

REPORT TO: Executive Board

DATE: 16th December 2010

REPORTING OFFICER: Strategic Director - Environment

SUBJECT: Merseyside and Halton Joint Waste Development Plan Document – Preferred Options 2 – New Sites Consultation

WARDS: All

1.0 PURPOSE OF THE REPORT

- 1.1 Halton Borough Council is involved in producing a Merseyside and Halton Joint Waste Development Plan Document (referred to in this report as the Waste DPD) for the Merseyside sub-region. The purpose of this report is twofold:
- 1.2 Firstly, to report back the results of public consultation on the Waste DPD Preferred Options Report that was undertaken between May and July 2010. The detailed report is provided in Appendix 1.
- 1.3 Secondly, to seek approval to include a revised site within an emerging 'Preferred Options 2: New Sites Report' and to seek approval for a 6-week public consultation starting in early 2011 on this report. 'Preferred Options 2: New Sites' identifies the proposed replacement sites for allocation within the Waste DPD following the withdrawal of some sites after the July 2010 consultation. The draft report forming the basis of the consultation is contained in Appendix 2.

2.0 RECOMMENDATION: That the Council be recommended that

- (1) To note the results of consultation on the Waste Development Plan Document Preferred Options Report.**
- (2) To approve the Preferred Options 2: New Sites Consultation Report and approve a six-week public consultation commencing in early 2011.**

3.0 SUPPORTING INFORMATION

- 3.1 The Waste DPD is focussed on (i) providing new capacity and new sites for waste management uses and (ii) delivering a robust policy framework to control waste development whilst meeting the identified waste management needs in Merseyside and Halton. The Waste DPD deals with all waste including commercial and industrial, hazardous, construction, demolition, excavation and municipal waste.

- 3.2 Executive Board has previously received reports on the Preferred Options stage of producing the Waste DPD on 28th January 2010 (approval of Preferred Options) and 9th September 2010 (interim consultation results).
- 3.3 City Region Cabinet received a progress report on the Joint Merseyside and Halton Waste Development Plan Document (the Waste DPD) on 22nd October 2010. That report contained a recommendation for the City Region Cabinet to endorse a public consultation (Preferred Options 2) on new sites for proposed allocation within the Plan and approval to be sought from each District.

3.4 Results of the Preferred Options Consultation

- 3.5 Consultation Responses - Analysis of the Preferred Options consultation has now been completed and is summarised below:

- 1239 responses were received, 58% via questionnaire, 22% via web responses, 14% by letter and 6% via email.
- Sub regional sites tended to be more contentious than small local sites.
- There was strong support (between 68% and 82%) in favour of the preferred policy options for questions 5 to 11 which were dealing with core policies and energy from waste.
- A much lower level of consensus was achieved for questions regarding Areas of Search and the additional Household Waste Recycling Centre (HWRC) requirements.
- There was little consensus on landfill sites or policy.
- There was strong support (between 68% and 83%) in favour of the preferred policy options for questions 18 to 23 which were dealing with development management issues i.e. the controlling policy framework for waste planning applications.
- Petitions were received relating to sites in Halton, Knowsley, Sefton and St. Helens.
- 148 people attended the consultation events and summaries of the comments made are included within the results of consultation report.
- There was good participation in the consultation by the waste management industry including the Merseyside Waste Disposal Authority (MWDA), site owners or their representatives and members of the public and community groups.

- 3.6 A series of meetings has recently been completed with consultees, notably adjacent planning authorities (Cheshire West and Chester, Warrington, Lancashire, Greater Manchester) and the waste industry (for example; Ineos Chlor, Peel Energy, Biossence, MWDA, D Morgan, New Earth Solutions), to clarify and resolve issues raised during the Preferred Options consultation earlier in 2010. Whilst such meetings are a normal part of the plan making process they have had the additional

benefit of confirming the waste industry needs, development timescales for new facilities and progress with funding and contracts.

3.7 Table 1 provides an assessment of the significant issues that remain to be resolved during the latter stages of the Waste DPD preparation process.

Table 1 – Main issues to be resolved during final stages of Waste DPD preparation.

Consultee / Sponsor	Issue	Initial Response
Halton Council, Liverpool City Council and St. Helens Council	Replacement sub regional sites required.	Proposed new sub regional sites are the subject of this Report and Preferred Options 2: New Sites Consultation.
Sefton Council	Replacement local site required.	Proposed new local site is the subject of this Report and Preferred Options 2: New Sites Consultation.
Lancashire, Warrington and Cheshire West and Chester	Merseyside's continued reliance on export to non inert landfill sites and the net self sufficiency policy position.	Responses strongly influenced by political considerations rather than technical issues in neighbouring authorities, but complicated by abolition of Regional Spatial Strategies (RSS). Publication Waste DPD to clarify that there are no reasonable alternative strategies until new built facilities come on stream. The self sufficiency policy area and evidence base is currently under review.
MWDA / New Earth Solutions	Greater clarity on when and how sites were excluded from the process.	Further clarification to be provided in Publication Waste DPD. Waste DPD team to provide further information in response to specific enquiries.
MWDA	Energy from Waste - lack of identified site for EfW and clarification requested on criteria based policy.	It has not been possible to identify deliverable EfW sites within the Waste DPD. The Plan area has three times the EfW capacity compared with the identified need. Capacity could therefore be provided by new facilities with planning consent e.g. Ineos Chlor which is currently under construction. Criteria-based EfW policy is being developed to cover facilities up to a maximum throughput of 100,000 tonne / annum on unallocated sites at the DPD Publication Stage. Full technical details will be provided at the Publication Stage. This approach resolves the EfW issues by providing a deliverable and reasonable alternative in line with PINS advice.
General	Update evidence base and facility forecasts as there is no guarantee all consents will be implemented to current	Normal part of plan making process and informed through the on-going dialogue with stakeholders particularly the Districts, adjacent authorities and the waste industry.

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3.8 The “Results of Consultation” report will be placed on the Waste DPD website as soon as all District approvals have been secured.

3.9 **Preferred Options 2 - New Sites Consultation**

3.10 A 6-week public consultation was completed on the Waste DPD Preferred Options report between May and July 2010 and a number of issues have arisen as a consequence of that consultation. Four sites have been withdrawn from the process and the Preferred Options 2: New Sites Consultation report identifies the proposed replacement sites for allocation within the Waste DPD.

3.11 All Districts have accepted the principle that each will provide one sub-regional site, greater than 4.5ha in area to accommodate the more significant built facilities that will be required to manage waste in a sustainable manner. The location of these sites is determined by site availability, spatial distribution and, most importantly, their deliverability in planning terms.

3.12 The total number of sites required for allocation for waste use remains the same as stated in the Preferred Options report with 6 sub regional sites (>4.5 hectares in area) and 13 smaller local sites required to meet the identified waste management needs and spatial requirements of the sub-region providing an even spread of sites across the Districts.

3.13 Failure to identify sufficient sites to meet the agreed Spatial Strategy and the current Waste Management Needs Assessment would result in an unsound Plan which could be rejected when it is examined independently by the Planning Inspectorate.

3.14 Four new sites are proposed for waste management uses within the Waste DPD to replace those sites lost in Halton, Liverpool, Sefton and St. Helens as a consequence of the Preferred Options stage. The new sites are summarised in the following table. Approval of the four new sites to be included within the Preferred Options 2: New Sites Report is needed by all six Districts because the Waste DPD is a joint statutory plan.

3.15 There are no changes to the sites in either Knowsley or Wirral as a consequence of the Preferred Options consultation.

Table 2 – New sites requiring approval for inclusion in Preferred Options 2 Report.

District	Proposed Site	Suggested Waste Management Use	Comments
Halton	Sub-regional site to be confirmed	Waste transfer station, waste re-processor, primary treatment and/or resource recovery	The sub-regional site is proposed to be Site H2309 on Widnes Waterfront.

		park (combination of the above waste management uses).	
Liverpool	Sub-regional site L2337 is Land off Stalbridge Road, Garston.	Waste transfer station, waste re-processor, primary treatment and/or resource recovery park (combination of the above waste management uses).	5.4 hectare sub-regional site has planning consent for 150,000 tonnes waste management facility. Site has good proximity to both rail and port infrastructure and, located in South Liverpool, meets the sub-regional spatial need.
St. Helens	Sub-regional site S1596 is land adjacent to Sandwash Close, Rainford Industrial Estate.	Waste transfer station, waste re-processor, primary treatment and/or resource recovery park (combination of the above waste management uses).	6.1 hectare sub-regional site on the edge of existing industrial estate. Site has very good proximity to primary strategic road and motorway networks and is well separated from housing. New site replaces the Lancots Lane sub-regional site (S1885) which was withdrawn by St. Helens Full Council following Preferred Options stage.
Sefton	Local site F0885 is Farriers Way, Netherton Industrial Estate, Netherton.	Waste transfer station, waste re-processor or primary treatment.	1.7 hectare local site within an existing industrial estate. Best site in terms of distance from housing and likelihood of coming forward for a waste use. New site meets the local need in South Sefton.

3.16 The Waste DPD is reaching an advanced stage and there will be little further opportunity to change sites without the requirement for an additional and costly public consultation. Any replacement site is likely to raise more significant deliverability issues in terms of significant planning constraints.

3.17 Subject to approval of the Preferred Options 2: New Sites consultation report and the four new sites identified within this report, it is planned to proceed to a six week public consultation commencing in January 2011.

3.18 The public consultation on the Preferred Options 2 New Sites consultation report will include consultation meetings in the 4 Districts with the new (replacement) sites as set out in Table 2 above. The consultation process will meet the statutory requirements of each of the District's Statements of Community Involvement. Details of the events will be widely publicised and the events will be open to all, including residents from adjacent authorities.

3.19 The results of the public consultation will be collated and then reported to Members in each of the 6 Districts in advance of proceeding to the next stage in the Waste DPD, publication stage.

4.0 POLICY IMPLICATIONS

4.1 Halton sites included within 'Preferred Options 2: New Sites Report'

- 4.2 The sites and facilities required by Merseyside and Halton to deal with future waste needs have been selected through a detailed site selection process. The need for these sites is evidenced by detailed technical work on waste arisings.
- 4.3 Sites within Halton are shown below. The key change is the removal of site H1576 (Ditton Sidings, Newstead Road) and its substitution with site H2309 at Moss Bank Road, Widnes Waterfront, Widnes. This new sub regional site replaces Ditton Sidings (H1576) which was withdrawn by Halton's Executive Board following the Preferred Options stage due to concerns over access and proximity to housing. The revised site at Widnes Waterfront is an appropriate alternative on the basis that many of the barriers to development may be overcome through detailed design considerations and strict planning controls.

Table 3 – Sites within Halton

Site ID	District	Site Significance	Site Name and Address	Area (ha)
H2309	Halton	Sub Regional	Moss Bank Road, Widnes Waterfront	7.8
H2293	Halton	District	Runcorn Waste Water Treatment Works (WWTW), Manor Park, Runcorn	1.2
H2351	Halton	District	Eco-cycle Waste Ltd, 3 Johnson's Lane, Widnes. (The site is an operational waste site currently licensed to handle 150,000 tonnes per annum of waste)	2.0

- 4.4 The district level sites at Manor Park, Runcorn and Johnson's Lane, Widnes are carried forward from the previous Preferred Options consultation May – July 2010.

4.5 Landfill Sites

- 4.6 In terms of landfill sites, there are no new non-inert landfill sites suggested in the Waste DPD. Future wastes will either be diverted from landfill, or exported out of the sub-regional for final disposal. Inert landfill sites are identified as Bold Heath Quarry and Cronton Clay Pit, both of these have existing permissions that include restoration and backfilling with inert materials. Because of potential traffic implications, Halton would not wish to see any expansion of these activities.

4.7 Energy from Waste

- 4.8 None of the sites put forward in the Preferred Options 2 Report are proposed for thermal treatment (incineration). This is because the preferred policy for Energy from Waste remains to use those sites with existing consented capacity in the sub-region rather than allocate any new sites. For the avoidance of doubt, the preferred policy option to not allocate new sites for EfW includes any allocations which could include multiple facilities on a site, such as “Resource Recovery Parks”.

5.0 OTHER IMPLICATIONS

5.1 Timetable & Next Consultation

- 5.2 Subject to swift approval by all Districts and endorsement of the Preferred Options Report 2, a six-week public consultation period will start in early 2011. The approach to consultation is fully compliant with the adopted Statements of Community Involvement of each District.
- 5.3 Following the Preferred Options consultations all responses will be evaluated with the intention of drawing up a Submission Document by the July 2011. The Submission Document will be published so that further representations on the soundness of the Waste DPD can be made before it is submitted to Government for formal consideration and scrutiny (in October 2011). A Results of Consultation Report will also be published following the public consultation that will detail all representations made and the Waste DPD responses.
- 5.4 An examination hearing will then be held: this is an independent examination of the plan by an Inspector, who can hear evidence on unresolved issues from those who have already made representations on the soundness of the Plan, as well as those who are supportive of the plan.
- 5.5 The final stage of the process is the adoption of the Waste DPD by each of the Merseyside districts as its statutory spatial plan for waste. This is scheduled for 2012.
- 5.6 The project plan has been updated to take account of the Preferred Options 2 New Sites consultation. Approval is urgently needed for both the new site and the 6-week public consultation to complete the project without delay.
- 5.7 The amended project timetable is set out in table 4 below. To reduce planning risks and avoid incurring additional costs (currently estimated at £15,000 per month in 2012/13), District approvals processes should proceed without delay.

Table 4 – Final stages to complete the Waste DPD.

Stage	Date	Comments
Preferred Options 2 - New Sites consultation.	District approvals by end of December 2010.	Member approval will be needed for the new sites consultation supported by a Core Content

	6 week public consultation February to March 2011	Committee report. Public consultation will be over a 6-week period. Period of preparing draft Waste DPD for Publication where final issues are to be resolved.
Draft Waste DPD / Sustainability Appraisal Final Report for Full Council approval.	May to July 2011 – 10 weeks	Full Council approvals stage.
Regulation 27: Publication Stage - publication of the Waste DPD and Sustainability Appraisal Final Report	July 2011	Point at which final proposals are published for final consultation.
Regulation 28/29: Representations following publication.	July to September 2011 – 7 weeks	Period extended by 1 week as consultation spans holiday period.
Regulations 30 & 31: Submission Stage - submission of Waste DPD to Government	October 2011	Point at which we will know scope of EIP if any soundness issues remain.
Examination in Public Stage Pre-Hearing meeting.	November 2011	Point at which Planning Inspector sets out specific issues and information requirements.
Examination Hearing.	February 2012	Duration of Examination Hearing will depend on Inspector scope and soundness issues.
Receipt of binding Inspector's Report.	June 2012	
Full Council meetings to approve DPD for adoption.	June to October 2012 – 10 weeks	
Adoption of Waste DPD	October 2012	Project completion, implementation and monitoring of the Plan starts.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

6.2 This report has no direct implications for children and young people in Halton. Indirectly, the Waste Development Plan Document (Waste DPD) places sustainability at its very core, protecting valuable resources for future generations and promoting the most sustainable methods of waste handling and treatment (Sustainability Appraisal – Phases 2 & 3 (Scott Wilson 2007-2009)).

6.3 Employment, Learning and Skills in Halton

6.4 Each developed site will generate employment benefits for the surrounding area. The estimated total number of direct jobs to be created as a result of development of the Waste DPD allocated sites is 500-700 with additional indirect jobs estimated at up to twice this number.

Temporary jobs related to construction of facilities are expected to total 25-400 per site, depending on the scale of the facility being built.

6.5 A Healthy Halton

- 6.6 There are concerns about environmental nuisance, odours, emissions and the effects that waste facilities may or may not have on the health of residents. The Preferred Options Report has been supported by an independent review of this matter. Scientific and medical consensus is that there are no direct health issues arising from the normal operation of modern waste facilities. The Waste DPD encourages the use of more efficient and precautionary technologies.

6.7 A Safer Halton

- 6.8 The main implication, aside from the health aspects noted above, is the consideration of increased traffic movements in the vicinity of any developed site.

6.9 Halton's Urban Renewal

- 6.10 A great deal of effort has been directed by the Council into changing perceptions about Halton that stem from its industrial legacy. A prime concern is the impact on inward investment in the Borough. Waste facilities must be designed to a high standard of quality and mitigate against all environmental nuisance that is associated with waste facilities.

7.0 RISK ANALYSIS

- 7.1 Due to the increasing number of private sector planning applications for waste treatment facilities and the pressing need for Merseyside and Halton to secure new infrastructure for sustainable waste management it is vital that rapid progress is maintained with the Waste DPD. Advancing the Waste DPD to a stage where it can start to influence planning decisions will greatly assist the Districts in making those decisions.

- 7.2 Delay to the Waste DPD will:

- Increase costs to the Districts in the future through the cost of landfill disposal and financial penalties.
- Have a knock on effect of Waste DPD project timescales with resultant increases in costs of plan preparation.
- Have very serious implications for the soundness of each of the District emerging Core Strategy documents.
- Result in a continuation of an industry-led approach to the location of new waste facilities rather than the pro-active plan-led approach proposed within the Waste DPD.
- Reduce the Council's ability to resist applications of the wrong type and in the wrong places

7.3 These risks are mitigated by a monthly review of all significant risk factors highlighted by the project's risk assessment.

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 An Equality Impact Assessment has been prepared for this project and is available at www.wasteplanningmerseyside.gov.uk. Where appropriate, action has been taken on the findings of the Equality Impact Assessment.

9.0 REASON(S) FOR DECISION

9.1 Government policy (PPS10) requires that waste must be dealt with in a sustainable way. The Council is involved in producing a Joint Waste Development Plan Document (DPD) for the Merseyside sub-region. Drafting of the Plan has reached the stage where the policy framework contained in the Waste DPD needs to be subject to public scrutiny.

10.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

10.1 The Waste DPD has been prepared through a multi-stage process. Three public consultation stages have been completed:

- Issues and Options took place in March and April 2007.
- Spatial Strategy and Sites stage took place between December 2008 and January 2009.
- Preferred Options Report – 24th May – 4th July 2010

These reports document the evolution of the Plan and the options for policies and sites that have been considered and rejected. The results of the public consultation, engagement with stakeholders, industry and the Local Authorities and, detailed technical assessments have all been used to inform the preparation of this Report, forming a fourth public consultation stage. The Preferred Options 2 Report sets out the alternative options considered.

11.0 IMPLEMENTATION DATE

11.1 The Joint Merseyside Waste DPD is scheduled to be adopted by all the six partner Districts in October 2012.

12.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Broad Site Search Final Report (SLR Consulting September 2005)	www.wasteplanningmerseyside.gov.uk or Rutland House, Halton Lea, Runcorn.	Tim Gibbs
Initial Needs Assessment (Land Use Consultants September 2005)	www.wasteplanningmerseyside.gov.uk or Rutland House, Halton Lea, Runcorn.	Tim Gibbs

Agricultural Waste Survey (Merseyside EAS April 2007)	www.wasteplanningmerseyside.gov.uk or Rutland House, Halton Lea, Runcorn.	Tim Gibbs
North West Commercial and Industrial Waste Survey Final Report (Urban Mines May 2007)	www.wasteplanningmerseyside.gov.uk or Rutland House, Halton Lea, Runcorn.	Tim Gibbs
North West Construction, Demolition and Excavation Waste Final Report (Smith Gore July 2007)	www.wasteplanningmerseyside.gov.uk or Rutland House, Halton Lea, Runcorn.	Tim Gibbs
Revised Needs Assessment Report (SLR Consulting December 2007) [Needs Assessment Version 2]	www.wasteplanningmerseyside.gov.uk or Rutland House, Halton Lea, Runcorn.	Tim Gibbs
Merseyside Radioactive Waste Arisings Review (Merseyside EAS December 2007)	www.wasteplanningmerseyside.gov.uk or Rutland House, Halton Lea, Runcorn.	Tim Gibbs
Planning Implications Report (Merseyside EAS January 2008) [Needs Assessment Version 3]	www.wasteplanningmerseyside.gov.uk or Rutland House, Halton Lea, Runcorn.	Tim Gibbs
Review of Greenhouse Gas Emissions from Waste Management Facilities (RPS April 2008).	www.wasteplanningmerseyside.gov.uk or Rutland House, Halton Lea, Runcorn.	Tim Gibbs
Review of Health Impacts from Waste Management Facilities (Richard Smith Consulting June 2008).	www.wasteplanningmerseyside.gov.uk or Rutland House, Halton Lea, Runcorn.	Tim Gibbs

Equality Impact Assessment (Merseyside EAS July 2008).	www.wasteplanningmerseyside.gov.uk or Rutland House, Halton Lea, Runcorn.	Tim Gibbs
North West Regional Broad Locations Nov 08	www.wasteplanningmerseyside.gov.uk or Rutland House, Halton Lea, Runcorn.	Tim Gibbs
Survey for Landfill Opportunities in Merseyside (Merseyside EAS - 2008).	www.wasteplanningmerseyside.gov.uk or Rutland House, Halton Lea, Runcorn.	Tim Gibbs
Built Facilities Site Search Methodology	www.wasteplanningmerseyside.gov.uk or Rutland House, Halton Lea, Runcorn.	Tim Gibbs
Sustainability Appraisal – Phase 1 (Mouchel Parkman (2006-7)	www.wasteplanningmerseyside.gov.uk or Rutland House, Halton Lea, Runcorn.	Tim Gibbs
Strategic Flood Risk Assessment (Capita Symonds 2008-9).	www.wasteplanningmerseyside.gov.uk or Rutland House, Halton Lea, Runcorn.	Tim Gibbs
Habitats Regulations Assessment (Scott Wilson 2007-present).	www.wasteplanningmerseyside.gov.uk or Rutland House, Halton Lea, Runcorn.	Tim Gibbs
Sustainability Appraisal – Phases 2 & 3 (Scott Wilson 2007-present).	www.wasteplanningmerseyside.gov.uk or Rutland House, Halton Lea, Runcorn.	Tim Gibbs
Review of Relative Sustainability of Waste Management based on Mass-Burn or Two-Stage Recovery of Energy from Waste (Juniper Consulting 2009).	www.wasteplanningmerseyside.gov.uk or Rutland House, Halton Lea, Runcorn.	Tim Gibbs
Risk Assessment for EfW Options for MSW in Merseyside & Halton November 2009	www.wasteplanningmerseyside.gov.uk or Rutland House, Halton Lea, Runcorn.	Tim Gibbs
Revised Needs Assessment (Merseyside EAS November 2009) [Needs Assessment version 4].	www.wasteplanningmerseyside.gov.uk or Rutland House, Halton Lea, Runcorn.	Tim Gibbs
Issues and Options Report (March 2007).	www.wasteplanningmerseyside.gov.uk or Rutland House, Halton Lea, Runcorn.	Tim Gibbs
The Halton Council, Liverpool City Council, Knowsley Council, Sefton Council, St Helens Council and Wirral Council Joint Waste Development Plan Document Spatial Strategy and Sites Report. (Merseyside EAS November 2008)	www.wasteplanningmerseyside.gov.uk or Rutland House, Halton Lea, Runcorn.	Tim Gibbs
Spatial Strategy and Sites Q and A	www.wasteplanningmerseyside.gov.uk	Tim Gibbs

Document	or Rutland House, Halton Lea, Runcorn.	
Spatial Strategy and Sites Summary Report	www.wasteplanningmerseyside.gov.uk or Rutland House, Halton Lea, Runcorn.	Tim Gibbs
The Halton Council, Liverpool City Council, Knowsley Council, Sefton Council, St Helens Council and Wirral Council Joint Waste Development Plan Document Preferred Options Report (MEAS December 2009)	www.wasteplanningmerseyside.gov.uk or Rutland House, Halton Lea, Runcorn.	Tim Gibbs

APPENDIX 1

Joint Waste Development Plan Document

Preferred Options Consultation (May – July 2010)

Draft Results of Consultation Report

APPENDIX 2

Joint Waste Development Plan Document

Preferred Options 2 – New Sites Consultation Report