

Stewarding the Earth's Resources

A quarterly bulletin about resource management for faith communities

No.1

July 2005

The Church of England's recent report **Sharing God's Planet** sets out the scale of humankind's responsibility for altering the planet over the last 100 years. It also provides Biblical and theological reflection and suggests a practical Christian response.

But nowhere does it acknowledge that difficult environmental decisions are being made every day by County, District and Borough Councils as they decide planning applications, and that everyone may have a role in influencing planning decisions.

Some of the most contentious planning decisions are those that concern development proposals for waste management and disposal, and for mineral extraction and processing.

The principle of Sustainable Development now means that increasingly both waste management and mineral working are regarded as a matter of 'resource management': waste can be recycled rather than disposed of; waste can be treated in a way that generates electricity; construction waste can be recycled as building materials thus reducing the need for new quarries.

But despite the 'green credentials' of the new resource management approach, all too often local communities object to planning applications for new waste management plants and planning permissions are refused, thereby hindering attempts by the waste and minerals industries to reduce humankind's impact on God's planet.

Stewarding the Earth's Resources is a new quarterly bulletin for faith communities that sets out current issues in waste and minerals planning. It encourages Christians to take a responsible approach to new waste and minerals developments. It presents a balanced summary of current ethical, practical and spiritual issues in a non-technical way.

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1. What's happening to waste?

1.1 Who collects household waste and who gets rid of it?

The National Waste Strategy (Waste Strategy 2000) states that around 400 million tonnes (mt) of waste is produced in England and Wales each year. It states that 106mt of this is produced by industry, commerce and households; the Government's Department for Environment, Food and Rural Affairs (Defra) website currently gives a figure for this waste of 'over 100 million tonnes annually' and states that this amount is growing at around 3% each year.

Waste Strategy 2000 states quantities of waste production in England and Wales as:

- Industrial waste (excluding construction & demolition waste) 48mt
- Commercial waste 30mt
- Municipal waste 28mt.

The remainder of the 'around 400mt' per annum is made up of construction & demolition wastes, agricultural wastes, mining wastes, sewage sludge and dredged spoils.

Responsibility for **collecting household waste** falls to the Waste Collection Authorities (WCAs).

The following types of authority are WCAs: District and Borough Councils in 'shire county' areas (ie. where there are two-tier County and District/Borough authorities); Unitary Authorities; Metropolitan District/Borough Councils; and London Borough Councils.

Responsibility for **disposing of household waste** falls to the Waste Disposal Authorities (WDAs).

The following types of authority are WDAs: County Councils; Unitary Authorities; some Metropolitan District/Borough Councils; and some London Borough Councils. The Merseyside Waste Disposal Authority and the Greater Manchester Waste Disposal Authority are the WDAs in these areas rather than individual Metropolitan District/Borough Councils. Likewise, the North London Waste Authority, East London Waste Authority, Western Riverside Waste Authority and West London Waste Authority are the WDAs for 21 of the London Borough Councils, but there are a further 12 London Borough Councils that are 'non-aligned' and that are WDAs.

1.2 Government targets for recycling and composting

The Local Government Act 1999 applies the duty of Best Value to WCAs and WDAs.

All WCAs and WDAs must meet statutory performance targets for the years 2003-04 and 2005-06 for an increase in the percentage of municipal waste that is recycled / composted and a reduction in the amount that is sent to landfill. This reduction is sought because the placing of material in a landfill amounts to no more than the storage of resources in a way that prevents their re-use or recycling and which, through the decomposition of biodegradable waste (paper, food wastes and green waste) in the absence of oxygen, produces methane, which is a greenhouse gas.

Moreover, the supply of worked out quarries for landfilling that lie close to the main urban centres is running out. This is particularly true in South East England around London.

The aim is to move away from disposing of biodegradable waste by landfill towards more sustainable methods of waste management.

2003/04 targets

Defra administers these targets.

Defra's figures for 2003/04 show a great variety in the targets given by Defra to local authorities (from 7% to 33%) and a great variety in the extent to which local authorities met their targets in 2003/04.

Nevertheless, on 18th January 2005 the Secretary of State for Environment, Food and Rural Affairs (Margaret Beckett) welcomed the figures and announced that England looks certain to meet its national recycling and composting target. Mrs Beckett was looking ahead to the 2005/06 local authority targets which have the aim of achieving the national target of recycling or composting at least 25% of household waste by 2005.

The Defra figures show that the top five improvers (ie. greatest percentage point increases compared with 2002/03 figures) are:

- Fylde Borough Council, Lancashire (19 percentage point increase),
- Breckland Council, Norfolk (18 percentage point increase),
- Horsham District Council, West Sussex (16 percentage point increase),
- Forest of Dean District Council, Gloucestershire (16 percentage point increase)
- Canterbury City Council, Kent (15 percentage point increase).

The figures can be seen at www.defra.gov.uk/environment/waste/localauth/pdf/sps2003-4.pdf

These and other targets concerning diversion of waste from landfill derive from EC Directives. They are a major influence on all parties involved in waste management.

And there are also other kinds of waste that need to be managed. The three main 'waste streams' are: Household Waste; Commercial & Industrial Waste; and Construction & Demolition Waste.

1.3 Getting rid of waste that can't be recycled or composted

The 'residual waste' – the waste that is not otherwise recycled, composted or subject to other recovery or diversion from landfill - must be disposed of. In the past this has been by landfill – filling up holes in the ground with waste, or raising land with waste – known as landraising.

Incineration of household waste has been practised in recent decades by some WDAs. In some of these WDAs – but not all of them - it is a controversial method of waste disposal.

Future editions of **Stewarding the Earth's Resources** will look into the pros and cons of domestic waste incineration and landfilling / landraising.

1.4 Who decides planning applications for waste management facilities?

It is a long-established principle of the town and country planning system that planning applications for developments involving waste management / disposal (and mineral extraction / processing) are dealt with by County Councils.

More recently (since 1996) Unitary Authorities have been established and these also have responsibility for waste and minerals planning. In Greater London and in the areas of the former Metropolitan County Councils (Tyne & Wear, Merseyside, Greater Manchester, West Midlands, West Yorkshire & South Yorkshire) the waste/minerals planning authorities are the London Borough Councils and the Metropolitan District Councils.

Waste and mineral developments are seen as unpopular: nobody wants them in their backyard. That's why planning decisions about them are made at the 'strategic level' of the County Council, rather than at the local level of the District Council. But the Unitary Authorities, Metropolitan District Councils and London Borough Councils now also have this responsibility.

The Environment Agency has a responsibility for pollution control that is separate from town and country planning. The Environment Agency and the waste/minerals planning authority often work together.

Future editions of **Stewarding the Earth's Resources** will look at the way in which planning applications for waste management developments are determined.

1.5 Regional planning for waste management

In minerals planning there is a well-established system for sharing out the recognised need for new quarries for aggregates between the different Regions of England.

Regional planning is now of increasing significance in waste management as well.

South East England

For example, over the last few years the South East England Regional Assembly (SEERA) has been working towards the adoption of a Regional Waste Management Strategy (RWMS) for the South East Region.

When adopted, the RWMS will form part of RPG9: Regional Planning Guidance for South East England.

The South East Region is one of the 9 government Regions of England.

Since 2001 it has comprised:

- the County Council areas of Oxfordshire, Buckinghamshire, Hampshire, Surrey, West Sussex, East Sussex and Kent, and
- the Unitary Council areas of Milton Keynes, West Berkshire, Reading, Wokingham, Windsor & Maidenhead, Bracknell Forest, Slough, Isle of Wight, Portsmouth, Brighton & Hove and Medway.

The South East RWMS is still in a draft form, having been subject to a Public Examination in October 2004. SEERA expects that the RWMS will be finalised in late 2005.

The draft SEERA RWMS quantifies the number of new waste management facilities that will be needed throughout the Region by 2025 if Government targets for increasing recycling and composting are to be met.

The draft RWMS also provides illustrative numbers and types of new waste facilities that will be needed in each council area in the Region.

Future editions of **Stewarding the Earth's Resources** will look at the various waste management techniques and the issues raised by regional waste planning.

1.6 Royal Institute of Chartered Surveyors report: Can the waste planning system deliver?

In 2004 the Royal Institute of Chartered Surveyors (RICS) published the results of research that it had commissioned (together with SEERA) to examine whether the planning system is capable of delivering the waste management infrastructure in England and Wales that is required to meet the statutory targets. It used the South East Region as a case study.

It concluded that the new waste management facilities that are required to meet the statutory targets are not going to be delivered on time.

Lack of sites, and increasing public opposition

This is considered to be partly due to factors influenced by, but outside the control of the planning system, including:

- land availability,
- the fact that sites with an existing waste use are scarce (the RICS shows that planning applications for new waste facilities on sites with an existing waste use have a greater chance of obtaining planning permission).
- that public opposition is increasing around major proposals: 'this has resulted in more judicial reviews and challenges in the High Court which leads to High Court judgements and appeal decisions that set precedents for future decisions and that tend to be framed negatively (ie. how not to do it, rather than how to do it better)'.

Municipal waste contracts drive the development of non-landfill facilities

Factors within the 'development plan' system that are likely to contribute to the problem include:

- 'The reality of the marketplace means that long-term municipal waste contracts drive the development of non-landfill facilities guaranteeing the annual throughput against which financial institutions are willing to provide funding'.

Factors within the 'development control' system include:

- the slow pace of the development control system
- the limited chance of appeal success that may discourage industry from proposing new developments even on appropriate sites.

Elected Councillors can feel very exposed when making local decisions

Other factors related to the planning system include:

- elected Councillors can feel very exposed when making local decisions: 'the lack of definitive statements on the need for capacity and a lack of authoritative guidance on the relative risks associated with types of facility creates a vacuum within which elected members can be reluctant to take what they see as high risk decisions'.
- lack of guidance on the principle of 'Best Practicable Environmental Option' (BPEO). Waste Strategy 2000 introduced BPEO as the guiding principle for establishing the best way to manage each waste stream. The 12th Report of the Royal Commission on Environmental Pollution defined BPEO as: "The outcome of a systematic and consultative decision-making procedure which emphasises the protection and conservation of the environment across land, air and water. The BPEO procedure establishes, for a given set of objectives, the option that provides the most benefits or the least damage to the environment as a whole, at acceptable cost, in the long term as well as in the short term".
- the difficulties posed by increasing development in populated areas.

Recommendations

Six specific recommendations for future policy guidance are then given to the Government. Other recommendations are also made.

Since the publication of the RICS report

Since the publication of the RICS report:

- the Planning & Compulsory Purchase Act 2004 has introduced a new form of development plan (the 'Local Development Framework') to replace Structure Plans and Local Plans,
- the Government (the Office of the Deputy Prime Minister) has published draft new advice on waste planning policy: 'draft PPS10 Planning for Sustainable Waste Management'.
- A Court of Appeal decision Derbyshire Waste Ltd v Blewett and the Secretary of State for the Environment, Food and Rural Affairs has clarified the law as it concerns the principle of BPEO.

Future editions of **Stewarding the Earth's Resources** will look at the issues raised in the RICS report and the extent to which they are addressed in PPS10 when it is published.

1.7 Draft PPS10: new Government waste planning advice.

In December 2004 the Office of the Deputy Prime Minister (ODPM) issued its consultation draft of Planning Policy Statement no.10: Planning for Sustainable Waste Management. PPS10 will replace the existing guidance note PPG10.

The stated aim of draft PPS10 is to make clear what is required at the regional and local levels of waste planning so that decisions may be made that will enable sufficient waste management facilities to be provided.

Draft PPS10 does not include BPEO as an objective. The principles that were previously covered by BPEO are now to be achieved through draft PPS10's aim of achieving sustainable waste management through the new Local Development Framework system.

Stewarding the Earth's Resources will summarise PPS10 when the final version is published.

2. Aggregates: Raw materials for construction

Many quarries supply the construction industry with its raw material, whether it is sand, gravel or crushed rock. This material is known as aggregates. The greatest pressure for new aggregates quarries exists in the regions where the greatest amount of development takes place. There is a well-established system in place to share out the pressure for aggregates quarrying between the various Regions, and between Mineral Planning Authority areas within Regions. In recent years there has been increasing emphasis on the potential for alternative materials to be used for aggregates instead of virgin quarried material. The recycling of Construction & Demolition Waste is now a significant source of aggregate material.

Future editions of **Stewarding the Earth's Resources** will look at all aspects of minerals planning, including aggregates planning.

3. What can Christians conclude from all this?

Elected Councillors can feel exposed when making decisions about planning applications for new waste facilities. A groundswell of community opposition can build up, and an elected Councillor may go with the emotive arguments of the local community rather than with the balanced advice of council officers. Christians should pray for their elected representatives and for all who serve local government.

There are many different agencies involved in waste management and disposal including householders. We all have a part to play in recycling and composting our waste, and in deciding whether to object to a planning application or whether to express support for a planning application. Page 37 of **Sharing God's Planet** gives ideas for waste recycling and composting.

All concerned with waste are working to reduce the amount of waste that goes to landfill. It is European Community and Government policy that is driving this. Environment-minded Christians should pray for all who work in the waste management industry and should look for ways to support the waste industry and all involved in the various waste agencies. If you want to know about a planning application the Waste Planning Authority is statutorily required to let you see planning applications, but why not ask first at the waste company making the proposal?

Stewarding the Earth's Resources is compiled by the Revd Jon Hale BA MRTPI who is an ordained Church of England priest with a background in waste and minerals planning. He is a Chartered Town Planner.

The compiler accepts no liability for any errors, omissions or inaccuracies contained in **Stewarding the Earth's Resources**.

Mineral Planning and **Waste Planning** are the main professional journals in the field. They are published by Mineral Planning, 2 The Greenways, Little Fencote, Northallerton DL7 0TS.

Revd Jon Hale, The Vicarage, Vicarage Road, Crawley Down, West Sussex. RH10 4JJ. Tel: 01342 714922. aj@jkcahale.plus.com