

To: Environment, Highways and Waste Policy Overview & Scrutiny Committee

From: Nick Chard, Cabinet Member – Environment, Highways & Waste
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Date: 14th September 2010

Subject: The Minerals and Waste Development Framework : Core Strategy Issues Consultation

Summary

To report on the progress with the Minerals and Waste Development Framework, and to seek the views of the POSC on the issues that should be addressed in the Core Strategy Issues Consultation.

1 Background

1.1 A report to the meeting of the EHW POSC on 25th May 2010 described the statutory requirement for KCC as the Waste Planning Authority for Kent to prepare a *Minerals and Waste Development Framework* (MWDF). The Committee noted the programme for the MWDF, and the Terms of Reference of the cross party Informal Member Group set up to inform and steer the process, under the chairmanship of David Brazier

1.2 The MWDF is both a long term strategy and a land use plan, which will contain planning policies and proposals for all minerals and waste streams over the next 20 years. Its preparation is separate from KCC's role as Waste Disposal Authority (WDA) for household (municipal) waste. It is distinct from KCC's role as Planning Authority in determining minerals and waste planning applications.

1.3 The MWDF will become part of the statutory development plan, alongside the District Council *Local Development Frameworks*, and it is therefore a *Framework Plan* that ultimately will be adopted by the full Council. The views of this Committee are therefore sought at the main stages of the process.

1.4 The purpose of this report is to inform the EHW POSC of progress with the MWDF, and to seek the Committee's views on the first consultation in the process.

2 The MWDF process

2.1 KCC is required to first produce and adopt a *Core Strategy*, which contains the planning strategy and broad policy framework. The immediate step is to seek the views of this Committee on the *Core Strategy Issues Consultation* which is to be published in September.

2.2 The consultation will ask for views and evidence on the planning issues that KCC should consider in preparing the MWDF *Core Strategy*. It does not set out KCC's proposed policies or conclusions, nor allocate land for development. These

intentions will be the subject of a second consultation on the *Directions for Strategy and Policy* in the summer of 2011. The programme for the *Core Strategy* is set out below:

Programme for the Minerals and Waste Core Strategy	Dates
Consultation with the industry, the public, District Councils and interest groups on the <i>Minerals and Waste Core Strategy Issues</i>	Sept. 24 th 2010 for 8 weeks
Following consideration of the consultation response and compilation of further evidence, KCC will prepare its preferred <i>Directions for Strategy and Policy</i> for consideration by the IMG and EH&W POSC.	March/April 2011
The <i>Directions for Strategy and Policy</i> will also be published for consultation.	May 2011
The consultation response will be considered and a “ <i>Pre-Submission</i> ” Core Strategy (a full draft of the plan) prepared for consideration by the IMG, EH&W POSC and Council. The Pre-Submission Core Strategy will be published for consultation.	Nov./ Dec. 2011
Subject to the consultation response, KCC will then submit the <i>Minerals and Waste Core Strategy</i> to Government.	February 2012
An <i>Examination in Public</i> into the submitted Core Strategy will take place before an appointed Planning Inspector	June 2012
Receipt of the Inspector’s Report	Oct. 2012
KCC must take account of the Inspector’s Report and formally Adopt the Minerals and Waste Core Strategy	Dec. 2012

2.3 After the *Core Strategy*, KCC must produce the *Minerals Sites Development Plan Document* and the *Waste Sites Development Plan Document*, which will detail the land to be developed for minerals and waste. These are programmed for Adoption one year after the *Core Strategy*.

3 The Core Strategy Issues Consultation

3.1 The draft *Core Strategy Issues Consultation* was considered in detail by the Informal Members Group at their meeting of 21st July. Members considered whether each of the consultation questions was correct and balanced, in order to elicit the views and knowledge of those interested in how Kent is to provide for its future mineral supply, and manage its future waste arisings.

3.2 Following detailed discussion and proposed amendments, the Informal Members Group agreed that officers should undertake any necessary minor editing, and that the final draft should be agreed with the Chairman of the Group, prior to submission to this meeting of the EHW POSC for its views.

3.3 Printed copies of the *Core Strategy Issues Consultation* document will be made available to members of this Committee for their consideration with the Committee papers. A number of technical Topic Reports on minerals and waste have also been prepared as evidence, and the Informal Members Group authorised the Chairman to approve the final documents. These can be made available to members of this Committee on request to the accountable officers.

3.4 The following is a summary of the main planning issues on which the consultation will seek evidence and views from the minerals and waste industries, district councils, interest groups and the public.

- *Revocation of the South East Plan*

3.5 The Government has announced the revocation of Regional Strategies with effect from the 6th July. However, Planning Authorities in the South East should continue to plan for land won aggregates (sand and gravel) using the quantities set out in the “Proposed Changes” to a revision of South East Plan (Policy M3) that were published on 19 March 2010. Planning Authorities should also press ahead with their waste plans, providing enough land for waste management facilities to support the sustainable management of waste, including the move away from disposal of waste by landfill. The *Core Strategy Issues Consultation* seeks agreement on the appropriate use of data and targets that were part of the South East Plan.

- *Provision of facilities to handle Municipal Solid Waste (MSW)*

3.6 Forecasts made for the Kent MWDF suggest that additional composting capacity to treat up to 183,000¹ tonnes per annum (tpa) of MSW could be needed in Kent by 2026. By way of illustration, this capacity could be provided by the allocation of two sites for large *In Vessel Compost* (IVC) plant such as Blaise Farm, or a mix of smaller plant. This is broadly consistent with the views of the KCC Waste Management Unit, which foresees the need over a shorter timescale for additional capacity for 70,000 to 90,000 tpa. The consultation seeks views on the scale of capacity needed for MSW, and the type of facilities.

- *Provision of facilities to handle Commercial and Industrial Waste (C&I)*

3.7 C&I waste data is much less reliable than that for MSW. However, the forecasts suggest the need for additional recycling capacity to treat up to 311,000 tpa of commercial and industrial waste. Again, for illustration, this capacity could be provided by two large Material Recovery Facilities (MRFs), or a mix of smaller MRF and other processes, such as Mechanical and Biological Treatment (MBT). An alternative view is that the industry may instead wish to invest in additional composting capacity, for circa 250,000 tpa of CI waste. This could represent two more large *In Vessel Compost* plant, or a mix of facilities. The consultation seeks views on the scale of and type of capacity needed for CI waste.

3.8 Additionally, 488,000 tpa of natural agricultural waste is produced in Kent, including slurries and manure. Views are sought on the treatment of this and other “biomass” waste, including by *Anaerobic Digestion*, which extracts methane gas as a renewable energy source.

- *New energy from waste capacity for Commercial & Industrial (CI) waste*

3.9 Forecasts prepared for the MWDF based on the South East Plan targets for the management of waste suggest there is no need for additional energy from waste capacity in Kent. However, in 2008, 462,000 tonnes of Kent CI waste were sent to non-hazardous landfill in Kent and beyond, and there are current proposals for new energy from waste plants in Kent. The consultation asks for views on the scope for

¹ High level forecasts are derived from the South East Plan waste data and policies.

new energy from waste plants specifically for CI waste, and whether such waste is currently sent to landfill.

- *Non –Hazardous Landfill*

3.10 The forecasts suggest that additional non-hazardous landfill space will be needed for at least 7 million tonnes of MSW and CI waste by 2026. Commercial and industrial waste plus the residues from other processes are the main components of this forecast. The views of the industry are sought on the need for new non-hazardous waste landfill capacity in Kent during the plan period, and the scope for new energy from waste facilities to reduce the need for such landfill.

- *Hazardous landfill for incinerator ash*

3.11 Norwood Farm on the Isle of Sheppey accepts Allington's hazardous waste ash. There is a planning permission condition that requires this site to be restored by 2016, and therefore provision will need to be made for the disposal of Allington's ash after that date. Hazardous ashes from new waste to energy plants if they were built would also need to be provided for. Views are invited on the options for disposal of such waste, if it were not practical to reuse it in some way.

- *Inert Landfill*

3.12 There appears to be sufficient inert landfill with planning permission for the whole of the plan period. However, most of the capacity is in west Kent and views are sought on whether there is a need for new sites to serve the east of Kent. If the supply of inert material for landfill diminishes as recycling increases, the priority may become to channel such material into the restoration of quarries.

- *Management of radio active waste from Dungeness decommissioning*

3.13 Temporary storage of Intermediate Level Waste (ILW) is likely to be sought within the Dungeness site during decommissioning of the power stations. Views are sought on the possible disposal of Low Level waste (LLW) and Very Low Level Waste (VLLW) to an engineered facility on or adjacent to the Dungeness site.

- *Land-won Construction Aggregates*

3.14 To meet the regional quantities referred to in paragraph 3.5 above, Kent would need to allocate sites to provide a total circa 30 million tonnes of land won sand and gravel over the plan period. The consultation asks if there are sufficient suitable new sites that could be brought forward by the industry to meet this policy target.

3.15 There is no apparent need for the MWDF to identify further crushed rock (ragstone) reserves because the existing land-bank is sufficient to meet the quantities apportioned to Kent for the whole of the plan period and beyond. However there may be questions about the quality of the reserves and the consultation asks if there is a need to allocate new areas for ragstone working to meet national policy requirements.

- *Other Minerals*

3.16 Further reserves of silica sand, or industrial sand, will be needed to meet national policy requirements, and the consultation asks how this might be achieved. Also additional reserves for Gault Clay and brick earth may need to be identified for the plan period. There is no apparent need to identify further site allocations for minerals for cement, chalk or clay for agriculture or engineering uses, or building stone.

- *Imports of Marine Dredged Aggregates*

3.17 Kent is the largest importer of marine dredged aggregates in the South East region. The consultation asks if there is agreement that sufficient capacity exists in Kent's existing wharves and railheads to provide for future increases in construction aggregate imports. There is an issue of how best to safeguard the existing infrastructure of wharves and railheads if supply is to be maintained over the plan period.

- *Secondary and Recycled Aggregates*

3.18 While there is sufficient capacity at existing aggregate recycling sites to meet the regional targets for Kent, many of these facilities are located in quarries and have temporary planning permissions. Views are sought on encouraging the maximum recycling of construction and demolition wastes by new allocations for a mix of site types, including more permanent sites.

4 The consultation process

4.1 The process for the *Core Strategy Issues Consultation* will comply with the statutory requirements of the Planning Acts and regulations, and with KCC's duty to inform, consult and involve under the Local Government and Public Involvement in Health Act 2007.

4.2 Under of the 2004 Planning & Compulsory Purchase Act, KCC must prepare a *Statement of Community Involvement* (SCI) for all its planning functions, setting out how individuals, groups and organisations will be involved in the planning process. The SCI has recently been the subject of consultation and it will be proposed for adoption by the Council. It will commit KCC to make information accessible to everyone, to consult at formative stages, and to respond to the views expressed. The SCI can be made available to members of this Committee on request to the accountable officers.

4.3 The *Core Strategy Issues Consultation* can begin soon after the agreement of POSC is given, and will last for 8 weeks. Copies of the consultation document and supporting evidence will be sent to all statutory consultees and other interested organisations. Meetings will take place with the industry, district councils and environment groups, and with the Kent Association of Local Councils. All documents will be published on the KCC web site, and on a "consultation portal" through which responses can be made electronically by consultees and the public. The use of the portal will be encouraged.

Recommendation

Members are asked to note the progress with the Minerals and Waste Development Framework and to give their views on the *Core Strategy Issues Consultation*, to be published in September 2010, as set out in this report.

Background Documents:

The Minerals and Waste *Core Strategy Issues Consultation*
Statement of Community Involvement

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