

Local Members' Interest
N/A

DEVELOPMENT SERVICES (SCRUTINY) COMMITTEE : 6 SEPTEMBER 2000

REPORT OF DIRECTOR OF DEVELOPMENT SERVICES

**STAFFORDSHIRE AND STOKE-ON-TRENT WASTE LOCAL PLAN:
COMMENTS RECEIVED ON THE DEPOSIT DRAFT WASTE LOCAL PLAN**

1. **Purpose of Report**

- 1.1 This is intended to be an interim report to describe the number and the general nature of the comments duly made during the deposit period for the Waste Local Plan (the Plan).
- 1.2 To seek endorsement to the approach to late representations on the Plan set out in the report.
- 1.3 To update Members on the next steps in the preparing the Plan and the financial implications.

2. **Summary**

- 2.1 In February 2000 this Committee approved a Deposit Draft Waste Local Plan (the Plan). The Plan was placed on deposit between 8 June 2000 and 21 July 2000. It was advertised in the local newspapers, made available at council offices, libraries and on the Staffordshire Web. 900 notification letters and 250 copies of the Plan were also sent out.
- 2.2 During the deposit period, just 44 representations were 'duly made' before the deadline for comments arrived. Of the 44 respondents, 28 have raised 'objections', 13 have made comments in support, and 13 have advised that they have no comments to make on the Plan.
- 2.3 From consideration of the 'duly made' representations, 200 separate comments have been identified. Of the 200 comments, 148 are 'objections', 39 are comments in 'support', and 13 are 'no comments'.

Late Representations

- 2.4 In addition to the "duly made" representations, to date a further 6 late representations have been received containing 8 objections and 9 comments in support.

- 2.5 The regulations governing the submission of representations are clear and require representations to be made within 6 weeks of the date when an advertisement first appeared in a local newspaper. The late representations were not sent before 21 July 2000.
- 2.6 In the case of the Minerals Local Plan, Members endorsed the view that late representations should not be accepted. It is considered in this case that the same approach should be adopted for the sake of consistency and to avoid a precedent being set for later stages in the plan preparation process.
- 2.7 Most of the late objections (and supporting comments) are similar to those made by others and will therefore be addressed in responding to the duly made objections. Where this is not the case, then it should be possible to address most if not all of the remaining late objections in an informal way through general refinements to the Plan.

A brief analysis of the objections

- 2.8 The principal objections to the Plan relate to the following topic areas:
- the general approach to the plan and the fact that no new sites have been identified for the management of waste (17 objections);
 - proposed sites for inclusion in the Plan (2 objections – High Lane Void and Stewponney Quarry)
 - the background information in the Plan which will need to be up dated where new information is available (35 objections);
 - the precise wording of the general policies and supporting information in Parts 4 and 5 of the Plan (Part 4 – 52 objections and Part 5 – 26 objections);
- 2.9 All the respondents who made comments on the Plan have already received an acknowledgement letter. A copy of the representations is available for public inspection in the Development Services Department reception.
- 2.10 A ‘Schedule of Representations’ containing all the duly made representations has been placed in the Members Library, the Development Services Department reception at Riverway, Stafford, at Stoke-on-Trent City Council’s Civic Centre offices, and on the Staffordshire Web (www.staffordshire.gov.uk/waste). It is also possible to purchase a copy of the schedule by contacting the Development Services Department, County Applications Business Unit.

The next steps

- 2.11 A copy of this report will be sent to the respondents to keep them informed about the progress of the Plan.
- 2.12 As a relatively small number of objections have been received, it is hoped that it will be possible to iron out many of the objections in the Revised Deposit Draft Plan. The next step will therefore be to carry out a detailed analysis of the objections and proposed changes, and discuss possible revisions to the wording of the Plan with objectors. A Revised Plan will then be prepared along with

a detailed schedule of responses for approval by this Committee and by Stoke-on-Trent City Council before the end of the year, or early next year. The Revised Plan will be publicised so that there is an opportunity to comment on the changes to the Plan. An inspector at a Local Plan Inquiry will then consider any outstanding objections. The Inquiry is likely to take place next year.

3. **Recommendation**

- 3.1 That the representations on the Deposit Draft Waste Local Plan be noted.
- 3.2 That the late representations not be accepted but that the issues raised be addressed on an informal basis through revisions to the Plan in response to duly made objections or where possible as part of the general refinements to the Plan.
- 3.3 That the next steps in preparing the Waste Local Plan and the financial implications also be noted.

4. **Background**

- 4.1 In February 2000 this Committee approved a Deposit Draft Waste Local Plan (the Plan). The Plan was placed on deposit between 8 June 2000 and 21 July 2000. It was advertised in the local newspapers, made available at council offices, libraries and on the Staffordshire Web. More than 900 notification letters and 250 copies of the Plan and accompanying documents were also sent out to the organisations listed in the ‘Statement of Publicity’ which accompanied the Waste Local Plan. To date 46 copies of the Plan have also been purchased.
- 4.2 At the close of the deposit period 44 respondents had made a total of 200 “duly made” representations. These can be broken down as follows:

	Representations	Respondents*
Objections	148	28
Support	39	11
No Comment	13	13
Total	200	44
* Some respondents have made representations objecting to parts of the Plan and supporting other parts of the Plan, see the ‘Schedule of Representations’ for more details.		

- 4.3 The number of representations compares favourably with other Waste Local Plans that have recently been the subject of public consultation. For example there were 181 representation letters with 418 objections to the Warwickshire Waste Local Plan and 140 objectors raised 600 objections to the Leicestershire Waste Local Plan at the same stage. Only 3 objectors have so far indicated that they would wish to present evidence at the Inquiry (Biffa Waste Services with 8 objections, Viridor with 36 objections and H.J. Banks with 6 objections). Many of the objections they have raised are of a similar nature and so it may be possible to address them in a roundtable session.

Late Representations

4.4 In addition to the “duly made” representations, to date there are a further 6 late representations from the following:

- Staffordshire Parish Councils Association;
- the Peak District National Park Authority;
- Lichfield District Council;
- Macclesfield Borough Council;
- the Inland Waterways Association; and,
- Railtrack.

4.5 The regulations governing the submission of representations are clear and require representations to be made within 6 weeks of the date when an advertisement first appeared in a local newspaper. The newspaper notice first appeared on 8 June 2000 and so the date before which representations should have been sent was 21 July 2000, as stated in the notice. The notice was sent to all the consultees and it was highlighted in the covering letter. In this case the consultees actually had longer than the normal 6 week period to make their representations as it was first advertised on 15 May, and all the consultees had received a copy of the Plan by that date. The Plan was re-advertised in June when it became clear that the notice had not appeared in all the newspapers. A copy of the revised notice giving the 21 July deadline was sent to all the consultees as well as appearing in the press.

4.6 In the case of the Minerals Local Plan, Members endorsed the view that late representations should not be accepted. It is considered in this case that the same approach should be adopted for the sake of consistency and to avoid a precedent being set for later stages in the plan preparation process.

4.7 Notwithstanding the above, an analysis of the late representations indicates that, of the 17 comments made (8 objections and 9 in support), most of the objections (and supporting comments) are similar to those made by others and will therefore be addressed in responding to the duly made objections. Where this is not the case, then it should be possible to address most if not all of the remaining late objections in an informal way through general refinements to the Plan.

A Brief Analysis of the Objections

4.8 The following brief analysis concentrates on the objectors and the duly made objections to the Plan.

4.9 28 respondents have made objections to the Plan.

OBJECTORS arranged by consultee category	Number
Mineral and Waste Operators	5
Mineral / Waste Consultants	2
Mineral / Waste General	1
Staffordshire Districts	2
Staffordshire Parishes	2
Adjoining / West Midlands Planning Authorities	4
Government Agencies / Departments	10
Statutory Undertakers	0
Environmental / Amenity Groups	2
Transport Groups	0
TOTAL	28
No individual members of the public commented on the Plan. See 'Schedule of Representations' for more details.	

4.10 To assist with an analysis of the objections, they have been arranged into topics.

OBJECTIONS arranged by topic	Number
General objection to the Plan - the Plan should (or may need to) identify sites for the management of waste	17
Proposed sites for inclusion in the Plan	2
Up date/amend the introductory/background information (Parts 1 or 2, the Glossary, or the Technical Appendices 1 or 2)	35
Part 3 - The Waste Planning Strategy - objections to the strategy or principles	3
Part 4 - The General Policies - amend/delete the general policies	22
Part 4 - The General Policies - amend/delete the supporting information	30
Part 5 - The Specific Policies - amend/delete the specific policies	18
Part 5 - The Specific Policies - amend/delete the supporting information	8
The Draft Code of Practice - clarify status / amend the details	8
The Sustainability Appraisal - amend the details	4
A waste management issue rather than a waste planning issue	1
TOTAL	148
See 'Schedule of Representations' for more details.	

5. The Next Steps in preparing the Waste Local Plan

5.1 All respondents who commented on the Plan have already received an acknowledgement letter.

5.2 To conclude this stage in the consultation process, a copy of this Committee Report will shortly be sent to the respondents who made representations on the Plan. A 'Schedule of Representations' containing all the duly made representations has been placed in the Members Library, the

Development Services Department reception at Riverway, Stafford, at Stoke-on-Trent City Council's Civic Centre offices, and on the Staffordshire Web (www.staffordshire.gov.uk/waste).

It will also be possible to purchase a copy of the schedule by contacting the Development Services Department, County Applications Business Unit.

- 5.3 As a relatively small number of objections have been received, it is hoped that it will be possible to iron out many of the objections in the Revised Deposit Draft Plan. The next step will therefore be to carry out a detailed analysis of the objections and proposed changes, and discuss possible revisions to the wording of the Plan with objectors. A Revised Plan will then be prepared along with a detailed schedule of responses for the approval by this Committee and by Stoke-on-Trent City Council before the end of the year, or early next year. The Revised Plan will be publicised so that there is an opportunity to comment on the changes to the Plan. An inspector at a Local Plan Inquiry will then consider any outstanding objections. The Inquiry is likely to take place next year.

6. Financial Implications

- 6.1 The financial implications were set out in a previous report (19 November 1998). The overall cost for the preparation and adoption of the Waste Local Plan was estimated to be £112,500. The costs are being shared with Stoke-on-Trent City Council on the same basis as the Minerals Local Plan i.e. Staffordshire 75% and Stoke-on-Trent 25%. This is an appropriate opportunity to up date that estimate.
- 6.2 At this stage it is not possible to determine precisely what effect the relatively small number of representations will have on the overall cost of preparing the Waste Local Plan. Nevertheless, as predicted in an earlier report (28 September 1999), first indications suggest that, while additional costs will be incurred in preparing and advertising a Revised Plan, costly Inquiry time should be reduced. Only 3 objectors (Biffa Waste Services, Viridor and H.J. Banks) have so far indicated that they would wish to present evidence at the Inquiry, and that evidence is likely to relate to a limited number of topics.
- 6.3 The plan preparation costs since 1998, and looking ahead to adoption of the Plan in 2003 or 2004 are set out below.

	Cost	Financial Year
Draft Waste Planning Strategy	£9,085	1998-9
Deposit Draft Waste Local Plan	£12,626	2000-1
Revised Deposit Draft Waste Local Plan	£9,000	2000-1
Pre-Inquiry	£8,000	2000-1
Public Local Inquiry (assuming 8 day Inquiry)	£43,000	2001-2
Modifications Waste Local Plan	£9,000	2002-3
Adopted Waste Local Plan	£10,000	2002-3/4
TOTAL	£100,711	
Estimated income from the sale of documents	+ £1,000	1998-2004
ROUNDED TOTAL COST	£100,000	1998-2004
Estimated figures have been rounded to the nearest £1000		

- 6.8 At this stage it is estimated that the total cost of preparing the Waste Local Plan will be about £100,000. As the County Council is sharing the costs with Stoke-on-Trent City Council, the total cost of preparing the Waste Local Plan, payable by the County Council, is likely to be about **£75,000**.

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BACKGROUND DOCUMENTS

1. Development Services Group Committee: 19 November 1998 - 'Waste Local Plan: Draft Waste Planning Strategy'
2. The Staffordshire and Stoke-on-Trent Draft Waste Planning Strategy 1998 to 2011 November 1998
3. Development Services Group Committee: 28 September 1999 – 'Staffordshire and Stoke-on-Trent Waste Local Plan: Comments received on the Draft Waste Planning Strategy'
4. The Draft Waste Planning Strategy - Comments and Responses – September 1999
5. Development Services Group Committee: 24 February 2000 – 'Staffordshire and Stoke-on-Trent Waste Local Plan 1998 to 2011 Deposit Draft'
6. The Staffordshire and Stoke-on-Trent Waste Local Plan, 1998 to 2011, Deposit Draft (May 2000) and accompanying documents.

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Equal Opportunities Implications	Financial Considerations
This report has been prepared in accordance with the County Council's policy for equal opportunities.	As set out in report