
MEETING: Council

DATE: 8th February 2006

SUBJECT: Greater Manchester Joint Waste Development Plan Document

REPORT FROM: Executive Member for Environment and Transport

CONTACT OFFICER: Paul Allen – Planning Policy Manager

TYPE OF DECISION: Council

REPORT STATUS: For publication

PURPOSE/SUMMARY:

This report sets out the Member decisions that need to be made so that formal preparation of the Greater Manchester Joint Waste Development Plan Document can commence.

OPTIONS AND RECOMMENDED OPTION (with reasons):

Recommended Option:

That Council approve the following:

- The production of a Joint Waste Development Plan Document for Greater Manchester;
- The establishment of a Joint Committee in principle; and
- The preparation of a Local Agreement for the Joint Committee with responsibility for its signing delegated to the Chief Executive, in consultation with Director of Legal and Democratic Services.

Council should also note that each GM authority will need to amend their Local Development Schemes to include the Joint Waste Development Plan Document information in due course following their Full Council approval to the above.

Reasons:

To enable formal arrangements necessary for the production of a Greater Manchester Joint Waste Development Plan Document to be established and incorporated in Bury's Local Development Scheme.

Other Options:

That Council resolve not to support the production of a Joint Waste Development Plan Document, the establishment of a Joint Committee and the preparation of a Local Agreement to establish a Joint Committee.

That Council supports the production of a Joint Waste Development Plan Document but seeks amendments to the production arrangements for the Plan and/or the Local Agreement to establish a Joint Committee. Members to state the nature of any amendments which may be sought with reasons.

IMPLICATIONS -**Financial Implications and Risk Considerations**

Production of a development plan document that effectively delivers a sustainable waste management infrastructure will require a high level of commitment from all authorities and a comprehensive strategy of community engagement including both political and public stakeholders.

Formal commencement of the production of the Joint Waste Development Plan Document (JWDPD) is urgently required as the risk of slippage or delay must be minimised. It is understood that the Greater Manchester Waste Disposal Authority (GMWDA) estimate the financial penalties of failing to meet statutory targets on pre-treatment of municipal waste could run at between £6 and £15 million per year. In addition the indirect and direct costs to the Waste Disposal Authorities (WDAs) and planning authorities of protracted public inquiries on individual sites could well amount to £1 million per inquiry; and we anticipate tens of planning applications to be received by the Greater Manchester (GM) districts.

Corporate Aims/Policy Framework:

Do the proposals accord with the Policy Framework? Yes No

The policies and proposals which will come forward through the preparation of a Joint Waste Plan will eventually replace existing relevant policies and proposals in the current development plan, the Bury Unitary Development Plan, when adopted.

Are there any legal implications? Yes No
Considered by Monitoring Officer: Yes Comments:

The joint preparation of a Waste Disposal Plan is consistent with the framework for the preparation of Local Development Plans as set out in the Planning and Compulsory Purchase Act 2004 (“the Act”). Section 28 of the Act provides that two or more local planning authorities may agree to prepare one or more joint local development documents. This responsibility, when carried out jointly lies with the Full Council (rather than the Executive). It is proposed that this is achieved through the establishment of a joint committee, which would be constituted in accordance with the provisions of the Local Government Acts 1972 and 2000. Once the Plan is prepared the responsibility for submitting it and its subsequent adoption would remain with the Council, as such matters cannot be delegated to a joint committee.

Statement by Director of Finance and E-Government:

A total project cost of some £1.4 million has been estimated for the JWDPD. It is proposed that financial contributions from all GM Districts will be distributed on a pro rata basis according to population at 2001 and will be spread across the period of plan preparation to 2009/10. The basis of cost allocation and payment mechanisms will be confirmed in the Local Agreement for the Joint Committee.

Bury’s contribution is estimated at some £103,400 in total over six years – but annual payments are likely to vary. Budget provision of £28,000 was made in 2005/06 and a provisional amount of £29,500 has been included in the budget for 2006/07; this amount will need to be kept under review as Plan preparation progresses.

Members should also note the commitment in existing staff time required to contribute to the plan.

Staffing/ICT/Property:

Mainstream staffing responsibilities lie with the Greater Manchester Geological Unit but there will inevitably be associated staffing support required from local authorities to assist the plan production process and deal with the implications for individual authorities. In Bury it is anticipated that most staffing consequences will be absorbed by EDS - Planning Policy Section.

Wards Affected:

All Wards

Scrutiny Interest:

Economy, Environment and Transport

TRACKING/PROCESS**DIRECTOR: Acting Director of Environment and Development Services**

Chief Executive/ Management Board	Executive Member/ Chair	Ward Members	Partners
Scrutiny Panel	Executive	Committee	Council
			8/2/06

1.0 BACKGROUND

A Joint Waste Development Plan Document (JWDPD) is required for Greater Manchester to provide a cost effective strategic, sub-regional planning framework for the full range of anticipated waste management facilities required by the municipal, commercial & industrial, hazardous and construction & demolition waste streams. This is especially appropriate within the current spirit of National Guidance, as set out in Planning Policy Statement 10 (Waste Management), which seeks to achieve greater integration of waste management with other spatial planning issues.

Such a document is not only a legal requirement but its early adoption is necessary to assist the Waste Disposal Authorities and give confidence to the market place in advance of letting the GMWDA's new Municipal Waste Management contract. Specifically, a robust site specific JWDPD will reduce the risk of planning appeals on applications for new waste management facilities with the inherent delays and costs. As such it should be recognised that the JWDPD is a separate, but complimentary, statutory planning document to the Municipal Waste Strategies produced by the two Waste Disposal Authorities (Wigan and Greater Manchester WDAs).

Development of the JWDPD will be managed by a team located with the Greater Manchester Geological Unit (GMGU). A significant amount of preliminary work has already been undertaken by the team to enable plan preparation to commence. In addition, it is also proposed that a Joint Committee (JC) is established, with representation from each district and responsibility for production of the JWDPD. The JC will have an Executive function with Full Council approval from each district required only for submission and adoption drafts of the JWDPD. This approach provides most opportunity to ensure the JWDPD is recognised as an integral part of each authority's local development framework, whilst streamlining the decision making processes.

2.0 ISSUES

This is a challenging project with the aim of developing a JWDPD through to the point of adoption. Although a significant amount of preliminary work to enable plan preparation to commence has been undertaken, GONW has advised that the following key issues require Full Council approval before formal production of the JWDPD can commence.

Production of a JWDPD

Political commitment to joint working in developing a planning framework for waste management across Greater Manchester has already been established in principle by the AGMA Executive decision in July 2004. This now needs to be entrenched by each authority's Full Council ensuring that commitment is made available in reality, to minimise risk to delivery and to ensure that waste planning is integral to political thinking throughout Greater Manchester.

Governance Arrangements

Where a Joint Committee is established under Section 101 (5) of the Local Government Act 1972, constituent authorities should establish a remit for the Joint Committee through a local agreement. (The Local Agreement is currently in the final stages of drafting by district solicitors). Each authority will need to approve the setting up of a Joint Committee and support the preparation of a Local Agreement in principle with delegated responsibility for the Chief Executive, in consultation with their respective District Solicitor, to sign the agreement.

It is essential the Joint Committee is made up of members who; understand waste planning issues and can act as 'Champions' for the JWDPD within their own local authority. Therefore, in addition to, and preferably in advance of, the formal decisions and the establishment of the Joint Committee, it is intended to set up a series of briefing sessions for Heads of Planning, Chief Executives, Lead Members and Leaders. It will also be necessary for each authority to nominate a representative to sit on the Joint Committee together with a deputy.

It is important that there is effective dialogue between the Joint Committee and the Steering Group and their respective authorities. Even where decisions are not being made by Full Councils, they should be fully informed of progress and involved in decision making (i.e. raising concerns early in the process).

Given the above the following matters require Full Council approval by each local authority before formal preparation of the JWDPD can commence:

- (i) Agreement to the production of a Joint Waste Development Plan Document
- (ii) Establishment of a Joint Committee in principle

- (iii) Preparation of a Local Agreement for the Joint Committee, with responsibility for its signing delegated to the Chief Executive, in consultation with their respective District Solicitor.

Inclusion of JWDPD Information with each Authority's Local Development Schemes

Following approval of the above each authority will need to revise their Local Development Schemes (LDS) to include the following details:

- the role of the JWDPD;
- its production timetable and required resources;
- the chain of conformity;
- annual monitoring arrangements;
- the evidence base; and
- recognition of risks to production and how these will be managed.

It will also be necessary to clarify the scope and purpose of the JWDPD and how it fits within the wider strategy of the Local Development Framework produced by each authority.

The production timetable of the JWDPD will be dependent, in part, on the arrangements of the Local Agreement. As such, GONW has advised that it would want to see the Local Agreement established prior to the JWDPD entry into revised LDS. Where LDS are submitted prior to this agreement, the relevant authorities should update and resubmit their LDS when the JWDPD agreed details are available.

It is essential that commitment to the timetable should be clearly established from each authority with a statement within each LDS stating that delay incurred by its own Full Council is beyond the control of the other authorities within Greater Manchester.

Work on a revised LDS for Bury is currently underway and will be submitted to the Council's Executive in due course prior to submission to GONW.

3.0 CONCLUSION

Members are urged to support the preparation of a Joint Waste Development Plan Document for Greater Manchester and to approve the necessary political decisions required as set out in this report so that formal preparation can commence.

List of Background Papers:-

AGMA Executive report dated 27 January 2006.

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