



Somerset County Council

Minerals and Waste Development Scheme:

February 2017



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Photographs show:

Top left Highbridge Household Waste Recycling Centre.
Source: SCC.

Top right Plastic recycling scheme organised by FWAG South West.
Source: FWAG South West.

Bottom left Torr Works.
Source: David Boag (copyright).

Bottom right Peat workings.
Source: SCC.

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For further details of the Somerset Minerals and Waste Development Framework, and to view and download this and other documents, please visit our website.

www.somerset.gov.uk/mineralsandwaste

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Document control record

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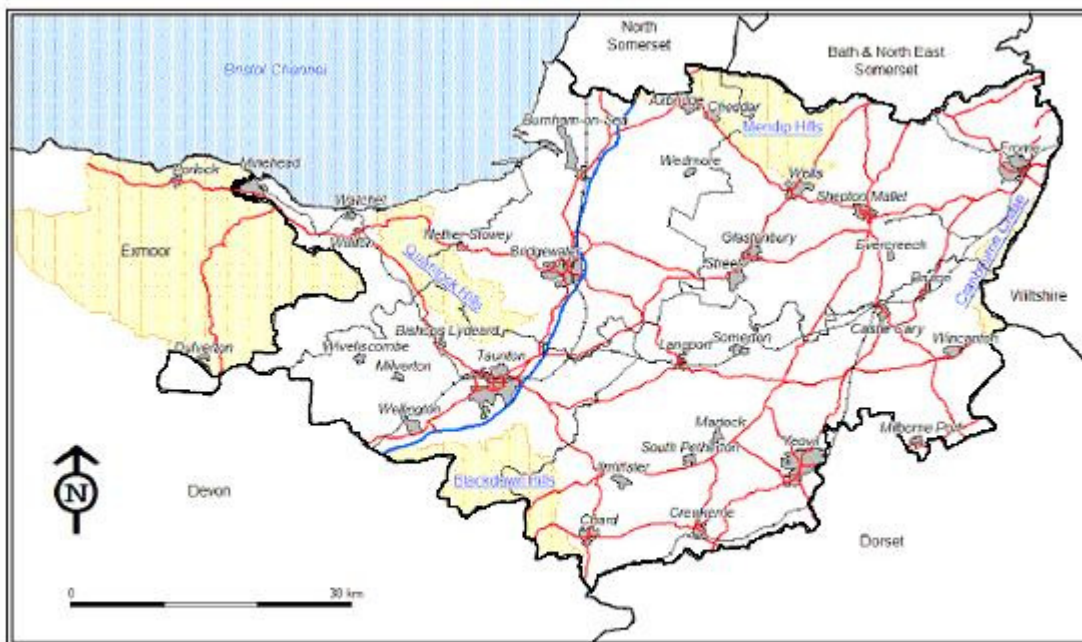
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Version	Date	Comments
1	23 Feb 2005	Original Minerals and Waste Development Scheme
2	12 Apr 2007	Minerals and Waste Development Scheme Review 2007
3	25 Nov 2010	Minerals and Waste Development Scheme 2010 – 2013
4	05 Feb 2014	Minerals and Waste Development Scheme – November 2013
5	22 April 2016	Minerals and Waste Development Scheme – April 2016
6	27 Feb 2017	Minerals and Waste Development Scheme – February 2017

Introduction

1. Somerset County Council (SCC) is the planning authority for minerals and waste matters in Somerset excluding Exmoor National Park.
2. As a result, SCC has a range of responsibilities regarding minerals and waste planning, with regard to planning policy and the determination of relevant planning applications.

Minerals and waste planning in Somerset. The central area outlined in black represents the area cover by Somerset County Council's minerals and waste planning policy



Scale 1:300,000

3. We are required under the Planning and Compulsory Purchase Act 2004 (as amended) (the Act) to prepare minerals and waste plans. The Act also requires every planning authority to prepare a development scheme which sets out the programme for the preparation and review of development plan documents.
4. Somerset County Council has prepared this Minerals and Waste Development Scheme (MWDS) in accordance with the Act. This edition of the MWDS has been updated from the 2016 (fifth) version.
5. Revisions to the MWDS have been prepared in accordance with the Act and take account of national developments in planning policy and legislation and local changes. In this revision the notable changes are: the adoption of the Statement of Community Involvement (SCI) in 2016; the slippage in timetable for the preparation of the Somerset Waste Plan (review); and the adjustment to the timetable for the Recycling by Design Supplementary Planning Document (SPD).

6. In addition, SCC produces an Annual Monitoring Report (AMR) on minerals and waste. This statutory document¹ monitors the effectiveness of policies in the adopted Minerals and Waste plans. The AMR also contains specific information about the permitted mineral and waste sites. This and other minerals and waste documents are available for download from www.somerset.gov.uk/mineralsandwaste
7. The Minerals and Waste Development Framework (or MWDF) is the name for the collection of development plan documents and other documents which provide the framework for delivering minerals and waste planning policy in Somerset, as shown in the figure below.

Relationships between documents within the Minerals and Waste Development Framework

(Note: EiP – Examination in Public)



Future plans for the MWDF

8. We are required under the Planning and Compulsory Purchase Act 2004 (as amended) (the Act) to prepare a Mineral and Waste Development Scheme (MWDS) which sets out the programme for the preparation and review of development plan documents.
9. Table 1 outlines the work programme going forward on the Somerset MWDF. Three documents are listed in Table 1:
 - A new Somerset Waste Plan ie a review of the Somerset Waste Core Strategy (adopted 2013);
 - A new supplementary planning document on waste collection; and
 - A monitoring report (which will be updated on an annual basis as before).

¹ Required by the Planning and Compulsory Purchase Act 2004 (as amended)

Table 1: MWDF project summary and timeline

Project	Key stages	Output	Dates
Somerset Waste Plan: Development Plan Document (in effect, a review of the Somerset Waste Core Strategy DPD)	Preparation (Regulation 18*)	An “Issues and Options” style document	Consultation: 3 rd quarter, 2017/18
	Publication (Regulation 19*)	Informed by above consultation, and updated evidence base, this document contains the policies that Somerset County Council propose to include in a Somerset Waste Plan supported by reasoned justification	3 rd quarter, 2018/19
	Submission (Regulation 22*)	Submission of the Somerset Waste Plan to the Secretary of State	4 th quarter, 2018/19
	Independent examination (Regulation 24*)	Examining the soundness and legal compliance of the submission document	2 nd quarter, 2019/20
	Adoption	Adoption of the Plan by the County Council	4 th quarter, 2019/20
Recycling by Design[#]: a supplementary planning document on waste collection	Preparation (Regulations 11-13*)	Prepare a draft SPD for consultation, integrating and updating as appropriate the SWP’s Developer Guidance	TBC
	Adoption (Regulations 12 & 14*)	Adoption of the SPD by the County Council	TBC
Monitoring Report		A statutory document monitoring the effectiveness of policies in the adopted Minerals and Waste plans.	Annually

* Regulations refer to the Town and Country Planning (Local Planning) (England) Regulations 2012

[#] Draft title and may be subject to change

Reviewing the Somerset Waste Core Strategy

10. A review of the Somerset Waste Core Strategy began in 2016. Key drivers for this work include:
 - Statutory requirement to maintain an up to date plan.
 - To keep pace with evolving national policy and guidance.
 - To inform and be informed by evolving municipal waste strategy for Somerset.
 - To identify (and support the delivery of) needed capacity, and protect our local environment.
 - To maintain a vibrant waste economy in Somerset.
 - To provide a better service to our customers.
11. According to Planning Practice Guidance: *“To be effective plans need to be kept up-to-date. Policies will age at different rates depending on local circumstances, and the local planning authority should review the relevance of the Local Plan at regular intervals to assess whether some or all of it may need updating. **Most Local Plans are likely to require updating in whole or in part at least every five years.** Reviews should be proportionate to the issues in hand. Local Plans may be found sound conditional upon a review in whole or in part within five years of the date of adoption.” (Bold SCC emphasis)*
12. The final output of the Waste Core Strategy review will be termed a Somerset Waste Plan, to align this with the Somerset Minerals Plan and take account of changes in national policy and guidance.
13. It will be important to align the review with work undertaken by the Somerset Waste Partnership (SWP) if the Municipal Waste Management Strategy (MWMS) for Somerset is revised. The MWMS provides forecasts of future municipal waste arisings, based on a ‘growth profile’ looking at household or population growth; and waste arisings per household or per capita.
14. It is no longer the County Council’s intention to prepare a separate Waste Site Allocations document as indicated in previous MWDSs and adopted Waste Core Strategy. Reviewing the Waste Core Strategy provides an opportunity for SCC to align with national Planning Practice Guidance: *“The National Planning Policy Framework makes clear that the Government’s preferred approach is for each local planning authority to prepare a single Local Plan for its area (or a joint document with neighbouring areas).”* Any need for site allocations will be considered in the context of plan-making for the revised Somerset Waste Plan.

Supplementary Planning Document on waste collection

15. In discussion with the SWP, the County Council has identified a need to deliver a Supplementary Planning Document on waste collection – in effect, embedding the Developer Guidance prepared by the SWP, updated and amended as appropriate, into the statutory planning system. This project was referenced in the adopted Waste Core Strategy, and a detailed programme for this will be finalised in due course.
16. The SPD project will be informed by and align with work undertaken by the SWP to review its collection service, including the Recycle More Trials. For more information visit www.somersetwaste.gov.uk

Containers used by the SWP for the Recycle More trials



Ensuring successful delivery

17. The MWDF documents will be largely prepared by County Council staff in its Planning Policy team. Delivery depends on various factors, including staffing levels at SCC, which may be subject to change during the life of the Local Development Scheme. The costs for plan-making will be met from Somerset County Council's budgeting process.
18. The County Council's Director and Lead Commissioner of Economic and Community Infrastructure provides senior management leadership, supported by a Project Board that helps to ensure the timely delivery of the project and the delivery of outputs that reflect the needs of the Council's customers.
19. External consultants may be used for some aspects of the work, to act as a "critical friend" via sustainability appraisal work and for technical / specialist aspects of waste planning. Subject to necessary approvals such additional support will be brought in as needed.

20. There will also be costs associated with undertaking consultations with stakeholders and the required Examination in Public (EiP). The costs for consultation and EiP will be kept under review and the allocation of funds for these will take place through the County Council's annual budgeting process.
21. The Planning Policy team also works with a Member Task & Finish Group, which consists of a group of nominated Elected Members (Councillors) who assist in the plan making process.
22. To ensure that planning policy activities align with SCC's strategic approach to commissioning, a Commissioning Board will provide oversight as appropriate on MWDF project activities, in particular the planned review of the Somerset Waste Core Strategy.
23. In accordance with the County Council's governance arrangements, relevant Cabinet Members, Cabinet and Full Council make decisions on specific MWDF issues at various stages of the plan making process. The Scrutiny for Policies and Place Committee scrutinises decisions of Cabinet Members and Cabinet as appropriate. Recommendations to adopt new Development Plan Documents are made to Full Council.
24. In preparing this MWDS consideration has been given to potential risks that might impact on the preparation of Development Plan Documents. These will be monitored and measures identified to mitigate them as appropriate (see Table 2).

Table 2: Basic register of risks and opportunities

Risk	Risk rating	Impact	Mitigating measure
Fines: European legislation requires all waste planning authorities to have in place waste management plans, and for those plans to contain specific information. There is a risk of fines being imposed if suitable plans are not in place.	Low	Significant: the UK Government has the power to pass on some or all of any such fines to any authority which caused the UK to be in breach of its obligations under the legislation. So the impact from any such action would be significant.	Ensure a waste plan is in place that complies with European legislation. Somerset has an adopted waste plan in place (the Waste Core Strategy) which has been reviewed via Examination in Public and found to be legally compliant.
Staff: Availability of experienced personnel. Key staff may leave or become unavailable due to long term sickness.	Medium	Moderate: slippage in delivery of one or more elements of the MWDF.	Identify resource requirements and undertake necessary forward planning.
Funding: There may be insufficient funding or resources allocated to the MWDF document and/or cost uncertainties associated with Inspector's time and length of Public Inquiry.	Medium	Significant: slippage in delivery of one or more elements of the MWDF.	Identify resource requirements and undertake necessary forward planning.
Soundness: The Inspector may conclude one or more elements of a Development Plan Document are 'unsound' at the Examination in Public stage (i.e. the Public Inquiry).	Low	Potentially significant: in delivery of one or more elements of the MWDF. Soundness issues would be addressed either within the plan-making process or by "lifting out" the issue that is making the plan unsound and addressing that separately.	Invite the Planning Inspectorate (PINs) to advise SCC before submission of the Plan (Regulation 22), having also sought critical friend support early in the process. Refer to the National Planning Policy Framework on soundness and take advantage of any training / support provided via the Planning Advisory Service (PAS).

Table 2: Basic register of risks and opportunities (continued)

Risk	Risk rating	Impact	Mitigating measure
Duty to Co-operate (DtC): insufficient cooperation with/from key partner. Note requirements have been outlined in SCC's latest Statement of Community Involvement in Planning.	Low	Significant: slippage in delivery of one or more elements of the MWDF. It is not possible to rectify an issue of DtC at public hearings, so the impact of this risk has a significant impact.	Maintain discussion with key stakeholders on strategic/cross-border issues, monitoring as appropriate (including, but not limited to, the Annual Monitoring Report and corporate risk system JCAD). Maintain audit trail.
Changes to Legislation: There may be changes to national and international legislation, and/or national policy statements and guidance.	Medium	Moderate: slippage in delivery of one or more elements of the MWDF. Ultimately, any Development Plan Document will undergo an EiP to assess its legal compliance (as well as soundness).	Keep a watching brief for changes to the legislation, in particular planning legislation. Assess legal compliance (self-assessment test) before submission.
Internal delays: Slippages in gathering data / assessments for the evidence base.	Low	Minor: slippage in delivery of one or more elements of the MWDF.	Identify resource requirements and undertake necessary forward planning.
Delays in delivery of external assessments: External consultants may be in demand and unavailable when required by the Council.	Low	Minor: slippage in delivery of one or more elements of the MWDF.	Forward planning to ensure timeline for work is clear, and regular dialogue to deliver agreed timeline.
Legal challenge: Delays to adopting because of High Court challenges.	Low	Significant: slippage in delivery of one or more elements of the MWDF. Risk of additional legal costs.	Assess legal compliance (self-assessment test) before submission.