Pursuant to the Urgent Matter Procedure as set out in Appendix 2 Part 3: Functions delegated by the Council to Officers the following decision has been taken. Decisions are required to be reported to the next meeting of the Council or Committee.

### **Household Waste Management – Brexit Contingency Arrangements**

The decision relates to a request by the County Council as Waste Disposal Authority. It seeks to ensure that the County Council has effective contingency arrangements in place to manage kerbside collected household waste in the event of traffic related congestion arising from Brexit that affects the ability to manage household waste into and out of the waste transfer and the third-party disposal sites. The request is part of the Council's Business Continuity Planning for Brexit and also provides the certainty that the Borough Councils as the Waste Collection Authorities are seeking from the County Council as Waste Disposal Authority. Details of the request are attached and summarised below.

As a contingency plan, the request seeks to extend where necessary the operating hours of the KCC Contracted Waste Transfer Stations and final disposal infrastructure for a period of 3 months, commencing by written notification to the Waste Planning Authority. The extent of any extended hours is not clear at this time and will be dictated by individual circumstances at each site as affected by Brexit traffic congestion. In practice, there should be no greater number of movements than currently permitted and that these movements if needed would be stretched over a longer working day. In the event of no congestion there will be no need for any out of hours working.

The request is linked to the following Kent Waste Transfer Station sites;

Dover Waste Transfer Station (Whitfield),  
Ashford Waste Transfer Station (Brunswick Road),  
Tunbridge Wells Waste Transfer Station (North Farm),  
Sevenoaks Waste Transfer Station (Dunbrik)  
Sittingbourne Waste Transfer Station (Church Marshes)  
Pepperhill Waste Transfer Station (Southfleet)

And the following third-party Final Disposal Points:

Allington Waste to Energy Plant, Maidstone  
Blaise Farm, West Malling, Tonbridge & Malling  
Countrystyle, Sittingbourne  
Ling, Hersden, Canterbury  
Veolia, Hersden, Canterbury  
Smurfit Kappa, Snodland, Tonbridge & Malling  
Thanet Waste Services, Sandwich  
Viridor Materials Recycling Plant, Crayford – out of area

In accordance with the urgent matter procedure the views of the local Members and the Chairman of the Planning Applications Committee Alan Marsh has been sought. Three views

were received. No objection from Mr Marsh and Mr Chard (Dunbrik Waste Transfer Site). Mr Bartlett (Ashford Waste Transfer Station) agrees with the approach and drew attention to the proximity of Viburnum Close and Juniper Close to the Cobbs Wood Recycling Centre in Ashford (c200m) and asked whether a press notice would be issued.

In respect of Mr Bartlett's comments, the route taken by vehicles accessing and leaving the Transfer Station avoids the need to go near Viburnum Close and Juniper Close. The approved route is one that is closely monitored for adherence by Provider's vehicles using vehicle tracking information.

With regard to the press release suggestion; there should be no need for a press release regarding the out of hours operation as there should be no effect on the public, except for the intention to deliver a polite notice to the local residents at Dunbrik due to the proximity of the Transfer Station; It is envisaged that any out of hours operations will be kept to a minimum for that site. Any communications regarding kerbside collection disruption should come from the Waste Collection Authorities directly to their residents. KCC Waste Management will communicate out to the public via social media and press outlets in the event that any HWRC service is altered or disrupted, as is the current arrangement

On this basis, the request was agreed, subject to:

1. Any extended hours shall only be initiated in the event of significant delay caused to the local or wider primary highway networks or other delaying influences arising from Brexit;
2. this fall-back position shall provide emergency operational control to the Waste Collection and Waste Disposal Authorities, and any additional operating hours shall be kept to the absolute minimum. In the event of no significant highway delays, there shall be no extended operating periods;
3. In order to minimise any potential disturbance to residents, the Waste Management Authority shall seek to implement whatever mitigation is reasonably possible to keep disturbance to a minimum. The Waste Management Authority shall carefully monitor any additional hours being worked and use any pertinent data, information or representation to build in mitigation measures where required
4. These emergency controls shall be in place for a period of 3 months, commencing by written notification to the Waste Planning Authority;
5. Should an extended period for additional hours of working be operationally required, then formal planning applications will be made to vary the planning conditions based upon operational experience of Brexit
6. Records will be kept of any out of hours working and these will be submitted to the Planning Authority within one week of the out of hours working.



## **Request for Extra Hours of Working at various KCC Waste Transfer Stations, Household Waste Recycling Centres and other Waste Infrastructure sites as a contingency for disruption resulting from BREXIT**

The County Council is the Waste Disposal Authority for waste collected by the Borough and District Councils as part of their kerbside collection activities as well as waste disposed of at the Household Waste Recycling centres by the public. It has a statutory duty to manage the household waste arisings in the County and has a number of contracts in place to deliver this requirement. At present, kerbside collections are taken via refuse collection vehicles to a number of permitted Waste Transfer Sites across the County. There the waste is bulked up and taken to final disposal points for disposal. Each of the waste sites has the benefit of planning permission and approved operating hours.

The uncertainty of Brexit and its unknown impact upon the road network has raised the need to consider contingency plans for the handling of kerbside collected waste should there be a significant delay in refuse collection vehicles (RCVs) reaching the Waste Transfer Sites and the consequent bulking up activities due to abnormal traffic congestion. This proposal is to ensure household waste (i.e. black bag) is not left out on the streets to become a public health hazard or a nuisance in the event it cannot be safely collected or disposed of during the normal working day.

In addition, the County Council is required to provide formal assurance to the Kent District Councils who are the Waste Collection Authorities that it will continue to provide adequate arrangements to be able to accept, treat and dispose of the delivered kerb-side collected waste streams.

### **Proposal**

As a contingency plan, a request is sought to extend where necessary the operating hours of the KCC Contracted Waste Transfer Stations and final disposal infrastructure for a period of 3 months, commencing by written notification to the Waste Planning Authority. The extent of any extended hours is not clear at this time and will be dictated by individual circumstances at each site as affected by Brexit traffic congestion. In a worst-case scenario, waste management activity (acceptance, receipt, bulking up and delivery of waste to final disposal points) could be for 24-hour use. In practice, there should be no greater number of movements than currently permitted and that these movements if needed would be stretched over a longer working day.

The request is linked to the following Kent Waste Transfer Station sites;

Dover Waste Transfer Station (Whitfield),  
Ashford Waste Transfer Station (Brunswick Road),  
Tunbridge Wells Waste Transfer Station (North Farm),  
Sevenoaks Waste Transfer Station (Dunbrik)  
Sittingbourne Waste Transfer Station (Church Marshes)  
Pepperhill Waste Transfer Station (Southfleet)

Most Final Disposal Points (i.e. Allington WtE plant) are permitted 24 hours working, but only carry a two-day storage capacity. A relaxation of the restrictions around late night/early morning vehicle movement is therefore also sought on a contingency basis at the Allington WtE and

Pepperhill Waste Transfer Station in order to be able to bulk up and carry the delivered waste streams in an orderly manner. In addition, access to the network of KCC Household Waste Recycling Centres (HWRCs) is required on a similar basis, to permit contractors only access to collect materials or deliver to site. For the avoidance of doubt, it is not anticipated any additional operating hours for the public will be required.

This request, if approved will only be initiated in the event of significant delay caused to the local or wider primary highway networks or other delaying influences. It seeks a fall-back position that provides the Waste Collection and Waste Disposal Authorities emergency additional operational control, and it must be emphasised that any additional operating hours would be kept to the absolute minimum. In the event of no significant highway delays, there would be no need to operate any extended periods.

Whilst there would be the potential for some sites to stay open and operate longer hours, this should not affect the number of total HGV or RCV vehicle movements, as there is no anticipation of a rise in the amount of domestic waste being sent for disposal. It is acknowledged, that this proposal may have the potential to cause disturbance and nuisance to any nearby residents. The Waste Management Authority will seek to do whatever mitigation is reasonably possible to keep this to an absolute minimum. The Waste Management Authority would carefully monitor any additional hours being worked and use any pertinent data, information or representation to build in mitigation measures where required. Should an extended period for additional hours of working be operationally required, then formal planning applications will be made to vary the planning conditions based upon operational experience of Brexit. Records will be kept of any out of hours working and these will be shared with the Planning Authority.

It is of note that with the exception of the Sevenoaks (Dunbrik) site, all the Waste Transfer Sites are not in close proximity to residential properties and therefore any impact is likely to be minimal. In respect of Dunbrik, historically, the County Council has successfully operated extended working hours at this site with minimal impact upon the local community. Following the recent "shut down" of the Tunbridge Wells WTS for an extended period of some twelve weeks, the bulk of the waste stream was diverted to the Sevenoaks (Dunbrik) site. This operation resulted in longer operating hours and increased traffic movements and waste tonnages but did not produce any complaint from nearby residents.

### **Conclusion**

This request seeks contingency arrangements to allow for the effective management of household waste in the event of significant delays in refuse collection vehicles (RCV) reaching the Waste Transfer Sites and the consequent bulking up activities due to Brexit related traffic congestion. Any extended hours will be for the absolute minimum to manage waste that is permitted to access the waste management sites and for the waste to be handled effectively.

The degree of flexibility being sought would enable the Waste Disposal Authority to manage household waste collections accordingly in the initial period following Brexit. Should an extended period for additional hours of working be operationally required then formal planning applications will be made to vary the planning conditions based upon operational experience of Brexit.

I trust that you have sufficient information to respond to this request. If you require any further information, then please do not hesitate to contact me on Kay Groves and Nick Gill or via email at [kay.groves@kent.gov.uk](mailto:kay.groves@kent.gov.uk) or [nick.gill@kent.gov.uk](mailto:nick.gill@kent.gov.uk)

Kay Groves  
Waste Services Manager Kent County Council  
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