


Monitoring Report for 2002-2004

Leicestershire, Leicester and Rutland Waste Local Plan 1995-2006

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1. INTRODUCTION

The Waste Local Plan

- 1.1 The Leicestershire, Leicester and Rutland Waste Local Plan 1995-2006 was adopted in September 2002 and therefore constitutes a part of the Development Plan for the areas of Leicestershire County Council, Leicester City Council and Rutland County Council. The Plan contains detailed policies and guidance, which provide a basis for making decisions on planning applications for waste development in the Plan Area for the period until 2006.
- 1.2 Government policy in Planning Policy Guidance Note 12: Development Plans (PPG12) makes clear that local planning authorities are required to keep policies and proposals of all development plans under review and that the plan should say how monitoring and review are to be carried out (paragraph 2.17). The guidance further indicates that the monitoring process helps inform the decision on the need for, and scope of, a plan review and that local authorities should publish the results of plan monitoring on a regular basis (paragraphs 2.18 and 2.19).
- 1.3 Chapter 6 (Implementation and Monitoring) of the Plan recognises that waste management is a complex field of activity and one that is subject to many kinds of change. A review of the Plan is therefore anticipated to commence quickly after adoption in order both to plan properly both beyond 2006 and to enable the amendment of policies if necessary to reflect any changed circumstances.
- 1.4 This is the first monitoring report, the findings of which will influence the content of new waste development plan documents for the areas of Leicestershire County and Leicester City only. Rutland County Council have decided to carry out their own separate review of the waste policies for their area. The Plan Area referred to and the waste data provided in the report relate therefore to the geographic areas of Leicestershire County and Leicester City only. It will be referred to within the report as the “framework area” which is more consistent with the new style of plan that is to be produced.

- 1.5 Recent reform of the planning system has introduced a change to the way the Development Plan system will function in the future. There are now to be Local Development Frameworks (LDFs), which will comprise a variety of development plan and other documents. One of these is to be an annual monitoring report, which local planning authorities are to be required to produce based on the period 1st April to 31st March. Consequently a further aim of this first monitoring report is to provide a basis for such future ongoing monitoring.

Report Content

- 1.6 The report is structured in three general parts: Scene setting, Assessment of the Plan, and Conclusions. Following the introduction, the next two chapters of the report set out the legislative and policy background together with waste management trends underlying the need for waste planning policies. The following two chapters then consider the effectiveness of the individual plan policies and identify the key issues that can be drawn from their application. The final two chapters provide the conclusions as to the overall performance of the Plan and the potential for review.
- 1.7 Chapter 2 of the report deals with the legislative and policy background to the Plan and the review process. It provides more detail of the new Planning and Compulsory Purchase Act 2004 as well other legislative developments that are pertinent to waste planning. In addition it includes an overview of relevant national, regional and strategic policy.
- 1.8 Chapter 3 is concerned with analysing the current and projected waste management requirements for Leicester and Leicestershire over the period to 2016. The total volume of waste produced in the area per year is sub-divided into waste streams and an assessment made of the quantities imported into and exported from the area. The existing levels of recycling/composting, other forms of recovery and final disposal are then set out, and the potential future levels for each such type of waste treatment estimated according to different possible scenarios and taking into account nationally and regionally set targets.
- 1.9 Chapter 4 provides a summary of the available existing sites and their capacity grouped by the three broad waste management types defined in the Plan:
- Re-use/Recycling/Value Recovery;

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- Waste Disposal, and
 - Other Waste Management
- 1.10 Chapter 5 reviews the general matters policies and assesses whether they have fulfilled, and are likely to continue to fulfil, their objectives. Issues of concern are identified and consideration is given to providing consistency with the proposed minerals development plan documents.
- 1.11 Chapter 6 makes an analysis of the effectiveness of the Plan in providing for waste management needs in the light of national, regional and local strategic objectives and provides assumptions about meeting future requirements. It includes an assessment of the existing approach and the potential for review of the policies.
- 1.12 Chapter 7 concludes by summarising the main findings of the report. From this the key issues to be tackled in the new waste development plan documents are identified and the basis for future monitoring established.

Objectives of the Report

- 1.13 The report has three principal objectives. The first is to assess the effectiveness of the existing Plan, which is essential if the authority is to review the Plan as anticipated. Such an assessment should provide the information to help identify the priorities and focus the matters on which the review should be based. Consequently from this first objective flows the second aim, which is to identify potential key issues and options to address in the preparation of new waste development plan documents. Finally the third purpose is to meet the statutory requirement of keeping the development and planning of the area under review, and to provide a basis for further annual monitoring of the local waste development framework.

2. BACKGROUND

Legislative Developments

- 2.1 *The Planning and Compulsory Purchase Act 2004*, which introduces significant changes to the national planning system, received royal assent in May 2004 and a number of its provisions relating particularly to the new development plan system came into force in September 2004. The development plan will continue to be the starting point in consideration of planning applications. However, it is now to consist of regional strategies and various development plan documents, which are to include a core strategy, site specific allocations of land, area action plans (where needed) and a proposals map.
- 2.2 These development plan documents together with any supplementary planning documents are known as local development documents and will form part of the local development framework, which is a portfolio of documents also including the statement of community involvement (the local planning authority's policy for involving the community in the preparation and revision of local development documents and planning applications), the local development scheme (the local planning authority's programme for the production of local development documents) and the annual monitoring report. Supplementary planning documents expand policies set out in a development plan document or provide additional detail. They will not be subject to independent examination and will not form part of the statutory development plan. However, they should be subjected to rigorous procedures of community involvement.
- 2.3 County Council minerals and waste local development documents are to be contained within a separate minerals and waste local development framework. The waste local development framework together with the regional strategy is to collectively deliver the spatial planning strategy for waste development for the local planning authority's area. In addition local planning authorities must undertake a sustainability appraisal, incorporating the requirements of the Strategic Environmental Appraisal Directive, of the local development documents that they prepare.

- 2.4 *The Human Rights Act 1998* came into force in October 2000. This established the protection of certain defined human rights within UK law, including the right to respect for private and family life and protection of property, unless action is necessary in the public interest. The Act has implications for the exercise of planning functions and the potential effects on the rights of people affected must be properly considered in the light of the provisions of the Act.
- 2.5 *The Landfill (England and Wales) Regulations 2002* came into force on 15 June 2002. These implement the EU Landfill Directive which aims to prevent, or to reduce as far as possible, the adverse environmental effects of landfill and there are various implications. Sites are now classified into one of three categories: hazardous, non-hazardous or inert, according to the type of waste they receive. Applications for pollution prevention control permits, introducing a series of new requirements, have to be made by specified times between 2003 and 2006, in order for sites to continue operating. As of July 2004 the pre-treatment of hazardous wastes prior to disposal is required and the co-disposal of hazardous and non-hazardous wastes at any landfill site has been banned, and as of July 2005 new European Waste Acceptance Criteria (WAC) will apply. Landfilling of whole tyres was banned from June 2003 and the landfilling of shredded tyres will be banned from 2006.
- 2.6 *The Landfill Allowance Trading Scheme (LATS)* introduced by DEFRA in 2004 also implements requirements of the EU Landfill Directive. It identifies the volumes of biodegradable municipal waste that a Waste Disposal Authority (WDA) can landfill between 2005/6 and 2019/20. These landfill allowances, which are provisional at present, are tradable between WDAs. Failure to meet the requirements of the scheme involves penalties to the authority concerned.
- 2.7 *The Waste Incineration Directive* was implemented in the UK through Regulations in December 2002 and its main aim is to prevent and limit negative environmental effects by emissions into air, soil, surface, and ground-water, and the resulting risks to human health, from the incineration and co-incineration of waste. The Directive introduced stringent operating conditions and sets minimum technical requirements for waste incineration and co-incineration. It applied to all new installations from December 2002 and to installations existing at that date from December 2005.

- 2.8 *The End-of-Life Vehicles (ELVs) Directive* passed into European Law in October 2000. It aims to reduce, or prevent, the amount of waste produced from ELVs and increase the recovery and recycling of ELVs that do arise. Whilst the deadline of 21 April 2002 for transposing the Directive into national law has been delayed, the End of Life Vehicle Regulations 2003 came into effect in November 2003. These apply to sites used for the storage and treatment of end-of-life vehicles, requiring operators to hold a site licence if accepting vehicles which have not been depolluted and setting new minimum technical standards for all sites that store or treat ELVs.
- 2.9 The Government has recently consulted on implementing the *Waste Electrical and Electronic Equipment (WEEE) Directive*. The Directive's obligations, which are for producers and retailers to reduce the waste arising from electrical and electronic equipment and to improve the environmental performance of all those involved in the life of electrical and electronic equipment, are required to come into force on 13 August 2005. A series of demanding recycling and recovery targets will have to be met by December 2006.
- 2.10 A revision to the *Batteries Directive* is currently being consulted on. The revised Directive may include collection and recycling targets for all spent batteries and accumulators and producer responsibility for the collection and recycling of spent batteries, which should lead to an increase in consumable battery recycling in the UK.
- 2.11 The Government is currently consulting on proposals to extend waste management controls to agriculture. Agricultural waste is currently excluded from national waste management controls, but this contravenes the EU Waste Framework Directive and the Landfill Directive. The new Regulations are expected to take effect in summer 2005, with a 12 month transitional period to allow farmers to adjust to the new rules and apply for permits and licence exemptions. The new controls will apply to non-natural agricultural wastes, and uncontrolled burning of waste (excluding wood and plant matter) and burial of waste in farm tips will be prohibited from day one.

National Planning Guidance

- 2.12 Planning Policy Statement 12: Local Development Frameworks (PPS12) was issued in 2004 and sets out the Government's policy on the preparation of local development documents which will comprise the local development framework. At paragraph 2.9 the advice says that the core strategy should normally be the first development plan document to be produced and it should be comprised of a spatial vision and strategic objectives for the area; a spatial strategy; core policies; and a monitoring and implementation framework with clear objectives for achieving delivery.
- 2.13 Paragraph 4.45 emphasises: "Review and monitoring are key aspects of the Government's 'plan, monitor and manage' approach to the planning system. They are crucial to the successful delivery of the spatial vision and objectives of the local development framework and should be undertaken on a continuous pro-active basis." Paragraphs 4.47 and 4.48 further make clear that the future annual monitoring report should review actual plan progress compared with the targets and milestones set out in the local development scheme, assess the impact of the policies in respect of national, regional and local policy targets, consider whether policies need adjusting or replacing because they are not working or to reflect changes in other policy and if so what actions are needed to achieve this.
- 2.14 Planning Policy Statement 10: Planning for Sustainable Waste Management (PPS10) was published as a Draft for Consultation in December 2004. Like PPG10 of the same title that it will replace, it will be key guidance for the waste development framework and will need to be taken into account as the development plan documents evolve. The waste hierarchy continues to be placed at the heart of the policy statement while there is increased emphasis on waste as a resource. The proximity principle and the concept of communities taking more responsibility for the management of the waste they create are also key themes. Draft PPS10 underlines the need to cater adequately for waste management/disposal and places emphasis on planning certainty in the delivery of facilities. The new policy requires clear policies regionally and locally, and requires sites to be identified in local plans in order to increase certainty for both local communities and industry. Importantly, the requirement for BPEO (Best Practicable Environmental Option)

assessments to support waste management proposals has been dropped in favour of Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) at the plan-making stage.

- 2.15 A sequential approach is set out for the identification of sites and locations for waste management facilities. This follows the hierarchy:
1. Seeking on-site management of waste where it arises; followed by
 2. Industrial sites, particularly where there are opportunities for
 3. co-location of facilities and for complimentary activities; followed by
 4. Re-use of previously developed land and, in rural areas, redundant farm buildings/curtilages; and finally
 5. Greenfield sites.
- 2.16 Supporting practice guidance will be produced in due course to advise on the implementation of the policies and to help speed up delivery.
- 2.17 Planning Policy Statement 22: Renewable Energy (PPS22) was issued in 2004 and provides government policy on planning for renewable energy facilities. In terms of waste it covers landfill gas energy schemes and waste to energy, but not mass-burn waste schemes.
- 2.18 Government Guidance on *Strategic Planning for Sustainable Waste Management* produced in October 2002 advises on the approach to land use planning strategies for waste management. Essentially it draws on other planning guidance and pulls it together in the context of waste planning, but also identifies other issues such as the need to minimise management costs and consider employment opportunities, and places emphasis on deliverability and certainty of deliverability which are identified as difficulties experienced in waste planning. It establishes a requirement to consider the collection, transfer, recovery and disposal stages of the waste management cycle and thus move away from an emphasis on disposal. It also notes the need to address the principal waste streams, integrating them wherever possible, and not to focus only on municipal waste.

Regional Planning Guidance

- 2.19 The existing Regional Planning Guidance for the East Midlands, RPG8, was published in January 2002 and provides strategic guidance for the period to 2021. In 2003 proposed changes were published, and the Panel Report of the Examination in Public into these was published in March 2004. Adoption of the changes and publication as the new Regional Spatial Strategy (RSS) is currently on hold pending the outcome of deliberations on the Milton Keynes Sub-Regional Strategy, but is now expected early 2005. In the meantime the 2002 version remains the prevailing guidance, the key features of which are as follows.
- 2.20 In terms of spatial development a key priority is regeneration of the North Derbyshire/North Nottinghamshire coalfield, together with urban areas exhibiting very high and concentrated levels of deprivation; peripheral and isolated rural and coastal areas; and those market towns whose hinterlands display high levels of deprivation.
- 2.21 The spatial strategy is underpinned by the objective of concentrating housing and other growth in the existing urban areas, and RPG places emphasis on sustaining and enhancing the role of existing city, town, district and local centres.
- 2.22 Objectives for the spatial strategy include promoting the prudent use of resources, in particular through patterns of development and transport that make efficient and effective use of existing infrastructure, optimise waste, reduce overall energy use and maximise the role of renewable energy generation.
- 2.23 With regard to waste specifically, waste arisings in the East Midlands are estimated using 1995/96 figures as some 13 million tonnes a year, of which around 70% are landfilled. The RPG requires waste planning authorities to adopt the requirements of the National Waste Strategy – Waste Strategy 2000.
- 2.24 Development Plans are required to:
- take an integrated approach to waste management and put in place effective local strategies that will encourage the reduction of waste and maximise recycling and recovery in accordance with the national waste strategy;
 - make realistic assessments of the likely future requirements for the number, type and siting of waste treatment facilities in their

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- area, taking account of Government policy to minimise waste arisings and achieve the best practicable environmental option (BPEO) for the management of waste as close to the sources as possible within the region;
- avoid excess provision of landfill sites based on the continuation of past trends in waste management and consider the use of a phasing mechanism for the release of landfill sites;
 - wherever possible, seek to integrate sites for waste treatment and disposal with rail and water-based transport in accordance with the BPEO; and
 - require the waste implications of major and other specified development proposals to be audited and the waste arisings dealt with in accordance with Government policy.
- 2.25 Targets identified for renewable energy assume substantially increased rates of energy from waste, and in the case of municipal and industrial waste, a targeted increase from 7 megawatts (Mw) electrical capacity in 2003 to 55 Mw in 2010.
- 2.26 The proposed revised RPG for the East Midlands to 2021 continues the strategy to focus new growth in the urban areas and states that significant new development should be in the Region's Principal Urban Areas (PUAs) of Derby, Leicester, Lincoln, Northampton and Nottingham. To a lesser extent new development will be focused on Sub-regional centres (SRCs) which include Melton Mowbray within the Eastern Sub Area, and Loughborough, Coalville, Hinckley and Market Harborough in the Three Cities Sub Area (Derby, Leicester and Nottingham) (policy 4). The RPG aims for employment/housing development to strengthen viability of market towns (policy 23) and encourages development in accessible areas to reduce need to travel as well as regeneration of deprived areas.
- 2.27 The proposed revised RPG updates the waste arisings figures for the region, using the EA's Strategic Waste Management Assessment (SWMA) for the East Midlands(2000) which itself uses data for 1998-99. In that year it is estimated that the region produced about 16.4 million tonnes (mt) of controlled waste broken down into 48% commercial/industrial (including 2% special waste), 38% construction and demolition, and 14% solid municipal waste.
- 2.28 This data is used to predict forecasts to the year 2021 and hence waste management capacity needs. The forecasts assume exceedance of Government waste recycling targets and the success of waste

minimisation initiatives. A key assumption is zero growth in waste arisings from 2016, and on this basis the forecast for total arisings of controlled waste in 2021 is around 18.4 mt. Of this, 12.6 mt will be recycled or composted, 0.5 mt recovered through other means, 0.4 mt re-used, 0.3 mt treated (mainly hazardous waste) and 4.9 mt disposed of to landfill. It may be noted therefore that the proposed regional strategy forecasts that nearly 5 mt per year of waste will remain to be disposed of to landfill in 2021.

- 2.29 Zero growth from 2016 is widely recognised as being a challenging target. The Panel Report of the EIP concluded on balance that it was reasonable, but that progress toward that figure will need careful monitoring – accompanied by review and adjustment of the strategy if necessary.
- 2.30 A similarly challenging figure of a minimum of 50% recycling of municipal solid waste (MSW) by 2015 is identified for waste collection and disposal authorities, which is significantly in excess of the 33% defined in Waste Strategy 2000. Again, the EIP Panel felt on balance that the figure was reasonable, but that it needed to be accompanied by intermediate targets to help with monitoring of progress toward that figure – with provision for adjustment of the strategy if necessary. The intermediate figures have subsequently been set as 25% by 2005 and 30% by 2010.
- 2.31 The proposed revised guidance emphasises that a step-change in public attitudes and behaviour will be needed to achieve targets for reduced arisings and increased recycling. It also notes the need for waste planning authorities to provide for sustainable waste management based on the forecasts for arisings and quantities needing management, and for a variety of additional waste management facilities including materials recycling facilities (MRFs), composting facilities, processing facilities for inert wastes from construction and demolition, and waste transfer facilities.
- 2.32 Importantly, the proposed guidance notes that while regional self-sufficiency should be an objective, waste planning authorities will need to work across administrative boundaries to achieve Best Practicable Environmental Option (BPEO), the proximity principle and the waste hierarchy. It also emphasises the need to consider the diverse characteristics of the region in planning for waste management. For the Eastern sub-area it notes the issues of a dispersed population with few opportunities for large scale intensive waste management options. With a

high proportion of the region's waste generation, the Three Cities sub-area is identified as having the greatest potential for intensive waste management opportunities.

- 2.33 Running in parallel with the preparation of the revised RPG has been preparation by the Regional Technical Advisory Body on waste (RTAB) of the *East Midlands Regional Waste Strategy*. This was launched as a consultation draft on 25th January 2005 with the consultation period running to mid April and programmed publication of a final version in June 2005. The document draws from information within a technical report: "Development of a Regional Waste Strategy for the East Midlands" published in January 2003 and a more recent study of Waste Treatment Capacity in the Region commissioned in 2004. The central tenets of the strategy are based on the assumptions in the revised RPG discussed above, notably the zero growth in waste arisings from 2016 and 50% recycling by 2015.
- 2.34 The Draft Regional Waste Strategy focuses on nine key issues as follows:
- Priority Issue 1: Education, behavioural change and promotion of best practice
 - Priority Issue 2: Improving the efficiency of our resource use and reducing commercial and industrial wastes
 - Priority Issue 3: Prevention and improving management of hazardous wastes
 - Priority Issue 4: Prevention and improved management of Municipal Solid Wastes
 - Priority Issue 5: Procurement and market development
 - Priority Issue 6: Reduction and management of construction and demolition waste
 - Priority Issue 7: Managing the impacts of Regional and sub-Regional growth
 - Priority Issue 8: Addressing agricultural and rural waste management
 - Priority Issue 9: Reducing Fly-Tipping
- 2.35 The strategy provides guidance to waste planning authorities preparing waste development frameworks in respect of the topics and issues that policies need to cover, and indicates in quantitative terms the waste management capacity needed, broken down into county areas for different waste streams at years 2010, 2015 and 2020. The figures assume that the targets identified in the revised RPG and Draft Waste

Strategy are achieved – i.e. the 50% recycling figure at 2015 and the intermediate stages towards achieving that, and the zero growth in waste arisings from 2016. For Leicestershire, Leicester and Rutland the indicative requirements are set out in the table below.

Table 2.1: Leicestershire, Leicester and Rutland Indicative waste management capacity requirements 2010, 2015, 2020 (000s tonnes)

Year		Recycling/ composting	Landfill Diversion ¹	Re-use ²	Disposal ³	Total
2010	MSW ~23% of regional total	182	82	-	343	607
	C&I ~14% of regional total	460	-	-	630	1,090
	C&D ~ assumed ~23% of regional total	1,471	-	1,365	44	2,880
2015	MSW ~23% of regional total	319	66	-	253	638
	C&I ~14% of regional total	458	-	-	627	1,085
	C&D ~ assumed ~23% of regional total	1,546	-	1,434	47	3,027
2020	MSW ~23% of regional total	335	101	-	235	671
	C&I ~14% of regional total	444	-	-	607	1,051
	C&D ~ assumed ~23% of regional total	1,546	-	1,434	47	3,027

1 Landfill Diversion includes energy recovery and alternative technologies such as mechanical and biological treatment (MBT). For MSW it represents the minimum required for achievement of LATS allocations.

2 Re-use of C&D waste represents landfill engineering, and other similar uses.

3 Disposal does not include residues from treatment facilities and is assumed to be largely landfill.

Structure Plan

2.36 The Structure Plan (Leicestershire, Leicester and Rutland Structure Plan 1996-2016) is proposed to be formally adopted in February 2005 and sets the strategic planning context at the county level. When adopted it will replace the previous Structure Plan that covered the period to 2006. The principal strategy is to concentrate new development in urban areas.

2.37 Strategy Policy 5 provides for the designation in local plans of Green Wedges where, subject to certain exceptions, development is to be restricted. Waste management development is not specified as an exception.

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- 2.38 Strategy Policy 8 deals with development in the countryside and notes that waste management development may be appropriate in such locations where it cannot be satisfactorily located within the existing and planned limits to the built up areas of settlements and it can be demonstrated that there is an overriding need for the development to be located in the Countryside; and appropriate works of mitigation are to be undertaken.
- 2.39 Furthermore various specific policies seek to protect and/or enhance features such as forestry and woodland, river corridors, the historic environment, biodiversity objectives, ecologically and geologically important sites, the water environment, and quality agricultural land.
- 2.40 Within the Resource Management section the Structure Plan provides a number of policies important for waste management. Resource Management Policy 8: Land Release: Waste Management states that when allocating land or considering planning applications for the management of waste, sufficient provision will be made to meet needs, based upon the following principles:
- Consideration of the Best Practicable Environmental Option (BPEO);
 - Regional Self-Sufficiency;
 - The Proximity Principle; and,
 - The Waste Hierarchy.
- 2.41 Resource Management Policy 9: Environmental Impact of Mineral Extraction and Waste Management states that account will be taken of the likely impact of the development in question on the environment and the need for the development when it is a material consideration. Where demonstrable harm to interests of acknowledged importance would be caused, planning permission will only be granted where the need for the development would outweigh such harm.
- 2.42 Resource Management Policy 12: Transportation of Minerals and Waste states that account will be taken of the transportation implications of proposed [minerals and] waste development. Rail, canal and pipeline as a means of transporting minerals and waste should be used wherever reasonably practicable. Where road borne transportation is involved, associated heavy lorry movements will be restricted from using unsuitable roads. This policy is important in informing the spatial distribution and

detailed siting of specific allocations where they may be proposed in the waste development framework.

- 2.43 Resource Management Policy 13: Restoration Aftercare and Afteruse states that when granting planning permission for the disposal of waste materials or related development, restoration to an acceptable use will be required at the earliest opportunity. Priority will be given, where appropriate, to restoration to forestry, water recreation or nature conservation uses. After restoration has been completed a programme of aftercare will be required. This policy has greatest relevance to landfill related development.
- 2.44 Resource Management Policy 14: Recovery of Waste states that waste management proposals for the recovery of waste will be permitted, provided any adverse environmental impacts of the development can be kept to an acceptable level.

Waste Local Plans in Adjacent County Areas

- 2.45 A Public Local Inquiry into the *Derbyshire Revised Deposit Waste Local Plan* was held in summer 2004 and the Inspector's Report published in October 2004. Proposed modifications have been published and the consultation period on these ended in early January 2005. Adoption of the plan is programmed for Spring 2005 and it will cover the ten year period to 2015.
- 2.46 The plan has no area-specific proposals or areas of search but instead is wholly criteria-based.
- 2.47 The plan places some emphasis on the contention that Derbyshire is in an unusual geographical location, with almost two thirds (61%) of its boundary adjoining neighbouring regions, and being greatly influenced by conurbations just outside its boundaries. It notes that there are significant movements of waste across the boundaries, including a significant amount exported from the county.
- 2.48 The south-east sub-area which lies adjacent to Leicestershire is the largest sub-area in terms of population, is the largest producer of waste and has the greatest projected shortfall of landfill space. Some waste from this sub-area is composted at Lount in Leicestershire while some was forecast to go to the New Albion site at Moira, in Leicestershire,

adjacent to South Derbyshire. This is justified by reference to the proximity principle.

- 2.49 The Leicestershire Waste Local Plan inquiry inspector accepted that more than half of New Albion's input might come from Derbyshire and Staffordshire. Clearly, the delay in bringing New Albion forward as a result of the PPC licence process will mean that these authorities will have concerns about the continuing availability of landfill capacity and therefore will continue to look toward Leicestershire when New Albion does come on stream, perhaps in late 2005 or 2006. Leicestershire County Council objected to the Plan on the basis that it placed too much reliance on landfill capacity in neighbouring areas, but the Inspector did not recommend a change in this regard.
- 2.50 The *Nottinghamshire Waste Local Plan* was adopted January 2002 and the plan ran to the end of 2004. There is now a need for review and a monitoring report was published in September 2004 which concludes that there is an emerging shortfall in landfill capacity for non-inert waste.
- 2.51 The plan made one allocation, for non-inert landfill at Bentinck open cast colliery near Kirkby in Ashfield. That scheme has not come forward despite two planning applications having been made, but locationally is itself unlikely to affect issues in Leicestershire. However, the fact that it has not come forward does mean that there is a growing shortfall in Nottinghamshire that may accentuate any capacity problems in the north Leicestershire areas.
- 2.52 A number of areas of search are identified for household waste recycling centres, composting facilities and waste transfer stations. These are unlikely to affect waste planning issues in Leicestershire. Criteria based policies form the main mechanism for bringing forward waste management facilities.
- 2.53 The Nottinghamshire Waste Local Plan Monitoring Report notes that the latest Environment Agency figures suggest that Nottinghamshire is relatively self-sufficient in managing its own waste compared to other parts of the East Midlands. In 1998/99 all municipal waste, and two thirds of commercial and industrial waste, was managed within the county. Municipal and commercial waste movements have altered very little since 1992/93 but there has been a significant improvement in the amount of industrial waste managed within the county, which has increased from 50% to 68%.

- 2.54 Despite an overall reduction in waste arisings, there have been substantial increases in the production of household and commercial waste. Even with improved levels of recycling and composting, landfill rates have increased dramatically. The volume of waste incinerated has remained fairly constant and there is no prospect of this being significantly increased within the next five years or perhaps longer.
- 2.55 Replacement disposal capacity for Mansfield, Ashfield and Greater Nottingham therefore continues to be a priority. No new sites have come forward and monitoring of the Plan has shown that the existing allocation at Bentinck remains the most rational option for non-inert disposal in this area.
- 2.56 The *Warwickshire Waste Local Plan* was adopted in 1999 and covers the period to 2005. It is currently under review in order that a Waste Development Framework can be prepared.
- 2.57 The plan notes the increases in importation of waste into the county, and that this accounted for 78% of the waste deposited in Warwickshire in 1995, much of this amount originating in the West Midlands conurbation. The overall thrust of the plan is to try to reduce quantities of waste going to landfill, and to constrain the amount of waste imported so that landfill capacity can be managed to last longer for Warwickshire waste while still fulfilling a role in achieving regional self-sufficiency. Overall, the planning strategy for new waste management facilities is based on providing capacity for Warwickshire's needs without drawing in waste from outside the county.
- 2.58 Specific allocations are made for four MRFs at Ufton landfill site – to serve the south of the county, Griff No4 Quarry, to serve the Nuneaton area, and at the Packington landfill site and Kingsbury Quarry – these two to serve the West Midlands conurbation fringe. A landfill site is proposed at Kingsbury Quarry south of Tamworth, in addition to the existing landfill operating there, and is identified as having a five million cubic metre capacity. A location for a composting facility is allocated south east of Coventry.
- 2.59 In addition to these allocations, Jeas and Boon Quarry and Midland Quarry near Nuneaton are safeguarded for future landfill if served via rail or canal. The landfilling of these sites is required for restoration purposes rather than need for capacity, and therefore no time scale is attached.

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- 2.60 The *Northamptonshire Waste Local Plan* is currently in the final stages of preparation having been subject to a public local inquiry in 2004, and an Inspector's Report issued in autumn 2004. Proposed modifications are programmed for February 2005, with adoption later in 2005. The plan will cover the period to 2016.
- 2.61 The plan identifies existing landfill capacity of 13 mt for non-hazardous, i.e. household, commercial and industrial waste; six to seven mt capacity for inert wastes and one mt capacity for hazardous waste.
- 2.62 Existing landfill capacity is forecast to be adequate in respect of hazardous and inert wastes arising in Northamptonshire and, on the basis of the targets set out in the Regional Waste Strategy of 50% recycling by 2015 and zero growth in waste from 2016, non-hazardous landfill capacity is also forecast to be adequate for the plan period. As a result, no new landfill capacity is proposed and in fact the draft plan as currently worded effectively prohibits new landfill sites.
- 2.63 In order to meet the targets for waste management set by RPG, diversion away from landfill of non hazardous commercial and industrial and municipal waste is required and the emerging Northants Waste Local Plan identifies a requirement for additional waste management facilities that have the capacity to deal with the following approximate minimum tonnages of waste per year at 2015:
- 308,000 tonnes in the Northampton – Wellingborough corridor
 - 193,000 tonnes in the Corby- Kettering corridor
 - 88,000 tonnes in Daventry district
 - 75,000 tonnes in East Northamptonshire
 - 79,000 tonnes in South Northamptonshire
- 2.64 No site specific proposals are made for new facilities, although the existing waste management sites in the county are identified, and these will form the focus for expansion or new facilities as necessary.
- 2.65 The Inspector's Report is critical of the statistical analysis that leads to the conclusion that no additional landfill capacity is needed. He has recommended that a more detailed analysis is provided, and that the policy relating to landfill development is amended to provide some latitude to bring forward additional landfill in the event that a shortfall occurs.

- 2.66 A *Lincolnshire Deposit Draft Waste Local Plan* was published in May 2004 and a Revised Deposit is programmed for early 2005 with Public Local Inquiry thereafter. It covers the period to 2014.
- 2.67 The plan notes that Lincolnshire has the second highest landfill capacity in the East Midlands region, at 7.83 million cubic metres which equates to a life expectancy of 12.7 years at current rates of filling. It notes the potential for continuing or increased levels of importation of waste from elsewhere in the region, and also suggests that such importation might prove necessary to secure the viability of possible new capital-intensive waste management facilities.
- 2.68 Municipal waste is forecast to increase from 322,707 tonnes in 2001 to 489,253 in 2015 and 510,978 in 2020. This figure is higher than that in the Regional Waste Strategy and the difference is attributed to using more up to date base data and a slightly different growth forecast. Commercial and Industrial waste is similarly forecast to differ from the Regionally predicted figure, and is forecast at 862,000 tonnes in 2015, compared with the regional forecast of 709,695. Inert Construction and Demolition waste is forecast to be as predicted in the Regional Waste Strategy, at 1,161,642 in 2015. In respect of Special Waste the plan identifies a requirement for management capacity of 20,000 tonnes per year in 2015. The plan identifies the capacity and number of waste management facilities, of a wide range of types required to address these forecast arisings.
- 2.69 Location-specific proposals are made for household waste recycling sites and MRFs, the latter at existing waste management sites. The plan also provides three Areas of Search for Energy from Waste facilities at locations near Lincoln, Boston and Colsterworth. The Colsterworth location is near to the county boundary with Leicestershire, and it is possible therefore that an Energy from Waste facility there might either attract, or even require some waste from Leicestershire, dependent on capacity.
- 2.70 Existing permitted landfill capacity is considered adequate for the plan period, but a policy is provided that allows for new landfill development to be brought forward if needed to retain a landbank of void capacity above 7 years. It also provides for extensions to existing landfills where this would allow an improved standard of restoration.

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- 2.71 The *Cambridgeshire and Peterborough Waste Local Plan* was adopted in October 2003 and covers the period 1998-2011.
- 2.72 The plan notes that at the time of preparation, of the total annual waste arising of just over 3M tpa, about 70% is landfilled, 16% is reclaimed, 14% falls under exempt activities and less than 2% is incinerated or treated. About 0.5M tpa biodegradable waste is imported, together with around 100,000 tpa inert waste. About 130,000 tpa of commercial and industrial waste is exported. Thus the County is a net importer of waste at the time of plan preparation.
- 2.73 The plan reviews a number of scenarios for managing waste sustainably and concludes that an approach using Energy from Waste as part of a range of strategies for achieving diversion away from landfill is required. It also proposes to moderate imports and exports of waste with the objective of becoming self-sufficient by 2011. This has implications for neighbouring authorities, particularly if they currently export waste to Cambridgeshire.
- 2.74 The plan identifies a forecast shortfall of 1.8M cubic metres of landfill void space for non-hazardous waste during the plan period and that capacity would be exhausted around 2008 without new facilities being developed.
- 2.75 The plan identifies a number of sites or locations as allocations or Areas of Search for waste management facilities and suggests a number of different types of facility that could be developed at these locations. These facilities could be developed and operated separately, or could operate together to provide integrated facilities at one or more sites. Most of the sites identified are indicated as being able to provide for MRF, other processing, EfW and Anaerobic Digestion facilities. Those which may be accessible from Leicestershire are Dogsthorpe, Whittlesey, Hampton and Fengate near Peterborough, each of which are suggested as being able to accommodate a range of facilities as noted above. A further site, Eyebury Quarry near Peterborough is identified for non-hazardous landfill, and consent has been granted for a 700,000 cubic metre void, with potential future extension as mineral extraction progresses.
- 2.76 The long term intention of the *Cambridgeshire and Peterborough Waste Local Plan* of achieving self-sufficiency by 2011 means that opportunities for transfer of waste for management and disposal at sites in the plan area are likely to diminish over time. Clearly, there may remain some demand from facilities such as EfW which could require larger volumes of

waste to function efficiently than arise in the local catchments in question, but such opportunities are likely to be limited in the context of the plan's stated objectives, and in any event the pattern of facilities being developed is likely to respond to, and be defined by, market capacity. Demand to accommodate waste arising in Cambridgeshire will diminish over time and should be negligible by 2011.

- 2.77 Overall, it is considered that future waste management planning policy in Cambridgeshire is unlikely to have a significant influence on the waste management context in Leicestershire.
- 2.78 The *Staffordshire and Stoke-on-Trent Waste Local Plan* was adopted in February 2003 and also covers the period 1998-2011. Work on a waste LDF has been commenced.
- 2.79 The plan notes that waste management in the plan area is strongly influenced by urban areas within Staffordshire, and by the West Midlands conurbation to the south. It also notes that some waste movements occur between Staffordshire and Leicestershire, but makes the point that such movements are largely determined by commercial factors and not by WPAs. The quantities involved are small, and Leicestershire is not referred to specifically in any tabular data on waste movements to and from Staffordshire. However, Leicestershire is identified as having "alternative waste management facilities in close proximity" in the context of a possible need to temporarily suspend non-hazardous landfill activities at the Wilnecote landfill near Tamworth.
- 2.80 The plan concludes that there is sufficient permitted landfill capacity in the plan area to dispose of waste arisings in Staffordshire and Stoke-on-Trent and a share of the waste from the West Midlands conurbation. However, the plan recognises the need to move away from landfill and states that new waste treatment facilities will be needed particularly in southern and eastern Staffordshire where there is currently a heavy reliance on landfill. No new waste disposal sites are proposed.
- 2.81 New facilities are to be brought forward on the basis of criteria-based policies, and there are no site specific proposals or allocations in the plan. Key policy principles include BPEO, proximity principle, the waste hierarchy and regional self-sufficiency.
- 2.82 In conclusion, the plan indicates provision for an increase in the type and capacity of waste management facilities in the eastern part of the county,

nearest to Leicestershire, although no specific provision is made. As is the case for other authorities near to Leicestershire's borders, this may create opportunities/demand for transboundary waste movements. Overall, however, the current Waste Local Plan for Staffordshire appears unlikely to greatly change the way the county interacts with Leicestershire in waste planning terms.

3. WASTE MANAGEMENT REQUIREMENTS

Existing Waste Arisings

Table 3.1: Total Waste Produced in the Framework Area 2003/04 by Waste Stream

Waste type	Total Quantity tonnes
Household	335,561
Civic Amenity	120,385
Commercial/ Industrial	1,069,187
Construction / Demolition	2,502,480
Clinical Non- Special	1,936
Clinical hazardous	367
Hazardous	28,344
Agricultural	769,139
Total	4,827,399

Source:

Household/Civic Amenity waste - County and City Councils.

Commercial and Industrial, Construction and Demolition & Agricultural waste – Draft Regional Waste Strategy figures adjusted by 5% to remove the quantity for Rutland

Clinical waste – Environment Agency.

Hazardous waste – Environment Agency 2002 figure with Waste Strategy estimated growth rates of 2%

Waste Exports

- 3.1 Whilst there are no current returns available for the amount of C & I waste exported for 2003/04, by elimination, according to the returns detailing the amount handled within the framework area, the quantity is likely to be approximately 470,000 tonnes.
- 3.2 During the period 2003/04 of the total quantity of municipal waste (domestic refuse and civic amenity) collected in Leicestershire and Leicester City, 201,275 tonnes which represents 44%, was disposed of to

landfill sites in neighbouring Authorities, predominantly at sites in Warwickshire, Northamptonshire and Lincolnshire.

- 3.3 All health care risk categories of clinical waste were exported via transfer facilities within the framework area to incineration facilities in neighbouring Authorities.
- 3.4 Since the ban on disposal of whole tyres to landfill, the majority of scrap tyres have been exported to recycling and treatment facilities outside framework area.
- 3.5 Fridges and freezers requiring specialist treatment are exported to licensed facilities outside the framework area. The requirement for treatment of these units under the ODS (ozone depleting substances) Regulations will diminish in time as the amount of units containing CFC impregnated insulation materials reduces.

Table 3.2: Waste Exports from the Framework Area by Waste Stream 2003/04

Waste Type	Total Quantity (tonnes)
Household Waste	172,204
Civic Amenity Waste	29,071
Commercial / Industrial Waste	(est.) 470,000
Construction/ Demolition Waste	(est.) 846,000
Clinical Non Special	397
Clinical Hazardous	369
Hazardous Waste	25,927
Agricultural Waste	Unknown
Total	1,543,968

Source: Environment Agency Returns.

Waste Imports

- 3.6 During 2002 Leicestershire and Leicester imported 14 tonnes of hazardous clinical waste for onward transportation.

Table 3.3: Imports by Waste Stream to the Framework Area 2003/04

Waste Type	Total Quantity (tonnes)
Household Waste	8,383
Civic Amenity Waste	904
Commercial / Industrial Waste	313,383
Construction/ Demolition Waste	15,923
Clinical Non Special	345
Clinical Hazardous	14
Hazardous Waste	57,817
Agricultural Waste	N/A
Total	396,769

Source: Environment Agency Returns

Recycling and/or Composting

- 3.7 The total quantity of household waste recycled or composted via kerbside domestic waste collection initiatives was 56,308 tonnes, which represents an average recycling rate of 17%. 47,390 tonnes of civic amenity waste was recycled which is a rate of about 39%.
- 3.8 The total quantity of green garden waste recycled at licensed open-windrow facilities in the framework area during 2003/04 was 27,136 tonnes. In addition to the licensed sites, approximately 20,000 tonnes of green waste was composted at exempt facilities giving a combined total of 47,000 tonnes in 2003/04.
- 3.9 There is no reliable data available for the quantities of commercial and industrial waste recycled and therefore the rate of 30% given in the Local Plan is assumed to still apply.

- 3.10 According to the Waste Treatment Capacity Study for the Region about 49% of construction and demolition waste is recycled.

Table 3.4 Total Waste Recycled and/or Composted by Waste Stream 2003/04

Waste Type	Total Quantity (tonnes)
Household Waste	56,308
Civic Amenity Waste	47,390
Commercial / Industrial Waste	320,756
Construction/ Demolition Waste	1,226,215
Clinical Non Special	N/A
Clinical Hazardous	N/A
Hazardous Waste	N/A
Agricultural Waste	N/A
Total	1,650,669

Source: Household and civic amenity waste District and City Council BVPI statistics
C&I = 30% of waste arisings
C&D = 49% of waste arisings

Value Recovery from Waste

- 3.11 As of 2004 the organic fraction of waste dealt with at Bursom Ball Mill MRF, which amounts to 40,000 tonnes per year, is treated in the anaerobic digestion plant at Wanlip. Methane is extracted from the process and used to generate electricity.
- 3.12 The Bursom Ball Mill facility also has the capability of producing FLOC from waste, which is a high energy substitute fuel suitable for use in cement kilns. However, as the process is very new, there are no figures available for the quantities of waste from which value is recovered in this way.

Residual Waste

Table 3.5: Total Residual Waste following Recycling/Composting by Waste Stream 2003/04

Waste Type	Quantity per year (tonnes)
Household	279,253
Civic Amenity	72,995
Commercial / Industrial	748,431
Inert incl C & D	1,276,265
Clinical	2,303
Hazardous	28,344
Agricultural	769,139
Total	3,176,730

Source: Table 3.1 and 3.4

- 3.13 Agricultural waste, although a significant quantity, is not currently subject to control and is largely dealt with on farm. New legislation is proposed to extend waste management controls to non-natural agricultural waste. Nevertheless, it is anticipated that the amount of non-natural agricultural waste then requiring management as controlled waste (i.e. in facilities to be provided for by the waste framework documents) will only be about 1% (or 7,700 tonnes as at 2003/04).

Targets for Recycling and Re-use

National Waste Strategy Targets

- 3.14 In order to comply with the Landfill Directive, the Government's Waste Strategy 2000 specifies the following targets for management of municipal waste for England and Wales:
- To recover value from 40% of municipal waste by 2005
 - To recover value from 45% of municipal waste by 2010
 - To recover value from 67% of municipal waste by 2015

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- 3.15 It states that “recover” means obtain value from wastes through one of the following means:
- Recycling
 - Composting
 - Other forms of material recovery (such as anaerobic digestion)
 - Energy recovery (combustion with direct or indirect use of the energy produced, manufacture of refuse derived fuel, gasification, pyrolysis, or other technologies).
- 3.16 To achieve those municipal waste recovery targets, Waste Strategy 2000 sets the following national targets for England and Wales for household recycling and composting:
- To recycle or compost at least 25% of household waste by 2005.
 - To recycle or compost at least 30% of household waste by 2010.
 - To recycle or compost at least 33% of household waste by 2015.
- 3.17 For recycling industrial and commercial waste the Strategy sets a target for 2005 of reducing the amount sent to landfill to 85% of that landfilled in 1998.

The Regional Waste Strategy Targets

- 3.18 The Draft Regional Waste Strategy is proposing that all Waste Collection Authorities and Waste Disposal Authorities should achieve a minimum target for the recycling and composting of MSW (Municipal Solid Waste) of:
- 25% by 2005
 - 30% by 2010
 - 50% by 2015

Best Value Performance Indicators (BVPI)

- 3.19 The statutory performance standards for recycling household waste collected by each District in the framework area are as follows:

Table 3.6: Statutory Performance Standards for Recycling Household Waste by District

District Council	BVPI Target 2003/04	BVPI Target 2005/06
Blaby	20%	30%
Charnwood	33%	36%
Harborough	10%	18%
Hinckley & Bosworth	18%	27%
Melton	33%	40%
N W Leicestershire	16%	24%
Oadby & Wigston	33%	36%
Leicester City	18%	27%
Total (Average)	23%	30%

Likely Recycling Scenarios

- 3.20 The BVPI recycling standards are short term targets for individual waste collection authorities set according to their particular past performance. They are based on and aimed at achieving the National Waste Strategy targets. These national targets are, however, longer term and strategic and they are therefore a more appropriate basis for devising recycling and recovery projections for the wider framework area .
- 3.21 Alternatively new more challenging targets have been agreed within the draft Regional Planning Guidance and since both regional spatial strategies and local development frameworks should be consistent with each other, the approach should be to adopt these targets. Nevertheless there is the consideration that these targets are recognised as challenging and that they may need to be adjusted.

Potential Waste Arisings for Period to 2016

Table 3.7: Total Potential Waste Produced in the Framework Area at Key Years by Waste Stream

Waste Type	2006	2011	2016
Household	373,122	413,518	442,362
Civic Amenity	133,860	148,353	158,701
Commercial/Industrial	1,078,497	1,070,517	1,060,409
Construction/Demolition	2,629,648	2,763,807	2,876,116
Hazardous	30,079	31,926	33,222
Clinical Non-Special	2,054	2,181	2,269
Clinical – Hazardous	389	413	430
Agricultural	816,221	857,850	892,696
Total	5,063,870	5,288,565	5,466,205

Source: Household and civic amenity waste District and City Council 2003/04 BVPI statistics with growth rates of 3.6% for first 2 years then 1.7% until 2015 and zero growth thereafter (draft Regional Waste Strategy assumptions).
C & I waste = 14% of total regional arisings forecasts Appendix 4 draft Regional Waste Strategy.
C & D waste = 23% of total regional waste arisings forecasts Appendix 4 draft Regional Waste Strategy.
Hazardous waste figures from EA 2002 Hazardous Waste Tracker database and Clinical waste figures from EA waste returns, both with growth rates of 2% until 2006/07 then 1% until 2015 and zero growth thereafter (draft Regional Waste Strategy assumptions).
Agricultural waste = 14% of total regional arisings forecasts Appendix 4 draft Regional Waste Strategy

- 3.22 No predictions have been made about exports and imports, because such assumptions are very difficult to make over the longer term and because the ideal position is for the framework area to be self-sufficient in managing its waste. Waste management facilities should be provided as close to the major sources of waste as possible to minimise transport of waste in accordance with the proximity principle. Whilst there will undoubtedly continue to be some cross-boundary movement of wastes, the aim should be for sufficient facilities to manage an amount of waste equivalent to that produced in the framework area.

Potential Waste Recycling/Composting for Period to 2016

3.23 Using the forecast waste arising figures in Table 3.7 and applying rates derived from the draft Regional Waste Strategy (see table 2.1 and paragraph 3.18 above), the following assumptions can be made for the volumes of recycling/composting that are required for the principal waste streams. Clinical and Hazardous wastes are not included as it is assumed that there is little or no potential for their recycling. Agricultural waste is not included, because as explained at paragraph 3.13 above only about 1% of the total of this waste stream is likely to need treatment at a licensed facility.

Table 3.8: Total Waste Recycled and/or Composted at Key Years by Waste Stream

Waste Type	2006	2011	2016
Household	93,281	124,055	221,181
Civic Amenity	33,465	44,506	79,351
Commercial/Industrial	431,399	449,617	445,372
Construction/Demolition	1,288,528	1,409,542	1,466,819
Total	1,846,673	2,027,720	2,212,723

- 3.24 The following recycling/composting targets have been applied:
- For Household and Civic Amenity waste – draft Regional Waste Strategy targets of 25% by 2006, 30% by 2011 and 50% by 2016.
 - For Commercial/Industrial waste – 40% by 2006 (based on reducing the amount sent to landfill to 85% of that landfilled in 1998) and draft Regional Waste Strategy assumptions of 42% by 2011 and 2016.
 - For Construction/Demolition waste – 49% for 2006 then draft Regional Waste Strategy assumptions of 51% by 2011 and 2016.

Potential Waste Recovery for Period to 2016

3.25 It is also necessary to make some assumptions about the volumes of waste recovery (i.e. recycling/composting and landfill diversion) that are required for the principal waste streams. The draft Regional Waste Strategy provides a basis for making these calculations from 2010 (again see Table 2.1 above). This is the basis for Scenario A below. However, for municipal waste the National Waste Strategy targets for recovery are higher than those in the draft Regional Strategy. Consequently a Scenario B including the higher National Waste Strategy figures for municipal waste is also provided. Clinical and Hazardous wastes are not included as it is considered that the potential for recovery of these waste streams is not significant. Agricultural waste is again not included, for the reasons given at paragraph 3.23 above.

Table 3.9: Total Waste Recovered at Key Years by Waste Stream – Scenario A (draft Regional Waste Strategy)

Waste Type	2006	2011	2016
Household	149,249	177,813	265,417
Civic Amenity	53,544	63,792	95,221
Commercial/Industrial	431,399	449,617	445,372
Construction/Demolition	2,577,055	2,708,531	2,818,594
Total	3,211,247	3,399,753	3,624,604

- 3.26 The following recovery targets have been applied:
- For Household and Civic Amenity – National Waste Strategy target of 40% by 2006, then draft Regional Waste Strategy assumptions of 43% by 2011 and 60% by 2016
 - For Commercial/Industrial Waste – 40% by 2006 (based on reducing the amount sent to landfill to 85% of that landfilled in 1998) and draft Regional Waste Strategy assumptions of 42% by 2011 and 2016.
 - For Construction/Demolition waste – draft Regional Waste Strategy assumptions of 98% (includes re-use for landfill engineering, use on sites exempt from waste licensing and backfill of quarry voids).

Table 3.10: Total Waste Recovered at Key Years by Waste Stream – Scenario B (combination National Waste Strategy and draft Regional Waste Strategy)

Waste Type	2006	2011	2016
Household	149,249	186,083	296,383
Civic Amenity	53,544	66,759	106,330
Commercial/Industrial	431,399	449,617	445,372
Construction/Demolition	2,577,055	2,708,531	2,818,594
Total	3,211,247	3,410,990	3,666,679

3.27 The following recovery targets have been applied:

- For Household, Civic Amenity and Agricultural waste – 40% by 2006, 45% by 2011 and 67% by 2016 (National Waste Strategy)
- For Commercial and Industrial waste – 40% by 2006 (based on reducing the amount sent to landfill to 85% of that landfilled in 1998) and draft Regional Waste Strategy assumptions of 42% by 2011 and 2016.
- For Construction/Demolition waste – draft Regional Waste Strategy assumptions of 98% (includes re-use for landfill engineering, use on sites exempt from waste licensing and backfill of quarry voids).

Potential Residual Waste to be Disposed of for Period to 2016

3.28 The quantity of waste that remains to be dealt with, after recycling and recovery targets have been applied, can be calculated according to the waste arisings in Table 3.7 and the two recovery scenarios in Tables 3.9 and 3.10 above. Further to the comments at paragraphs 3.23 and 3.25 above a figure of 1% of the total agricultural waste arising is included as potentially requiring to be managed at a licensed facility.

Table 3.11: Total of Residual Waste to be Disposed of at Key Years by Waste Stream – Scenario A

Waste Type	2006	2011	2016
Household	223,873	235,705	176,945
Civic Amenity	80,316	84,561	63,480
Commercial/Industrial	647,098	620,900	615,037
Construction/Demolition	52,593	55,276	57,522
Hazardous	30,079	31,926	33,222
Clinical Non-Special	2,054	2,181	2,269
Clinical – Hazardous	389	413	430
Agricultural	8,162	8,579	8,927
Total	1,044,564	1,039,541	957,832

Table 3.12: Total of Residual Waste to be Disposed of at Key Years by Waste Stream – Scenario B

Waste Type	2006	2011	2016
Household	223,873	227,435	145,979
Civic Amenity	80,316	81,594	52,371
Commercial/Industrial	647,098	620,900	615,037
Construction/Demolition	52,593	55,276	57,522
Hazardous	30,079	31,926	33,222
Clinical Non-Special	2,054	2,181	2,269
Clinical – Hazardous	389	413	430
Agricultural	8,162	8,579	8,927
Total	1,044,564	1,028,304	915,757

4. WASTE MANAGEMENT CAPACITY

Waste Management Development (Policies WLP1 to WLP5)

Materials Recycling Facilities

- 4.1 The total available capacity of materials recycling facilities (MRFs) for the treatment of household waste within the framework area is approximately 160,000 tonnes per year. 140,000 tonnes of this capacity is designated for the acceptance of household wastes arising in Leicester (Bursom Ball Mill), whilst the remaining capacity is utilised for the treatment of kerbside segregated household wastes arising in the Melton District (Melton MRF) and the Whetstone facility, which handles kerbside collections of recyclables from Charnwood, Blaby, Hinckley and Bosworth, Oadby and Wigston and North West Leicestershire Districts. The Bursom Ball Mill MRF incorporates systems for the extraction of biodegradable waste which is exported to Wanlip Sewage Treatment Plant for composting in an anaerobic digester.
- 4.2 At the time that the Plan was adopted it was expected that there would be an integrated waste management facility at Newhurst Quarry including an MRF with capacity of up to 170,000 tonnes per year. However, it is unclear when this facility might become available. In addition an MRF was anticipated as part of the New Albion landfill site in North West Leicestershire District. However, this has been delayed. It is now due to become operational by the end of 2005 or early 2006.
- 4.3 There is a variety of other smaller scale commercial and industrial waste recycling centres in the framework area and some of the transfer stations include an element of materials recovery.

Scrap Metal / ELV Facilities

- 4.4 There are a nineteen licensed scrap yard facilities in the framework area and a number of others which have been registered as exempt from licensing by the Environment Agency. The East Midlands Waste Treatment Capacity Study suggests that the total available capacity for

this waste within the framework area is 418,600 tonnes. However, many of these are not capable of complying with the ELV Regulations.

Composting of Green Waste

- 4.5 There are three licensed open-windrow green waste composting facilities: the Sita site at Lount in North West Leicestershire District the Caton site at Sibson in the Hinckley & Bosworth District, and the Kibworth site licensed to LCC and operated by Sita. The Lount site has a capacity of 25,000 tonnes per annum, whilst the other two have capacities of 10,000 tonnes per annum. In addition there are four exempt sites (mainly on-farm) giving a total available capacity for the treatment of green garden waste of approximately 65,000 tonnes. The East Midlands Waste Treatment Capacity Study suggests that the capacity currently existing within the framework area is 44,300 tonnes per year.
- 4.6 At the time that the Plan was adopted it was expected that there would be an integrated waste management facility at Newhurst Quarry including composting. However, it is uncertain when this will become operational.
- 4.7 There are no operational facilities for in-vessel composting in the framework area.

Anaerobic Digestion

- 4.8 The framework area currently has only one licensed anaerobic digestion facility which is situated on Severn Trent Water's Wanlip Treatment Plant. This facility has the capability of treating approximately 40,000 tonnes of the organic waste fraction of household waste per year.

Wood Recycling / Treatment

- 4.9 The total available capacity in the framework area is 4,000 tonnes.

Construction / Demolition and Inert Materials recycling

- 4.10 The waste treatment capacity report for the Region states that there are 33 exempt facilities within the framework area with a total available capacity of 706,800 tonnes per year. There is still the potential to increase recycling levels and to recover more of it through landfill engineering, cover, restoration etc. With less inert material being disposed of this also husbands existing inert landfill reserves for the future, and reduces the demand for new sites.

Incineration / Value Recovery Facilities

- 4.11 The Bursom Ball Mill facility has the ability to produce FLOC from waste, which is a high energy substitute fuel suitable for use in cement kilns. In addition methane is extracted from the anaerobic digestion plant at Wanlip and used to generate electricity.
- 4.12 There are some small-scale industrial waste incineration units in the framework area, but there are no proposals under consideration for large scale municipal waste incinerators. All hazardous clinical waste is currently exported to incineration facilities outside the framework area.

Tyre Recycling

- 4.13 There are no tyre recycling facilities in the framework area

Waste Electrical and Electronic Equipment (WEEE)

- 4.14 All the Household waste recycling centres within the framework area accept waste electrical and electronic equipment, but there are no processing facilities for such waste within the framework area.

Fridges and Freezers

- 4.15 There are no treatment/recycling plants available within the framework area for the removal of CFCs from and recycling of fridges and freezers, although all Household Waste Recycling Centres accept units for onward transportation to a specialist plant in Newport, Gwent.

Summary of Key Issues in Respect of Need

- 4.16 Facilities are available within the framework area for some types of waste recycling and recovery. In addition to the lack of certain facilities needed, the total capacity of these management facilities is generally well short of the quantity required to meet recycling targets for the waste generated in the framework area not only in the longer term, but also short term. Also, whilst the recycled component of commercial and industrial waste is given as 30%, consistent with the figure in the existing Plan, this is suspected to be an exaggeration of the actual position. Particular consideration will need to be given to provision for additional MRFs, new composting sites, anaerobic digestion plants and incineration/value recovery facilities.

Waste Disposal Capacity (policies WLP15 to WLP18)

- 4.17 The draft Regional Waste Strategy reports the remaining capacity at licensed landfill sites for biodegradable waste in Leicestershire, Leicester and Rutland in April 2001 as follows:

Table 4.1: Remaining Capacity at Licensed Landfill Sites in Leicestershire, Leicester and Rutland for Bio-Degradable Waste

Void space (000s m3)	Capacity Cap/cover (000s m3)	Capacity Waste (000s m3)	Site Inputs All waste (000s tonnes)	Site Inputs Degradable (000s tonnes)	Life Expectancy (years)
10,296	4,118	6,178	1,199	651	7.9

- 4.18 The total available landfill capacity in the framework area for household waste disposal at 1st January 2005 is approximately 4 million cubic metres. This volume is apportioned between three sites. Two of these landfills (Bradgate and Narborough) will be completed by the end of 2005. The remaining site, Cotesbach, has permission until the end of 2021 with an input limited by its Pollution Prevention Control (PPC) Permit to 250,000 tonnes per annum.
- 4.19 Planning permission has been granted for a new household landfill site at New Albion, Moira on the western edge of the County and was issued with a PPC permit in 2004. It is scheduled to be available to accept waste by the end of 2005. This site will have a capacity of 3.9 million cubic metres when available. The end date specified on the planning permission is 31st December 2014. The permission has a condition restricting lorry movements to 220 per day.
- 4.20 The facility identified in the Local Plan at Newhurst Quarry, Charnwood near Loughborough has not been granted planning permission. The total capacity of the landfill development at Newhurst Quarry was projected to be approaching 6 million cubic metres with a life of between 18 and 20 years.

Summary of Key Issues in Respect of Need

- 4.21 Even if recovery targets are fully met, approximately 1.0 million tonnes of waste generated in the framework area will need to be disposed of each year. Assuming a ratio of 1 cum to 1 tonne of waste, landfill capacity would not be sufficient to meet this disposal requirement, even assuming New Albion is available, and the currently allocated site Newhurst Quarry were to come on stream. However, consideration will also need to be given as to whether this is still an appropriate allocation and/or whether alternative provision should be made. The existing inert sites should provide sufficient capacity for the residual inert fraction of the waste for which there may be no alternative than landfill.

Other Waste Management Development (Policies WLP19 to WLP20)

Transfer Facilities

- 4.22 The available capacity for the transfer of household wastes within the framework area is approximately 80,000 tonnes at Syston and Whetstone.
- 4.23 The total quantity of all waste handled through transfer stations in the framework area during 2003/04 was 458,155 tonnes.
- 4.24 There are four special waste transfer stations within the framework area. From the Environment Agency's survey of treatment capacity in the East Midlands in 2000/01 the EA reported that Leicestershire had no capacity available for the treatment of special waste.
- 4.25 There are over 30 other facilities that transfer commercial and industrial and inert waste.
- 4.26 There is good coverage of Household Waste Centres in the framework area. However, many of these are working to maximum capacity. Leicestershire County Council proposes to expand the capacity of some facilities where possible.

Sewage Works

- 4.27 In addition to two licensed waste water and sewage treatment facilities in Loughborough and at Wanlip in Charnwood District, there are 57 other treatment facilities operated by Severn Trent Water of varying sizes and capabilities in the framework area. Sewage treatment capacity is likely to be sufficient for the framework period.

Major Construction Projects

- 4.28 Planning permission was granted for a borrow tip on the London Road, Leicester in connection with construction of the Great Glen Bypass. The permission for disposal of surplus spoil has now expired.

Treatment of Landfill Gas

- 4.29 Outputs of electricity generated from landfill gas are 1.286MW at Cotesbach, 1.4MW at Narborough and 3MW at Bradgate. In addition energy is recovered by generating electricity from landfill gas at the following closed landfill sites within Leicestershire: Lount, Mountsorrel, and Enderby.

Summary of key issues in respect of need

- 4.30 There is some provision within the framework area in respect of development covered by this section of the Plan. If appropriate provision for disposal of residual waste is not available, additional burden would be placed on existing transfer stations in exporting the material for disposal. Consideration may also need to be given to a specific policy encouraging transfer stations in appropriate locations, because of their contribution to reducing transport requirements and enabling more waste to be recycled, treated or recovered.

5. GENERAL MATTERS

Submission of Applications (Policy WLP6)

- 5.1 Policy WLP6 of the Plan requires that planning applications for waste management development are to be supported by adequate details, and itemises those matters that might need to be addressed. The supporting text makes clear that there is potential for waste management development to impact on the environment and that these effects must be identified and examined before a decision is made. It further explains that certain proposals may be subject to the Environmental Impact Assessment process.
- 5.2 There have been no apparent difficulties in compliance with this policy and it provides a helpful summary of information that may be required. It is regularly used in pre-application discussions, when a copy may be provided to potential applicants with the matters relevant to the particular circumstances highlighted. As a policy it removes any doubt of the LPA being able to insist on information they require to determine applications. Nevertheless it is effectively just a checklist and as the supporting text makes clear it is not exhaustive. A suggestion in the Minerals Local Plan (MLP) monitoring report for dealing with a similar policy is that it could be covered in a table format within the supporting text. Alternatively there could be a Code of Practice within a supplementary planning document which would have the advantage that it could potentially be updated more regularly and independently of the Core Strategy to address new issues that may arise in determining planning applications.
- 5.3 Since draft PPS10 is suggesting that BPEO should not be an objective in itself, consideration may need to be given to removing the reference to it. Consideration should also be given to making apparent that Appropriate Assessment under the Habitats Regulations and flood risk assessment may be required in certain cases.

Environmental Considerations (Policies WLP7 and WLP8)

- 5.4 Policy WLP7 provides a list of factors that will be taken into account in determining waste management proposals. Policy WLP8 sets out a list of circumstances where waste management development will not be granted unless there is an overriding need or the impact can be alleviated by appropriate measures.
- 5.5 There appear to have been no particular concerns with any important issues not being covered by the considerations itemised in these policies. Nevertheless as with WLP6 consideration should be given to the removal of reference to the BPEO. In addition further factors to take into account in the assessment of proposals would be the effect in relation to Biodiversity Action Plans, and arising from the Structure Plan Review, the conflict or otherwise with the purposes of land designated as Green Wedges. (Waste management is not a form of development identified as acceptable in such locations).
- 5.6 PPS12 advises at paragraph 2.29 in relation to development control policies that the focus should be on topic-related policies such as protecting residential amenity; protecting landscape and natural resources, nature conservation; highway and transport issues and addressing visual impact etc. Consideration should be given to adopting such an approach that could also emphasise the priorities for protection or enhancement, and thus provide clear objectives for future monitoring. This would further address the current element of overlap and repetition that exists between WLP7 and WLP8.

Transportation (Policies WLP9 and WLP10)

- 5.7 Policy WLP9 gives support to rail, canal and pipeline for transporting waste as alternatives to the use of roads. Policy WLP10 aims to restrict HGVs associated with waste management from using unsuitable roads through appropriate measures.
- 5.8 Planning permission has been granted for the New Albion landfill site, which has the potential for waste to be transported by rail. Nevertheless currently 100% of waste from the framework area is still transported by road. Routeing agreements are invariably required when granting planning permission for waste management facilities in rural areas, and

there have been occasions when traffic management measures such as weight restriction orders have been implemented as a result of approvals, or contributions have been secured towards other traffic management measures.

- 5.9 The supporting text explains how waste traffic movements can have a considerable effect on local amenity and that this is often most severe where lorries use minor roads. For this reason alone these policies are appropriate. However, additionally in support of policy WLP9 the alternative means of transport cited are often more energy efficient and therefore also more sustainable.
- 5.10 Consideration should be given to incorporating stronger incentives into transport policies to facilitate alternative transport modes.

Planning Conditions, Obligations and Liaison Committees (Policies WLP11 and WLP12)

- 5.11 Policy WLP11 itemises the type of conditions that can be expected to be attached to the grant of planning permission to control the environmental effects of operations. The supporting text makes clear that in line with government advice conditions will not be imposed where the appropriate controls to address the matter exist under other legislation. To this end a close working relationship with the Environment Agency is to be pursued to prevent such duplication of controls. Policy WLP12 makes clear that planning obligations may also be sought where appropriate to control matters that cannot be dealt with by planning condition. The policy then sets out an indicative list of the issues such agreements may cover.
- 5.12 As waste management developments are invariably complex and need to be carefully controlled in the interests of the environment and amenity, planning permissions are routinely subject to conditions covering the matters listed in WLP11. It is usual practice, if planning permission is resolved to be granted, to provide applicants with a draft set of conditions before formal issue of the decision notice. The purpose is to give the applicants opportunity to comment as to whether there would be difficulties in compliance with any proposed conditions, because of the particular site circumstances. Changes can then be made to the terms of the conditions if appropriate.

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- 5.13 As is already clear from paragraph 5.8 regular use is made of planning obligations, but in addition to the routing of vehicle movements, they have also been useful in securing provision for the types of matters listed in policy WLP12.
- 5.14 Leicestershire was one of the first areas to set up liaison committees about 20 years ago and there are now over 30 committees in operation. These are very successful forums for maintaining a dialogue between the local community and the operators for the life of a site. They enable the local people to be kept informed, air issues of concern and discuss solutions to any problems with both local authority/regulation officers and the operators. Alternatively they can provide an opportunity for operators to clarify issues they may have and to present at an early stage new proposals.
- 5.15 These policies provide good checklists of matters that should be, and that applicants can expect to be, controlled by condition and legal agreement. However, as with policy WLP6 consideration may be given to providing this in a table format in the supporting text to provide consistency with the draft Minerals Core Strategy or to include it in a Code of Practice as a supplementary planning document.

Restoration and After-Use (Policies WLP13 and WLP14)

- 5.16 Policy WLP13 lists the matters that conditions relating to restoration and aftercare of sites could cover. Policy WLP14 states the factors that are to be taken into account in considering the proposed after-use of a site.
- 5.17 Where permission is to be granted for a permanent recovery facility, for example on an industrial site, restoration/aftercare conditions are unlikely to be imposed. There have been some issues recently where some restoration conditions cannot be complied with because of problems with greater settlement than was originally envisaged. For example in cases of infilling deep hardrock quarries with household waste, agreed settlement contours have had to be revised and interim restoration agreed. Consideration should be given as to whether this issue could be addressed by condition, on the basis of appropriate details having been submitted (policy WLP6) to support potential amendments to restoration profiles.

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- 5.18 It is important to have policy that provides for the proper and beneficial reclamation and after-use of sites where appropriate. As with comments on other policies the checklist of conditions could, however, either be converted to the table format or included in a supplementary planning document. Furthermore the after-use objectives could be addressed in topic-related policies.

6. Analysis of Waste Management Capacity Versus Waste Management Requirements

Effectiveness of the Plan Approach

- 6.1 Whilst the Plan provides a framework for permitting waste management proposals that would be higher up the waste hierarchy, in practice such development is not coming forward in the quantities required to be able to meet regional and national targets. Household waste recycling is below the national and regional target for 2005. In addition it is suspected that commercial and industrial waste recycling is considerably short of the level that should be being attained by now.
- 6.2 The Plan does not appear to have been particularly effective in emphasising the importance of the waste hierarchy and proximity principle, with a continued reliance on landfill and much of the waste generated in the framework area being exported. There are only three MRFs in the framework area, one serving Leicester arisings, one serving Melton arisings, whilst the remaining districts deliver their recyclable materials to Whetstone in the Blaby District.
- 6.3 The Plan was only adopted just over two years ago. Consequently the content of the general matters policies are quite up-to-date. They provide useful checklists and there are no apparent concerns regarding any important issues not being covered. They have therefore been effective for development control purposes.

Review of the Plan Approach

- 6.4 The new waste development framework will need to provide allocations, proposals and policies that will allow the range of facilities needed to address regional or national forecasts to be delivered by the planning process in a timely way.
- 6.5 PPS10 advice will be key to the preparation of the new WDF and does appear likely to introduce some key changes. The continued emphasis on the waste hierarchy and proximity principle is significant, and the move away from BPEO to an SEA/SA-led approach will simplify the process and allow more certainty.

- 6.6 Consideration will need to be given to reducing the reliance on landfill in accordance with government policy and to whether alternative means of disposal such as incineration, which would also encourage more self-sufficiency, are viable.
- 6.7 Although the general matters policies are very comprehensive and have been effective, the review of the Plan is to take place under a reformed system and government advice is that within this new system, the focus should be on topic-related development control policies, which would also help provide clear objectives for future monitoring. In addition if lists of details required to accompany a planning application, and matters to be covered by planning conditions or obligations, were contained within supplementary planning documents, this would have the advantage that they could be updated more readily to reflect changes in circumstances than if they were in the core strategy.
- 6.8 Consideration should be given to removing the reference to the BPEO in the light of government advice in draft PPS10. The strategy will nevertheless still need to emphasise components of the BPEO including the waste hierarchy, proximity principle and regional self-sufficiency. Other factors to make specific reference to would be the requirements of the Habitats Regulations, flood risk assessments, the circumstances in which waste management development might be allowed in Green Wedges, protecting Biodiversity Action Plan objectives and providing incentives for alternative means of transporting waste to roads.

7. CONCLUSIONS

Summary of Key Findings

7.1 The key findings are as follows:

- National and Regional targets for recycling of waste are not being met within the framework area.
- There are insufficient waste recycling and recovery facilities in the framework area.
- There is a significant reliance on landfill for managing waste.
- More emphasis needs to be placed on the waste hierarchy and proximity principle.
- The framework area is not self-sufficient in terms of managing its own waste
- Particular facilities required to meet new legislative requirements are not available within the framework area.
- There is an opportunity to provide for more sustainable forms of waste management development and to secure environmental benefits.

Key Issues for Waste Development Framework

7.2 Key issues to consider in compiling the new Waste Development Framework include:

- Means of providing more centres for recycling/recovery of municipal and commercial/industrial waste in the framework area.
- Means of providing for more composting facilities.
- Means of encouraging more construction/demolition and inert waste recycling/recovery.
- Whether additional transfer stations should be provided for.
- Whether additional Household Waste Centres should be provided or capacity extended.
- Whether facilities for recycling/recovery of particular wastes to meet new legislative requirements should be provided for in the framework area.
- Whether incineration is an appropriate option for the framework area.

- Whether further landfill capacity should be provided for.
- Whether waste management development would be acceptable on land identified as Green Wedge.
- How to encourage more transportation of waste by means other than road.
- Whether development control policies should be topic related or criteria based.
- Whether some existing general matter policies should be covered within supplementary planning documents

Future Monitoring Reports

- 7.3 This report provides the evidence base that can be rolled forward and updated in successive annual monitoring reports. However, in future an objectives-targets-indicators approach to monitoring will also need to be applied. This means in the first instance establishing clear and specific policy objectives in the local plan documents which in turn enable the selection of measurable targets against which output indicators can be assessed.
- 7.4 Output indicators are the quantifiable physical outputs which have occurred as a result of the policy. Contextual indicators are also required to describe the wider background to the development framework. This is essentially the social, environmental and economic baseline. In addition process targets are required involving measuring document preparation against the timetable and milestones in the local development scheme.
- 7.5 The annual monitoring will be required to explain what steps are to be taken if local development framework policies are shown to be underperforming or if framework preparation is not in line with the timetable set out in the local development scheme.
- 7.6 As part of developing the approach to local development framework monitoring, consideration will also be required as to how this might link with strategic environmental appraisal, which includes a duty of environmental monitoring.