

Panel Question (i)

Is the evidence base used to inform the capacity requirements set out in Tables 11.3, 11.4 and 11.5 robust?

1.1 As set out at the Waste Seminar and in the Technical Appendix, the Draft RSS is underpinned by an evidence base which represents the best available data at the time of preparing RSS. It is acknowledged that data evidence is improving and work ongoing¹.

Commercial and industrial waste

1.2 The evidence base on which to determine a prescriptive pattern of facilities for *commercial and industrial waste* and broad locations by WPA is very limited². The recent consultation on the national waste strategy³ acknowledges the poor quality of current information on these waste arisings.

1.3 The annual capacity requirement for the management of commercial and industrial waste is given as in Table 11.3. These indicative capacity estimates are primarily based upon existing waste management patterns and the achievement of the Regional Waste Strategy targets. The supporting text recognises that the precise mix and size of these facilities will vary over time and be largely driven by economic factors such as the landfill tax escalator.

Hazardous waste

1.4 Furthermore the text recognises that there are significant uncertainties in planning for the future management of hazardous waste. Key issues include hazardous waste classification, waste stabilisation and ceasing co-disposal of hazardous and non-hazardous waste streams.

1.5 Table 11.4 is based on the existing definition of special waste; however these figures are likely to underestimate the future requirements for number and type of site provision. New Hazardous Waste Regulations only came into force in 2005 and information under the new regime is not yet available from the Environment Agency. These changes may significantly increase the demand for new waste treatment facilities and capacity.

Municipal waste

1.6 With respect to municipal waste it is generally expected that composting, materials recovery facilities and new primary residual waste treatment capacity will be located within the WPA in which the waste arises. Based on information from the North West RTAB⁴, Table 11.5 forecasts the amount of domestic waste likely to arise between 2005 and 2020 and provides a guide for local authorities and developers as to the way it can be managed.

¹ North West Commercial and Industrial Survey and the North West Construction and Demolition Survey.

² The Lichfield Core Strategy Development Plan Document Inspector's Report on the examination under s20 of the 2004 Act Planning Inspectorate 2006 cited inadequacy of the evidence base as a fundamental failing under test 10 on soundness. The report stated that for a plan to be sound the evidence base must be both comprehensive and up-to-date on submission.

³ Review of England's Waste Strategy, Defra.

⁴ RTAB Annual monitoring report 2005.

1.7 Municipal waste growth rates have been less than the 2% annual target for 2006 set in the Regional Waste Strategy 2004. The growth in municipal waste arisings over the 3 years from 2001/2-2004/5 was less than one percent. This reduced rate of growth has a favourable impact on the long term baseline and if this trend is maintained the requirements for new municipal waste management capacity will be reduced.

Composting and MRF facilities

1.8 Composting and MRF facilities are estimated on the basis of meeting the recycling and composting target of 55% by 2020. The values given in table 11.5 are indicative only and the scale and mix of facilities will be determined at the local level. It is anticipated that waste collection and disposal authorities will seek to reach high levels of recycling and composting through source segregation within the early and medium stages of the strategy, thus, most of this new infrastructure would be in place by 2015.

Residual Waste Treatment

1.9 The indicative capacity values given in table 11.5 provide a ceiling within which LPAs can take into account their local circumstances and opportunities including potential requirements for primary residual treatment, secondary and in some cases tertiary treatments of residual waste treatment products (such capacity may be provided as adjacent processes or at separate sites). The scale, type and mix of these facilities will vary over time and will be dependant upon the success of waste minimisation, recycling and composting and the development of new technologies and evolving waste management strategies. Paragraph 11.34 of the supporting text notes that shared treatment capacity may result in economies of scale and help to achieve greater recycling and recovery of commercial and industrial waste.

1.10 The indicative values given in table 11.5 are the product of residual waste treatment (e.g. MBT) + secondary treatment (e.g. energy recovery from RDF) + any tertiary residue treatment * allowance for normal operational efficiency below theoretical design capacity (if residual waste =100 then treatment capacity = 100 + 50% residual waste products +10% secondary residue treatment and pollution abatement *120% = 192).

Landfill

1.11 The indicative requirements for landfill capacity for residual municipal waste are based on the landfill allowance for biodegradable municipal waste for each of the Waste Disposal Authorities within the NW region under the Landfill Allowance Trading Scheme (LATS). The landfill capacity required for this tonnage allowance has been calculated from the total tonnage of waste that would be deposited (the biodegradable content is assumed to be 68% under LATS). The density of emplaced waste is estimated at 0.8 tonnes per m³. Additional capacity allowance of 15% is made for non biodegradable municipal waste and site engineering.

1.12 Ongoing updates from the developing Municipal Waste Strategies across the region indicate that by 2015 most of the residual municipal waste produced in the region will be subject to treatment. Residual landfill requirements may then be less than the LATS allowances, consisting principally of treated residues for which there is no further use or effective treatment.

Panel Question (ii)

Are the waste policies in the draft RSS consistent with PPS10? If not, what changes should be made to the draft RSS?

2.1 The Draft RSS waste policies for sustainable waste management that are consistent with the key planning objectives as set out in PPS10 are:

- Policy EM11 helps to deliver sustainable development through driving waste management up the waste hierarchy as an underlying principle governing the regional approach to sustainable waste management.
- Policy EM12 and EM13 together with supporting text (in particular at 11.27) provide the framework for communities to take more responsibility for their own waste and enable waste to be disposed of in one of the nearest appropriate installations;
- Policy EM10 provides reference to the Regional Waste Strategy targets and objectives which helps to implement the national waste strategy, and supporting targets
- Preliminary consultations and advice from the RTAB has been drawn upon in order to reflect the concerns and interests of communities, the needs of waste collection authorities, waste disposal authorities and business, and encourage competitiveness
- The supporting text in paragraph 11.33 advises that largely urban WPAs with little or no opportunities for landfill should contribute to the overall strategy by accommodating more treatment capacity than otherwise might be planned for.
- Policy EM 11 and supporting text promotes the design and layout of new development in accordance with the principles of sustainable waste management.
- The RSS waste policies look forward to 2020;

2.2 It is recognised that the Draft RSS waste policies do not fully account for PPS10 in the matters of apportionment between authorities at WPA level within the region and in the identification of the pattern of waste management facilities and broad locations for sites of regional and sub-regional significance. It is accepted that further work⁵ will be required on this and should be incorporated in a future review of the RSS⁶.

2.3 The provision and timing of adequate municipal waste management facilities are addressed in Policy EM 13 and the supporting text at paragraphs 11.24, 11.27, 11.38 and 11.39 (Table 11.5), whilst paragraphs 11.36 and 11.37 with tables 11.3 and 11.4

⁵ Progress on the pattern and apportionment of waste management facilities is being addressed through ongoing additional data and information capture including current survey projects for commercial and industrial waste, construction and demolition waste arisings and a review of the potential for strategic regional facilities. These projects are ongoing but will not be complete in time to inform proposed changes to the RSS at the EIP.

⁶ Pending the outcome of the Comprehensive Spending Review (CSR07) no funding currently exists beyond 31st March 2008, to support the Assembly's RPB function (including the employment of staff). Therefore the Assembly is only able to commission new research that will be completed by 31st March 2008. Until the medium - long term funding situation is resolved, the Assembly is also unable to give firm timescale commitments on undertaking a future review of RSS, as it may not be possible to comply with all the procedural process requirements of PPS11 over next 18 months, to ensure submission of a Draft RSS to Government before 31st March 2008.

address commercial and industrial wastes. Paragraph 11.26 addresses the provision and location of facilities to support recycling.

2.4 The RSS waste policies include the appropriate location of facilities within urban and rural areas and with a recommendation that urban areas with constraints on landfill should accommodate more treatment capacity than otherwise might be planned for.

2.5 Interregional flow between the NW and other regions is currently principally that of municipal waste transported for landfill by rail. This requirement is likely to reduce or cease over the period of the strategy. Other significant interregional movements are of smaller quantities of hazardous waste to existing long term specialised storage, treatment and disposal facilities for which the region is a net importer.

2.6 In the context of the above, the Assembly note the comments made by the GONW in their response⁷ and invite GONW to provide clarity to the Panel on how it envisages that the Draft RSS could be reviewed to address their concerns about the inclusion of the Regional Waste Strategy.

2.7 Assembly officers have made a series of suggested amendments to reflect this response⁸.

Panel Question (iii)

Is there a need for the draft RSS to provide a clearer spatial direction in terms of waste apportionment and waste management facilities that will be required at the regional and sub-regional level?

3.1 Progress on the pattern and apportionment of waste management facilities is being addressed through ongoing additional data and information capture including current survey projects for commercial and industrial waste, construction and demolition waste arisings and a review⁹ of the potential for strategic regional facilities. These projects are ongoing but will not be complete it time to inform proposed changes to the RSS at the EIP.

3.2 The RSS waste policies generally expect that new primary residual waste treatment capacity for municipal waste will be located within the WPA in which the waste arises. This assumption is generally in accordance with WDA strategies for composting, MRF and first stage residual waste treatment.

3.3 Secondary products from residual waste treatment such as refuse derived fuel (RDF) and specific material reprocessors for recyclate are more likely to be located on a regional strategic basis. Strategic facilities in the southern part of the region could be located in any of 6 WPA areas. It is not until a specific site and proposal is identified that a full analysis of sustainability as a regionally significant site can be undertaken.

⁷ Paragraphs 5 (a) – (c) of Annex 1 of the GONW response.

⁸ Briefing Paper 20 - Suggested Wording Changes to Draft RSS, NWRA, September 2006

⁹ Identification of regionally and sub-regionally significant waste management facilities study.

3.4 Substitution of RDF for fossil fuels in power generation or process industries may also be developed, although uncertainties remain concerning the technical viability of these options.

3.5 Increased costs, reduced landfill capacity and legislative commercial and industrial waste requirements for treatment are predicted to result in increased recycling and a demand for new treatment capacity for commercial and industrial waste.

3.6 Many of the new commercial and industrial waste facilities are likely to be specialised and regionally or inter-regionally strategic in nature. Examples of such specialised facilities would include those dealing with Waste Electrical and Electronic Equipment, Clinical Waste Treatment and other specific hazardous waste, whilst energy recovery may provide the most sustainable option for some waste materials. These, often small scale industrial facilities may be located within existing industrial development within the region's urban areas. However, the evidence base on which to go beyond this position in terms of broad location and pattern of facilities is weak¹⁰ such as defining projected waste arisings and changes in the structure of industrial and commercial waste arisings and movements.

Panel Question (iv)

Is the inclusion of peat as a mineral reserve to be extracted appropriate?

4.1 The inclusion of peat as a mineral reserve to be extracted follows government guidance outlined in MPG13: Guidelines for Peat Provision in England¹¹. This outlines government policy with regards to peat extraction and subsequent reasoning and supporting information.

4.2 The Government's policy for peatlands in England is to:

- i)** conserve a sufficient range, distribution and number of all peatland habitats, representing part of the critical natural capital of the country; and promote the wise use of the wetland resource within the nation's peatland heritage;
- ii)** avoid wherever practicable the destruction of important archaeological remains in peatland;
- iii)** enable the horticultural industry to continue to be supplied with peat; and also to encourage the development and use of suitable alternatives so that market needs can be met in different ways;
- iv)** provide a suitable framework for updating old permissions for peat extraction, especially in respect of rehabilitation of sites.

4.3 In line with this approach, the Assembly has subsequently included peat as a mineral resource in policy EM7. Throughout the RSS process, this issue has not been raised as a possible policy deficit until the formal public consultation. The Assembly recognises that lowland raised bog is subject to pressures that can be conflicting to biodiversity concerns, such as peat extraction, landfill development, forestry, drainage pressures and

¹⁰ The Lichfield Core Strategy Development Plan Document Inspector's Report on the examination under s20 of the 2004 Act Planning Inspectorate 2006 cited inadequacy of the evidence base as a fundamental failing under test 10 on soundness. The report stated that for a plan to be sound the evidence base must be both comprehensive and up-to-date on submission.

¹¹ MPG13: Guidelines for Peat Provision in England, 1995

others. The Assembly also recognises that peat acts as an important carbon store, and extraction and use leads to increased carbon emissions. The Assembly is supportive of the growing usage of peat alternatives and would seek to encourage this where this provides for a practical and sustainable alternative. The Assembly suggests that the Panel needs to consider if, and how the issue needs to be addressed in light of the EiP debate. Briefing Paper 9¹² sets out the extent of peat resources in the region, and associated planning permissions.

¹² Briefing Paper 9 – Extent of Peat and Planning Permission for Peat Extraction, NWRA, September 2006