

Minutes of Meeting – 18th October, 2012 Held at Local Government House, Smith Square, London

Attending:

Deborah Sacks (Convenor), Sacks Consulting
Nikki Wright (Minutes), Sacks Consulting
Edward Rehill, Wokingham Borough Council
John Prosser, Kent County Council
Paul Sanderson, Surrey County Council (am only)
Diana Lock, Remade South East
Mike Tregent, Environment Agency
Mike Elkington, West Sussex County Council
Trevor Brown, Oxfordshire County Council
Archie Onslow, North London Waste Plan (am only)
Brian Whiteley, West London Waste Plan (am only)
Hannah Lucitt, Urban Mines
Paul Prowting, Hampshire County Council
Tony Cook, East Sussex County Council
Roger Kirkham, Slough District Council
Matt Meldrum, West Berkshire Council

Apologies:

Christine Drury, CPRE
Peter Day, Oxfordshire County Council
Laura Kay, Isle of Wight Council
Claire Potts, South Downs National Park Authority

1. Welcome and Introductions:

1.1 DS welcomed attendees and introductions were given.

2. Minutes, Actions and Matters Arising from last group meeting (5th July 2012):

2.1 Minutes of the meeting on 5th July 2012 were agreed.

2.2 Diana Lock (DL) of Remade South East prepared the following briefing notes as an action arising from the minutes on 5th July 2012. These were distributed and discussed during the meeting, as follows –

Briefing note for SEWPAG – EU Guidance on Preparing a Waste Management Plan

http://ec.europa.eu/environment/waste/plans/pdf/2012_guidance_note.pdf

This is a useful guide on the preparation of Waste Management strategies and Waste Plans. It lists the mandatory elements for each Plan and is addressed to member states.

Remade South East Briefing Paper for SEWPAG – Defra’s new definition of waste

<http://www.defra.gov.uk/publications/2012/08/20/pb13813-legal-def-waste/>

The new definition provides an up to date summary on EU case law. However, guidance advises that legal clarification is needed where there is uncertainty.

Mike Tregent (MT) of the Environment Agency commented that the Campaign for Real Recycling (CRR) – set up mostly by the reprocessing industries – challenged Defra’s interpretation of source separated collection.

DS added that the issue of substance is about the quality of materials from MRFs.

Other comments:

DS is to meet with Defra officials shortly. The timetable for the national Waste Management Plan is uncertain.

DS thanked DL for preparing these briefing papers.

2.3 Matters Arising

John Prosser (JP) gave an update on South East 7 (SE7). Andy Robertson has now left East Sussex Council. Kent (Caroline Arnold) are the lead partner.

The South East 7 area includes Medway, Portsmouth and Southampton. Stephen Potter of East Sussex is the Project Manager and Frances Howe of Hampshire County Council is managing the data. The map of HIC facilities is being produced and waste flows are being examined to identify spare capacity. They are using our database but will contact Planning Officers to improve the Capacity Data. They have concluded that they do not have adequate capacity data on ²/₃ of sites.

TC added that it is difficult to reconcile the data for waste transfer stations. DL commented that it is a difficult process to map waste flows due to trends in use of materials.

DL advised that another SE7 Leaders meeting is scheduled in March.

Roger Kirkham (RK) questioned if the information will be passed to Waste Planning Officers to be checked in some way. JP responded they were intending to put it straight into the model. DS and HL will check the information with the local Planning Officer and ensure that there is some quality checking.

Action DS and HL

3. The Duty to Cooperate:

Proposed Memorandum of Understanding, report back from North London waste plan hearings and update on other neighbouring plans:

- 3.1 The MoU drafted by ME and amended by TC was discussed. It was agreed that this was a very good basis for a first tier document. It was noted that the West Midlands protocol reflected this approach.

A second agreement may be required to document the position between the two authorities on a bi-lateral basis. It will be necessary to identify those authorities who are significantly impacted by a waste plan. For example, Kent have identified that they exchange waste with hundreds of authorities.

It was noted that some authorities will not achieve net self-sufficiency, and this must be acknowledged in the document.

Para 7.2 – there needs to be an addition to state “except where there are separate agreements between Authorities.” MM pointed out that West Berkshire would not be able to achieve net self-sufficiency and will continue to export residual waste. It was also noted that it is unlikely that most Authorities will achieve self-sufficiency with regard to hazardous waste and LLW.

Para 7.4 – it should be noted that there is an aspirational target to reduce dependence on landfill. A new paragraph is needed to take into account the London apportionment and to state whether it is included in this agreement.

Paras 8.2 and 8.3 – the phrase “will ensure” may need to be changed to “explore” or “attempt.”

It was noted that this MoU could be signed off by the relevant portfolio holder, or the Director.

TC reported back on the East Sussex EiP. The Inspector wanted to know about 30 Authorities. Paper evidence was required to highlight dialogue between them to show co-operation and liaison. The Inspector went into depth and also asked what stage the Authorities were at in their plans.

TC explained that they demonstrated the worst case scenario and had increased their recovery size equivalent. They produced a 146 page document. The Inspector wanted to know about SEWPAG meetings.

All proposals for new wording on the MoU to DS asap.

3.2 Report on North London Waste Plan:

North London are considering whether to withdraw their Plan or to go for non-adoption. They may change the name of their Plan. In the shorter term major procurement facilities require planning permission. NLWP staff are currently studying Inspector Andrew Mead’s letter. The NLWP team is writing

to all Authorities to whom they send waste and are working through the RTABs. A Statement of Common Ground with these authorities is being considered.

BW stated that West London is in a slightly different position. They submitted their proposed draft plan and then the North London issue came up. West London is looking at the data on waste flows and will be liaising with other Authorities.

3.3 London RTAB Meeting:

The London RTAB met on the 10th October 2012 and was very well attended. It was noted that the GLA will not provide Borough level data and that the London Boroughs will therefore have to develop this themselves.

3.4 Discussion Paper from the GLA on Cross Boundary Co-operation:

This paper had been circulated. It was noted that this paper did not make any clear or additional commitments. JP noted that the Duty to Co-operate is not a substitute for good planning.

4. London Plan Revised Early Minor Alterations

- 4.1 The GLA have circulated a note stating that the Duty to Co-operate does not apply to the London Plan. DS felt that this can be challenged and has drafted representations to the forthcoming EiP on alterations to the London Plan accordingly.

MT added that London treats a lot of hazardous waste. It was felt that it could be quite a significant industry and this should be encouraged.

DS to make representations and attend the EiP hearing. **Action DS**

5. WPA Update on LDFs and Major Applications, including comments on the West Sussex Waste Local Plan: Proposed Submission Draft

5.1 Hampshire (PP)

The EiP hearings will be reconvening in March. There have been 86 changes, most of which are minor and these are being consulted upon for a period of eight weeks. The team is under pressure as it has been reduced by half.

5.2 Kent (JP)

The programme for the core strategy and Sites DPD has been extended by 6 months and a new LDS will be published. There have been fewer responses to the new sites DPD than in the previous consultation. The Authority is hoping to boost EfW for C&I waste. There is significant inert landfill capacity, much of which is used by London. Kent are looking to achieve net self-sufficiency for all waste types, including hazardous landfill.

5.3 West Sussex (ME)

Work is continuing jointly with the National Parks Authority. The Plan has been approved by National Parks Authority and is going to the County Council on 19th October with an examination next summer. There is an aspiration of zero waste to landfill. There are two landfills left in the county, which will run out in 2015. There is potentially a shortage of inert landfill capacity.

TC queried whether there was sufficient provision for additional capacity. ME responded that there was.

MT commented the CDEW waste figures have been depressed for a few years and there is a feeling that there is much civil engineering work bottled up in the system.

TC asked if West Sussex had looked at the options for land raising. ME replied that they had received no interest in new landfill or land raise.

5.4 Oxfordshire (TB)

There have been just over 100 individual representations which have been broken down into over 400 issues, mainly concerning minerals. Oxfordshire are aiming to submit their plan at the end of October with an examination in February next year. Some representations say the plan is not NPPF compliant. A lot of work has been done on the Duty to Co-operate but there have been comments on the lack of evidence. An extensive document has been produced. Oxfordshire have liaised with Cumbria and Northamptonshire. There are 2 policies that currently cover radioactive waste. Oxfordshire have engaged with non-hazardous landfill operators to ascertain if there is interest in taking low level waste or hazardous waste, but there is no current interest.

5.5 West Berkshire (MM)

The Berkshire authorities are discussing ways to take their plans forward. Some waste is being exported to France.

5.6 Surrey (PS)

Inspectors report expected by the end of the month, hopefully adoption by the end of the year.

5.7 East Sussex (TC)

EiP hearings held recently. There was 1 main modification with regard to the NPPF model policy. There were some last minute questions from Natural England which caused significant confusion.

6. Capacity Database and Model

- 6.1 An update on the Capacity Database and Model was given by Hannah Lucitt of Urban Mines. Handouts describing the model and how to use it were distributed and will be attached to these minutes.

Questions and Comments:

There was some discussion around dating amendments / changes. It was suggested that there needs to be a last amended date which can be viewed

when printing off reports. Hannah will consider how to implement this. It was noted that a summary will be produced when data from annual monitoring reports has been downloaded.

7. Membership Issues:

7.1 NuLeAf (Nuclear Legacy Advisory Forum)

It was noted that NuLeAf is a Member led organisation. Oxfordshire County Council and Kent County Council are currently members. Hampshire were members, but about to withdraw. There was significant funding from Defra, which has now been cut. The website (<http://www.nuleaf.org.uk/>) and events are very good.

There was a discussion as to whether SEWPAG should become a member but it was noted that finances will not currently stretch to this. Oxfordshire have offered to share information with SEWPAG. SEWPAG agreed not to subscribe formally at the moment.

7.2 Isle of Wight

It was noted that the Isle of Wight are currently on the mailing list and it was hoped that they will contribute financially next year.

7.3 Finance - Paul Prowting presented on behalf of Emily Butcher:

Emily has reviewed the spending plan and reviewed each Authority's contributions. There was concern that expenditure should be sustainable. It was agreed to have a further meeting after the next SEWPAG meeting to discuss finances. TC commented that East Sussex had not yet received an invoice.

8. Action Plan – update on outstanding actions not covered elsewhere on the agenda:

8.1 Policy Development:

Defra – there are reports that progress with the NWNP has been delayed. CLG are reviewing PPS10 and would welcome comments. It is understood that the Companion Guide is being retained. The proposed Guidance on EfW is awaited. The National Waste Prevention Plan is also awaited.

8.2 Liaison with other RTABs:

The notes of the joint meeting of RTAB Chairs and the Planning Officers Society had been circulated.

DS to circulate minutes of other RTAB meetings (London and East of England).

South West RTAB is due to meet on the 27th September.

8.3 Liaison with Industry:

DL offered several suggestions and possible speakers from Industry. It was agreed to invite a speaker to the next meeting.

8.4 Knowledge Hub:

It was agreed that it should be an open group and all SEWPAG papers will be uploaded.

9. Any Other Business

9.1 Planning for Waste Water:

There was discussion about the difficulty of planning for water treatment facilities. Water companies plan on a very different timescale to the WPAs.

9.2 Planning for Changing Markets:

It was noted that countries that import waste and secondary materials are demanding higher quality products. In order to manage changing markets, additional capacity for storage of material may be needed. Providing storage for RDF and recyclate may be challenging.

10. Date of Next Meeting:

31st January 2013

Dates for 2013:

11th April

4th July

17th October

These are all Thursdays.