



The Rt. Hon. David Miliband MP
Secretary of State for Environment, Food & Rural Affairs

The Rt. Hon. Ruth Kelly MP
Secretary of State for Communities & Local Government.

Cc Sir Sandy Bruce-Lockhart , LGA Chairman
Bronwyn Hill, Regional Director, GOSW
Sub-regional MPs

Date : 15 May 2006
Your Ref :
Our Ref : SE/jpa/ministers woe
wasteplanning.doc
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Dear Minister

We are writing on behalf of the West of England Waste Management & Planning Strategy Partnership, which comprises representation from the Unitary Authorities of Bath & North East Somerset, Bristol City, North Somerset and South Gloucestershire.

The Partnership is seriously concerned about the Government's medium/long term strategy on waste management in relation to local authorities, and in particular the complex and time-consuming requirements of the new planning system in delivering essential strategic waste management facilities.

In October 2004, the South West Regional Assembly published 'The Regional Waste Strategy for the South West 2004-2020.' This included waste management capacity targets for each sub-region in the South West to meet the overall recycling/composting and recovery targets set out in the strategy in respect of both municipal and non-municipal wastes.

In January 2005, the Minister for the Environment wrote to all waste disposal authorities informing them of their individual allowances allocated through the Landfill Allowances Trading Scheme. This meant that waste disposal authorities were in a position finally to assess how each Waste Disposal Authority was required to implement the provisions of the Landfill Directive.

By March 2005 the four Unitary Authorities in the West of England had come together to consider how they could best work in partnership to tackle strategic waste disposal issues. They did so in the belief that the sub-region had a good basis to develop a sub-regional strategy to help to address waste issues. We believe this will provide best value for local residents and that to pursue this individually would be unlikely to produce the most suitable financial, environmental, social and economic solutions for local people.

Over the past year we have made considerable progress, pooling resources and taking the opportunity of consultancy funding made available through Defra's Waste Implementation Programme. We undertook a study to identify potential technology options and sites suitable for strategic waste management purposes. This work took place between May and October 2005 and the principal findings were reported to the Partnership in November 2005. As a result we are now sufficiently well-informed to enable us to embark on a full public consultation exercise during early summer 2006. We are commencing work on a joint Municipal Waste Strategy and a joint Waste Development Plan document. Our consultation process will combine the requirements of the new planning system and our own waste management strategies.

Each of the partner authorities is also making considerable progress in improving recycling and composting with two authorities in the area having achieved 32% Best Value recycling/composting rates in 2004/05 and forecast increases this year.

As you can see we have advanced the preparation of joint strategies in a short period of time. However, the crux of our concern is the long lead-in periods required for the development of appropriate development plan documents, securing the necessary funding for capital investment, and procurement of new sites and facilities which will enable the diversion of waste, particularly biodegradable waste from landfill. Our current projections indicate that the earliest date for treatment capacity to be available is 2013.

The advice we are receiving from ODPM (now DCLG), Defra and the waste management industry clearly indicates that the provision of new waste disposal facilities capable of meeting the new challenges requires waste disposal authorities either to provide sites with appropriate planning permission, or at least for there to be appropriate planning policies in place that enable an application for planning permission to proceed. Such planning policies would either have to be set out in adopted development plans or be delivered through the new local development frameworks.

Existing waste planning policies in the West of England are not sufficiently robust to secure appropriate strategic waste management sites at this stage. We therefore have to develop new policies through the new planning system.

On the informal advice of ODPM, the four unitary authorities decided to prepare a Joint West of England Waste Development Plan Document. This will facilitate the identification of sites for strategic waste management facilities in a statutory planning document. The earliest possible date for adoption of this planning document is the end of 2008. Therefore at best we would not be in a position as a partnership to complete a procurement process and achieve planning permissions until 2010. With procurement, construction and commissioning likely to take a further three years the earliest estimated date to operate new waste disposal facilities would be by the end of 2013.

A further pressure on the four authorities is the emerging requirement to site some 92,500 additional houses in the West of England sub-region by 2026. This level of net dwelling requirements is set out in the draft Regional Spatial Strategy for the South West that will be submitted to the Secretary of State at the end of this month.

It represents an annual average net dwelling requirement higher than that contained in the currently operational Regional Spatial Strategy. As a result, the total amount of waste produced will grow, but this growth will not be reflected in the individual landfill allowances allocated to each authority.

As part of our joint work we have had to assess the impact of the programme for the Landfill Allowances Trading Scheme. From the tables below you can see that members of our partnership will have to start paying considerable public money in the form of fines from as soon as 2009/10. Each of the Partner Authorities is developing mechanisms to minimise biodegradable waste going to landfill. Each has proposals for 'In Vessel Composting' and separate biodegradable waste collections. However, even when this diversion work is taken into account the following predictions suggest that LATS targets will not be achieved beyond 2008/9 or 3 of the 4 authorities.

LATS Costs only at £150 per tonne	2007/8	2008/9	2009/10	2010/11	2011/12	2012/13
	£ '000					
Bath & North East Somerset Council	0	0	218	293	791	1,399
Bristol City Council	0	0	0	4,012	6,018	7,836
North Somerset Council	0	0	2,551	3,565	4,587	5,617
South Gloucestershire Council	0	0	1,003	1,964	2,930	3,905
Totals	0	0	3,772	9,834	14,326	18,757

The table below shows our current estimates of the above costs PLUS the very substantial Landfill Tax amounts which will have to be paid from public money between the time the authorised volumes are breached and the estimated earliest date for new facilities.

LANDFILL TAX AND LATS FINES	2006/7	2007/8	2008/9	2009/10	2010/11	2011/12	2012/13
	£ '000						
Bath & North East Somerset Council	1,334	1,527	1,629	1,968	2,092	2,665	3,263
Bristol City Council	2,954	3,300	3,768	4,249	8,756	11,124	13,018
North Somerset Council	1,609	1,684	1,983	2,298	5,181	6,274	7,377
South Gloucestershire Council	1,892	2,067	2,326	3,620	4,877	6,058	7,073
Totals	7,789	8,578	9,706	12,135	20,906	26,121	30,731

The Partnership recognises the essential and urgent need to divert biodegradable waste from landfill. The Partnership is totally committed to achieving new waste management facilities and reducing and recycling waste. The Partnership has also shown excellent commitment to joint working.

However, the Government's own timetable and the ponderous nature of the new development planning process will ensure that potential substantial financial penalties under the Landfill Allowances Trading Scheme cannot be avoided until 2012/13 at the earliest.

Assuming this timetable will be met, and that our predictions on organic waste capture are achieved, the total cost of fines alone are currently estimated to be over £47M - a figure we believe is not justifiable to local residents and businesses by either central or local government.

The Partnership therefore feels that it is not in the public interest to implement the Landfill Allowances Trading Scheme within its current timetable. It believes that such large amounts of public money simply being used to pay fines serves no purpose, damages the credibility of central and local government relationships and undermines the ability to resource adequately the essential planning and procurement process.

The Partnership believes that you should consider seriously the introduction of a more appropriate mechanism to ensure that new strategic waste management facilities are developed in a more speedy and efficient manner. It is suggested that a grant mechanism to pay back the equivalent of the fine paid where the Local Authority is pursuing a clear, agreed programme of action which will deliver the required diversion but not within the timetable would be an achievable way forward.

It is appreciated that there would be a need to agree a strict programme of development with waste disposal authorities and where appropriate partnerships could be a useful mechanism to delivering the infrastructure that is needed within realistic timescales. The Partnership is more than happy to work with you as a partner directly and through your regional offices in order to secure our common interests.

We look forward to your response to the issues raised in this letter and would be pleased to meet one of your representatives to discuss this important and urgent matter further.

Yours sincerely

Executive Members with Responsibility for Waste and Planning



Cllr Gerry Curran
Bath and North
East Somerset
Council



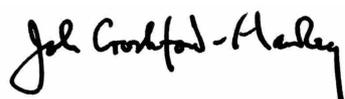
Cllr Deborah Yamanaka
North Somerset Council



Cllr Shirley Potts
South Gloucestershire
Council



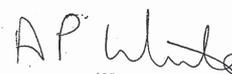
Cllr Gary Hopkins
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Cllr Pat Hockey
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