

Table of Contents

Cover Sheet	2
1 Policy Details	2
2 Policy Details	2
3 Status and Approvals	3
Bournemouth Christchurch Poole and Dorset Waste Plan	4
EQIA	8

Bournemouth, Christchurch, Poole and Dorset Waste Plan

Ref. No.	
Category: (Y/N)	
People	
Place	Yes
Corporate	
In Constitution	

Policy Details

What is this policy for?	<p>The Waste Plan will provide an up-to-date statutory planning framework for waste matters across the entire Dorset Council local authority area, as well as that of Bournemouth, Christchurch and Poole. This will enable both Councils to plan positively for waste needs up to 2033 in compliance with national policy.</p> <p>The Plan provides the principal mechanism for the consideration of planning applications for waste development. It seeks to ensure waste needs can be met in a sustainable manner by moving waste up the Waste Hierarchy (i.e. prevention / reuse / recycling / recovery / disposal). Thereby seeking to treat any residual waste that cannot be prevented, reused or recycled as a resource before pursuing the last resort of disposal.</p>
Who does this policy affect?	Public, local residents, waste industry, Dorset Council, Bournemouth, Christchurch and Poole Council
Keywords	Waste, plan, Dorset,
Author	<p>Name: Emma Macdonald Job Title: Minerals and Waste Planning manager Tel: 01305 228585 Email: emma.macdonald@dorsetcouncil.gov.uk.</p>
Does this policy relate to any laws?	Planning and Compulsory Purchase Act 2004
Is this policy linked to any other Dorset Council policies?	Local development plans
Equality Impact Assessment (EqIA)	<p>Waste management affects most people's lives in some way because of the need to manage the waste that is produced by residents, communities and businesses.</p> <p>Sites have been selected for allocation across the plan area on account of their suitability for waste management taking into consideration a number of issues, including specific areas of need. The Waste Plan is a strategic level document that is concerned with strategic waste planning policies and the identification of sites based on a rigorous site selection exercise and planning merit; as such it is unlikely to impact people within the equality groups any differently than from the impact on the general population of Bournemouth, Dorset and Poole.</p> <p>The plan does not deal with detailed issues where there could be potential to discriminate against people within the equality groups.</p>

	None of the responses received during consultations have highlighted evidence which indicates that there is an apparent impact on any of the protected characteristics
Other Impact Assessments	<p>Budget There are no immediate budget implications associated with adoption of the Waste Plan, although there is a right of legal challenge for a six-week period immediately following the adoption of a plan. In the event of such a challenge there may be legal costs associated with defending the challenge.</p> <p>Other The plan was the subject of a Sustainability Appraisal (incorporating Strategic Environmental Assessment) and a Habitats Regulations Assessment. It has also involved all relevant service providers within Dorset Council. Any issues regarding sustainability or corporate interests have been taken into account in preparing the plan.</p>

Status and Approvals

Status	Live	Version	
Last review date		Next review date	2033
Approved by (Senior Officer/Director)	John Sellgren Executive Director of Place	Date approved	25 th June 2019
Member/ Partnership Board Approval	Cabinet	Date approved	25 th June 2019



Date of Meeting: Cabinet - 25 June 2019; Council - 18 July 2019

Lead Member: Cllr David Walsh – Lead Member for Planning

Lead Officer: John Sellgren – Executive Director for Place

Executive Summary:

In March 2018 the draft Bournemouth, Dorset and Poole Waste Plan was submitted to the Secretary of State and an independent inspector was appointed to hold an examination into the plan's soundness. Public hearings were held in June 2018. The inspector was invited to include in his report any recommendations needed to make the plan sound and therefore capable of adoption.

The Inspector's report has now been issued and it concludes that, subject to the inclusion of the modifications, the plan is legally compliant and sound. The modifications do not significantly alter the thrust of the overall strategy that was submitted for examination.

Under the provisions of the Planning and Compulsory Purchase Act 2004 (as amended), it is the responsibility of the Local Planning Authority to adopt the Waste Plan. It can only be adopted if it includes the modifications that the inspector considers are needed to make it sound.

As the Plan covers the two administrative areas of Bournemouth, Christchurch and Poole Council (BCP) and Dorset Council, it will need to be adopted by both unitary authorities. Once this occurs, there will follow a 6-week legal challenge period from the date of adoption during which interested parties have the right to challenge the plan on legal/procedural matters under the provisions of the Planning and Compulsory Purchase Act 2004.

The Waste Plan will be the first local plan adopted by Dorset Council and it will provide an up-to-date statutory planning framework for waste matters across the entire local authority area, as well as that of Bournemouth, Christchurch and Poole. This will enable both Councils to plan positively for waste needs up to 2033 in compliance with national policy. It will also supersede the remaining 'saved' policies from the 2006 Bournemouth, Dorset and Poole Waste Plan.

Equalities Impact Assessment:

The Waste Plan has been the subject of an Equalities Impact Assessment (including EqIA screening) and issues identified in the assessment have been taken into consideration in preparing the plan.

Budget:

There are no immediate budget implications associated with adoption of the Waste Plan, although there is a right of legal challenge for a six-week period immediately following the

adoption of a plan. In the event of such a challenge there may be legal costs associated with defending the challenge.

In the event that the Council opts not to adopt the plan, it would expose the authority to the risk of on-going significant costs in dealing with planning appeals and having to commission extra evidence to justify its decisions on waste applications. This is because there would not be an up-to-date development plan and so the presumption in favour of sustainable development would prevail, with decisions having to be judged directly against the National Planning Policy Framework. It would also pose a risk to the waste management responsibilities of Dorset Council in terms of planning to meet future needs.

Risk Assessment:

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: LOW

Residual Risk LOW

Other Implications:

The plan was the subject of a Sustainability Appraisal (incorporating Strategic Environmental Assessment) and a Habitats Regulations Assessment. It has also involved all relevant service providers within Dorset Council. Any issues regarding sustainability or corporate interests have been taken into account in preparing the plan.

Recommendation:

That Cabinet commends the Bournemouth, Christchurch, Poole and Dorset Waste Plan to Council and requests that Council:

1. resolves to adopt the Plan subject to its inclusion of the main modifications that are appended to the Inspector's Report;
2. confirms that the formal adoption date will begin two weeks from the date at which both BCP Council and Dorset Council have resolved to adopt the plan;
3. delegates to the Lead Member for Planning, after consultation with the Executive Director for Place:
 - a. any additional (non-material) modifications to the Plan which were the subject of consultation, together with any other additional modifications which benefit the clarity of the Plan;
 - b. authority to expedite any technical/procedural matters associated with adoption of the plan, including those connected with Dorset Council's role as the Competent Authority on matters relating the Habitats Regulations Assessment¹ of the Plan.

Reason for Recommendation:

- To ensure Dorset Council has an up-to-date statutory policy framework for considering planning applications for waste development.
- To comply with the requirements of the statutory/consequential orders concerning Shaping Dorset Council which require a council-wide local plan by 2024.

¹ Under the provisions of the Conservation (Natural Environment, etc.) Regulations (Northern Ireland) 1995 (as amended) (commonly referred to as the Habitats Regulations)

Appendices:

None

Background Papers:

1. Waste Plan [Inspector's Report](#) and Schedule of [Main Modifications](#)
2. [Submitted Waste Plan](#), together with insets [1-7](#), [8-13](#), and [appendices](#).

Officer Contact

Name: Emma Macdonald

Tel: 01305 228585

Email: emma.macdonald@dorsetcouncil.gov.uk

1. Overview

- 1.1 Responsibility for waste planning matters rests with county and unitary authorities. Since 1997, the preparation of waste planning policies in Dorset has been undertaken jointly by the relevant waste planning authorities across Dorset. Prior to 1 April 2019 this was Dorset County Council, Bournemouth Borough Council and Borough of Poole. Since 1 April this responsibility now falls on Dorset Council and BCP Council.
- 1.2 The current statutory local plan context for waste matters is provided by the 'saved' policies of the Bournemouth, Dorset and Poole Waste Local Plan 2006. In 2014 work began on a replacement Waste Plan to provide an up-to-date spatial strategy and policy framework to meet the waste needs of the plan area. The draft plan was submitted to the Secretary of State in March 2018, which marked the commencement of an examination into the plan's soundness, led by an independently appointed inspector. Following the hearing sessions in June 2018, modifications that were deemed necessary to make the plan sound were consulted on before the inspector issued his final report at the end of January 2019. The inspector concluded that the plan was legally compliant and sound, subject to the modifications set out in his report.
- 1.3 The adoption of the Waste Plan will represent the culmination of a substantial amount of work which has involved extensive liaison with local residents, the waste industry, waste management authorities, statutory bodies and other interested parties and several consultation stages. It provides the principal mechanism for the consideration of planning applications for waste development and it seeks to ensure waste needs can be met in a sustainable manner by moving waste up the Waste Hierarchy (i.e. prevention / reuse / recycling / recovery / disposal), thereby seeking to treat any residual waste that cannot be prevented, reused or recycled as a resource before pursuing the last resort of disposal. As a consequence of this approach the Waste Plan does not propose the allocation of any landfill sites and instead promotes a range of management facilities and infrastructure ranging from strategic sites to household recycling centres. It is essential in providing the policy basis for the delivery of municipal waste management (for which Dorset Waste Partnership is responsible) as well as commercial, industrial and certain specialised waste streams.
- 1.4 It is important to note that the Waste Plan is strategic in its remit in that it covers the geographical area administered by Dorset Council and BCP and will provide a strategy for the period up to 2033. Its adoption will be a positive achievement for the new councils as part of their wider local development frameworks. It also provides detail in the form of site allocations and development management policies.

2. The Inspector's Report

- 2.1 The Inspector's report has now been issued and this concludes the examination. It contains a schedule of main modifications. These are modifications which are considered material to the Plan.
- 2.2 The Inspector can only recommend main modifications put before him by the Waste Planning Authorities if invited to do so by the Waste Planning Authorities. It follows that the modifications attached to the report are those which were acceptable to the Waste Planning Authorities (having regard to the views of interested parties and under the guidance of the Inspector).
- 2.3 The report confirms that although there are a large number of modifications, they do not significantly alter the thrust of the overall strategy. The Inspector concludes that, subject to the inclusion of the modifications, the plan is legally compliant and sound.

3 Adoption of the Plan

- 3.1 Under the provisions of Section 23(5) of the Planning and Compulsory Purchase Act 2004 (as amended), it is the responsibility of the Waste Planning Authorities to adopt the Waste Plan. The plan can only be adopted subject to inclusion of the main modifications. For this reason it is recommended that the plan be adopted with the inclusion of the main modifications.
- 3.2 As the Plan covers the administrative areas of Dorset Council and Bournemouth, Christchurch and Poole Council (BCP) it will need to be adopted by the both authorities. To allow for the necessary processes to take place it is recommended that the formal adoption date is two weeks after both resolutions have been secured.
- 3.3 Once the plan is adopted, there will follow a 6-week legal challenge period from the date of adoption. During this period interested parties have the right to challenge the plan on legal/procedural matters only under the provisions of the Planning and Compulsory Purchase Act 2004.

4 Concluding Comment

- 4.1 The adoption of the Waste Plan will provide Dorset Council and BCP with an up-to-date policy framework that will replace the 'saved' policies from the 2006 plan. Under the provisions of the National Planning Policy Framework development should be determined in accordance with the adopted development plan unless material considerations indicate otherwise. Having a plan that accords with the latest national policies will provide both Authorities with greater certainty in securing acceptable development that provides for Dorset's waste needs in a manner that is consistent with the Waste Plan. For these reasons I have no hesitation in commending the Waste Plan to you.

14 Appendix A - Equalities Impact Assessment

Equality Impact Assessment – Screening Form - Updated July 2018 Service: Economy

Bournemouth, Dorset and Poole Draft Waste Plan

Table 34

Type of Strategy (select as appropriate)	
Existing:	
New/proposed:	
Changing/Update/revision	YES
Other	

What is the aim of your strategy, policy, project or service?

Once adopted, the new Waste Plan will determine where new waste facilities are needed and will provide the policy framework for determining planning applications for waste management facilities. It will also safeguard existing sites which are already contributing to the management of waste within the plan area.

It will aim to support recycling and the conversion of waste into valuable resources wherever possible, with burying it in landfill being the last option.

The new plan will replace the current Bournemouth, Dorset and Poole Waste Local Plan (adopted in 2006).

Who will it impact upon?

Waste management affects most people's lives in some way because of the need to manage the waste that is produced by residents, communities and businesses.

Sites have been selected for allocation across the plan area on account of their suitability for waste management taking into consideration a number of issues, including specific areas of need.

Although the plan identifies potential locations for waste development, it is not certain that these sites will be developed as this will be subject to a planning application. Policies are also included in the Waste Plan to determine planning applications against. These will ensure the protection of amenity and the environment from future waste development.

Does or could the service, strategy, policy, project or change have an impact upon the following:

Protected characteristic	Positive impact	Negative	No Impact	Unclear
Age				
Disability				
Gender Reassignment				
Pregnancy and Maternity				
Race and Ethnicity				
Religion and Belief				
Sex				
Sexual Orientation				
Other socially excluded groups (Carers, rural isolation, low income, military status)				

Does this have any impact on the workforce in relation to the following:

Protected characteristic	Positive impact	Negative	No Impact	Unclear
Age				
Disability				
Gender Reassignment				
Pregnancy and Maternity				
Race and Ethnicity				
Religion and Belief				
Sex				
Sexual Orientation				
Other socially excluded groups (Carers, rural isolation, low income, military status)				

If your answers to Q3 and 4 are mostly 'negative' or 'unclear', you need to consider a full EqIA. If you do not intend to carry out one, please explain why:

The Waste Plan identifies site allocations across the Plan area which may be suitable for future waste development for specific facilities or a range of facilities to address identified needs.

A rigorous site selection process and sustainability appraisal has ensured that there is no preference to, or neglect of, any particular geographically-specific groups. Effective implementation of the policies and proposals should not lead to unacceptable adverse effects on different communities. In testing the suitability of sites and areas, the waste planning authority has considered a variety of issues including landscape, nature conservation, historic environment, traffic/access, emissions/odours noise etc (contained in National Planning Policy for Waste, October 2014).

The final Pre-Submission Draft Waste Plan contained 13 site allocations for consultation. Modifications are proposed to delete the allocation of land at Gillingham Sewage Treatment Works as planning permission has already been granted for development. Several different types of waste management facilities are required within the remaining 12 site allocations. In general terms, household recycling centres/waste management centres should be located close to waste arisings to meet the needs of a specific community.

The need for strategic waste facilities, for the management of bulky or residual waste is driven by Bournemouth, Dorset and Poole and any new facility should be strategically well located in the County. The largest quantities of waste will be derived from in and around the conurbation and this would be the most appropriate location for the majority of waste capacity. This capacity in the south east should be supported by smaller facilities in the west and/or a suitable network of transfer facilities for moving waste most sustainably. Good transport links and access to the strategic road network have also been important considerations.

During the process of preparing the Waste Plan it is inevitable that proposed site options were clustered around a number of towns and the south east Dorset conurbation. A wide selection of community groups live within the urban areas, the waste management sites options and final allocations do not discriminate against any particular age group, gender, ethnicity etc.

A detailed site assessment has been prepared for each site option considered during the process including those identified for allocation in the final Waste Plan. These assessments have highlighted relevant issues such as proximity to sensitive receptors including residential properties and settlements. To some degree, there is the potential for amenity and health impacts (caused by noise, dust or odour) arisings from most site options. However, no waste site options (or allocations) have been assessed as having an impact on any equality group differentially.

In any case, before any development can take place planning permission needs to be granted. At this stage any adverse impacts that have been identified will be fully assessed and suitable mitigation identified. The final Waste Plan contains a series of 'Development Considerations' for each site. These highlight specific issues that will need to be addressed, as a minimum, through any planning application.

In addition to planning permission, waste management proposals would require an Environmental Permit, issued by the Environment Agency. The Environmental Permit application process deals with pollution control measures (to prohibit or limit the release of substances to the environment from different sources to the lowest practicable level) and ensuring that ambient air and water quality meet standards that guard against impacts to the environment and human health.

Accessibility

Accessibility to services is an important part of ensuring social cohesion. The availability and quality of public transport is a key component to improving accessibility. Another important factor is the location of services in relation to public transport corridors; it is this factor which is most important when examining the impact that the waste sites will have upon accessibility.

Waste management facilities are more likely to be located close to urban areas, especially Household Waste Recycling Centres. These facilities are often located on the outskirts of towns within industrial estate type development. The general public is likely to need to visit such facilities; however, due to the nature of the items that need to be taken to such facilities, there are limited opportunities for shift from the private car to public transport.

The general public do not normally have a need to access other types of waste management facilities therefore the impact on individuals caused by not being able to easily access these sites, is not significant. Waste management facilities do not provide large scale employment opportunities and therefore the impacts of limited accessibility are unlikely to be significant. However, this issue has been considered through the sustainability appraisal of site options.

Consultation

The preparation of the Waste Plan has included a number of stages of consultation. During each consultation the Waste Planning Authority has gathered the views of the local community and other relevant stakeholders. A key outcome therefore is a plan which reflects the views of the local community and aims to minimise adverse impacts on them.

Specific consultation bodies, general consultation bodies and other consultation bodies are detailed in the Town and Country Planning (Local Planning (England) Regulations 2012) and in Dorset County Council's adopted Statement of Community Involvement (2013). The general consultation bodies specifically include:

- Bodies which represent the interests of different racial, ethnic or national groups
- Bodies which represent the interests of different religious groups
- Bodies which represent the interests of disabled persons

A wide range of groups and individuals across the gender, age, belief/faith, Disability and race strands have been consulted throughout the preparation of the Waste Plan.

A variety of methods of consultation have been used during each consultation period and documents have been made as widely available as possible, within budget restrictions. Where possible, the contribution of different geographical groups has been monitored.

The following statement has been included on the reverse cover of the Waste Plan 'All documents can be made available in audio tape, large print and Braille or alter naive languages on request.'

Responses to the consultation have been considered fully with additional information sought where appropriate to address issues raised through representations.

Opportunities

Equality groups could have improved employment opportunities by virtue of accessibility to waste management sites. However, these developments are geographically spread and the accessibility of employment opportunities will depend upon the location of the development. Waste management facilities and associated development create only limited employment opportunities.

Conclusion

The Waste Plan is a strategic level document that is concerned with strategic waste planning policies and the identification of sites based on a rigorous site selection exercise and planning merit; as such it is unlikely to impact people within the equality groups any differently than from the impact on the general population of Bournemouth, Dorset and Poole. The plan does not deal with detailed issues where there could be potential to discriminate against people within the equality groups.

None of the responses received during consultations have highlighted evidence which indicates that there is a apparent impact on any of the protected characteristics.