

Report

Cabinet Member for Regeneration and Housing Cabinet Member for City Services

Part 1

Date: 11 June 2019

Subject **Draft Waste Storage and Collection Supplementary Planning Guidance – Proposed Consultation**

Purpose To seek approval to consult on the draft Waste Storage and Collection Supplementary Planning Guidance.

Authors Planning Policy Manager

Ward All wards.

Summary The draft Supplementary Planning Guidance concerning waste storage and collection arrangement has been prepared to support the Local Development Plan adopted in January 2015. This draft guidance document has been prepared to provide additional detail and guidance on policies concerning waste management arrangements in developments in the LDP. It is now proposed to consult on this draft document to seek views of interested parties.

Proposal **That Cabinet Members notes the contents of the proposed Draft Waste Storage and Collection SPG document and agrees that the document be released for public consultation.**

Action by Head of Regeneration, Investment and Housing

Timetable Immediate

This report was prepared after consultation with:

- Strategic Director-Place
- Head of Finance – Chief Finance Officer
- Head of Law and Regulations – Monitoring Officer
- Head of People and Business Change
- Development Management
- Service Manager Waste & Cleansing

Signed

Background

The draft Supplementary Planning Guidance (SPG) addresses the issue of waste management in new development and aims to assist developers to integrate waste collection services into the design process. It aims to ensure applicants and developers ensure effective segregation, storage and collection of waste materials following development and provide a basis for the planning authority to assess planning applications to ensure that waste management needs are adequately addressed.

The document aims to offer more detailed guidance on how to achieve the requirements of LDP Policy 3 – Provision for Waste Management Facilities in Development. In this respect, the SPG focuses on waste management practices and requirements. It contains three Guidance Notes that developers will need to consider in designing residential developments:- the provision of sufficient bin storage; the design and siting of the bin storage; and access arrangements for the refuse vehicles and operators to collect the waste.

Consultation Arrangements

The SPG will be consulted on for a minimum period of 6 weeks. Consultation arrangements will include providing the document on the Council's website, electronic versions sent to the libraries and targeted consultation letters or emails. SPGs are a material consideration in the determination of planning applications, with the weight attached increasing if it has been subject to public consultation.

It provides details of how many and what type of bins are required to facilitate the segregation of waste to encourage recycling. It aims to ensure the storage of the bins does not have a harmful impact on visual and residential amenity and that sufficient storage areas are designed into new developments. The collection of the waste is also addressed through the requirement to design the roads and development to allow the safe manoeuvring of the refuse vehicles and collection crew. The SPG informs developers that roads are required to be designed to an adoptable standard, but should they remain in private ownership i.e. unadopted, the developer will be required to sign an indemnity form provided by the Waste Management Team. The SPG informs developers that the Council will only collect from unadopted roads where the Council and its contractors have been indemnified against damage to property, and where the Council has assessed that collection operations can be safely carried out.

Financial Summary

The proposed consultation would have minimal financial costs as the document will be sent out electronically where possible. All relevant information will also be made available on the Council's website. Any costs will be met within the existing Local Development Plan budget.

Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Clarity on the LDP policies is not provided and the LDP could be left open to interpretation and planning decisions are open to challenge.	L	L	This SPG has been prepared to add clarity and guidance on LDP policies to aid the planning application determination process.	Development & Regeneration Manager/Planning Policy Manager
Draft SPG will carry less weight	M	L	Draft SPG prepared awaiting public consultation to increase	Development & Regeneration

by Planning Inspectors in the determination of planning appeals.			the weight of the SPG and to be followed up with adoption.	Manager/Planning Policy Manager
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Links to Council Policies and Priorities

The Local Development Plan is one of the statutory plans the council has to prepare. It determines Newport’s land use policies to 2026. Liaison has been maintained with officers from the relevant sections to ensure consistency and common purpose. The SPG produced supplements and supports the overarching principles set out in the LDP, adding more detail and clarification where required.

Newport City Council has a Corporate Plan that runs to 2022. Its primary objective is ‘improving people’s lives’. It has four commitments; Resilient Communities, Thriving Cities, Modernised Council; and Aspirational People. The SPG will help deliver these commitments by ensuring development provided the necessary waste management infrastructure to deal with waste sustainability.

Options Available and considered

Approve the draft SPG for public consultation.

Make amendments to the draft SPG and then approve for consultation.

Do not approve the draft SPG for consultation.

Preferred Option and Why

To approve the draft SPG for consultation. This will allow interested parties to provide responses on the proposed policy detail before the Council seeks to adopt the document for development management purposes. The weight attached to Supplementary Planning Guidance increases if public consultation is undertaken prior to adoption.

Comments of Chief Financial Officer

The decision to proceed with public consultation will have minimal financial impact and be met from within the existing Local Development Plan budget. The Supplementary Planning Guidance addresses the issue of waste management in new developments which will have a positive impact on waste services and the developments themselves. Any unexpected potential adverse impact that may arise as a result of the consultation will need to be considered and budget identified where required.

Comments of Monitoring Officer

The draft SPG provides more detailed practical and technical guidance regarding the provision of waste management facilities within development schemes to meet the relevant policies contained in the LDP and should provide a consistent approach for the determination of future planning applications. The Cabinet Member is asked to approve the draft SPG for the purposes of a 6 week public consultation and to consider the responses to this consultation before deciding whether to adopt the SPG, with or without amendment. The final SPG will then be a material planning consideration in the determination of relevant applications and greater weight can be attached to it if it has been subject to public consultation, prior to its adoption.

Comments of Head of People and Business Change

From an HR perspective, there are no staff implications to this report.

This report has fully considered the sustainable development principle of the Well-being of Future Generations (Wales) Act 2015. Full details of how the proposal meets the five ways of working (long-term, prevention, integration, collaboration and involvement) of the principle are included in the appropriate section of the report.

Comments of Cabinet Member

Both Cabinet Members have been briefed on the report.

Local issues

The SPG will affect all wards in Newport.

Scrutiny Committees

The SPG has not been through a Scrutiny Committee.

Equalities Impact Assessment and the Equalities Act 2010

The Equality Act 2010 contains a Public Sector Equality Duty which came into force on 06 April 2011. The Act identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The new single duty aims to integrate consideration of equality and good relations into the regular business of public authorities. Compliance with the duty is a legal obligation and is intended to result in better informed decision-making and policy development and services that are more effective for users. In exercising its functions, the Council must have due regard to the need to: eliminate unlawful discrimination, harassment, victimisation and other conduct that is prohibited by the Act; advance equality of opportunity between persons who share a protected characteristic and those who do not; and foster good relations between persons who share a protected characteristic and those who do not. The Act is not overly prescriptive about the approach a public authority should take to ensure due regard, although it does set out that due regard to advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these differ from the need of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

Children and Families (Wales) Measure

Although no targeted consultation takes place specifically aimed at children and young people, consultations on such documentation is open to all of our citizens regardless of their age. People replying to consultations are not required to provide their age or any other personal data, and therefore this data is not held or recorded in any way, and responses are not separated out by age.

Wellbeing of Future Generations (Wales) Act 2015

The Well-being and Future Generations (Wales) Act seeks to improve the social, economic environmental and cultural well-being of Wales. Public bodies should ensure that decisions take into account the impact they could have on people living in Wales, in the future. The 5 main considerations are:

- Long term: This work aims to provide those interested persons with a clear understanding of waste management requirements in residential developments. Ensuring sufficient waste management storage and collection arrangements are designed into residential schemes will contribute to the long term targets of increasing the amount of waste recycled and re-used.
- Prevention: The consideration of waste management requirements during the early design stages of a development will encourage and facilitate sustainable waste management methods and help prevent unnecessary waste going to landfill. Early consideration of storage and collection arrangements will also help the prevention of bins and associated infrastructure cluttering up the streetscene and general environment.
- Integration: Improving the understanding of waste management requirements in residential developments will help integrate sustainable waste management methods into developments and the community. This in turn will make developments more attractive to residents and the community. This consultation will help interested parties understand

their role in designing and facilitating sustainable waste management methods into developments.

Collaboration: This report seeks approval for consultation of the draft document. The consultation will inform the final version and allow collaboration between those interested stakeholders. The Council's waste management section and Wastesavers have been central to ensure that there is full alignment with policies.

Involvement: This report seeks approval for consultation of these documents. The consultation will inform the final version of the document and seeks views from interested parties. Their involvement is key to producing a useful document that can be used to implement the Council's sustainable waste management objectives.

The proposal is in line with the Council's well-being objectives published in March 2017. Specifically, these proposals contribute to the well-being objectives to promote economic growth and regeneration whilst protecting the environment.

Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the consultation of these guidance documents.

Consultation

The draft documents have not been made publically available.

Background Papers

Draft Waste Storage and Collection Supplementary Planning Guidance.



Draft Waste SPG v9
- 27_03_2019.docx

Dated: 11 June 2019