

**LEICESTERSHIRE COUNTY COUNCIL**

**PROOF OF EVIDENCE OF IAN BRAKER (MSci)**

**CIVIC AMENITY CONTRIBUTION**

**STEPHENSON WAY COALVILLE**

**APPEAL REF: APP/G2435/A/11/2158154**

## **Introduction**

- 1.1 I am Ian Peter Braker and I hold the post of Waste Project Officer with Leicestershire Council and am responsible for managing projects within the Waste Disposal and Treatment Team. I have been employed by Leicestershire County Council since 21<sup>st</sup> September 2000 and have held my present post since 3<sup>rd</sup> December 2007. I have a Master of Science in Physics with Astrophysics.
- 1.2 My proof is in support of Leicestershire County Council's request that appropriate and adequate planning obligations be secured under a section 106 agreement for civic amenity requirements to make the proposed development acceptable and sustainable in planning terms.
- 1.3 In preparing my proof I have had regard to the criteria for developer contributions under Circular 05/2005 and to the relevant provisions of the Community Infrastructure Levy regulations 2010.
- 1.4 A colleague, Andrew Tyrer, the County Council's Developer Contributions Officer, has produced in his proof the required related Planning and Developer Contributions Policies which underpin the case but which I will not repeat in my proof.

## Justification of the Civic Amenity Contribution

### Background

- 2.1 Leicestershire County Council, as a Waste Disposal Authority, is required under Environmental Protection Act 1990 (Section 51) to arrange

*“for places to be provided at which persons resident in its area may deposit their household waste and for the disposal of waste so deposited”;*

and that

- “(a) each place is situated either within the area of the authority or so as to be reasonably accessible to persons resident in its area;*
- (b) each place is available for the deposit of waste at all reasonable times (including at least one period on the Saturday or following day of each week except a week in which the Saturday is 25th December or 1st January);*
- (c) each place is available for the deposit of waste free of charge by persons resident in the area;”.*

- 2.2 Such places are known as Civic Amenity Sites, and locally as Recycling and Household Waste Sites. Leicestershire County Council provides fourteen Civic Amenity Sites throughout the County of which the Coalville Civic Amenity Site provides a service for a significant area of the North West Leicestershire Area including Coalville, Markfield, Ibstock and surrounding villages.

- 2.3 The Coalville Civic Amenity Site is currently open to local residents from 8am to 8pm, April to October, and 8am to 6pm, November to March. The Coalville Civic Amenity Site provides an ‘on-demand’ service allowing local residents to deposit an unlimited amount of household waste during the above times.

- 2.4 Current Government legislation is focused on maximising the reuse and recycling of waste and diverting waste from landfill. The County Council provides a large number of appropriate containers, compactors and storage areas at the Coalville Civic Amenity Site to maximise the

amount of waste reused or recycled that is delivered by local residents. In 2009/10 the Coalville Civic Amenity Site reused or recycled over 70% and separated over 25 different types of waste delivered by local residents.

- 2.5 Inevitably, over time, new developments increase the amount of waste being delivered to the Coalville Civic Amenity Site as the new residents deliver their household waste to the site for reuse, recycling or disposal. Combined with the complex, on-demand and varied nature of the waste received at Civic Amenity Sites, it will become increasingly difficult over time to maintain performance and a good level of service especially at busy and peak times.
- 2.6 The Coalville Civic Amenity Site already can have difficulties accommodating the number of residents; the varied types of; and quantities of waste being delivered to the site at such times. The increased demand placed on it by new developments will only further compound these existing difficulties. However contributions are only requested to (and are in proportion to) mitigate the increased burden that the proposed development will have on the Coalville Civic Amenity Site.

## **Policies**

- 2.7 **PPS10 – Planning for Sustainable Waste Management**  
PPS10 sets out the objective of Government policy regarding waste as protecting human health and the environment by producing less waste and by using it as a resource wherever possible. Through more sustainable waste management, moving the management of waste up the ‘waste hierarchy’ of reduction, reuse, recycling and composting, using waste as a source of energy, and only disposing as a last resort, the Government aims to break the link between economic growth and the increasing environmental impact of waste. Paragraph 35 states:-

*“Good design and layout in new development can help to secure opportunities for sustainable waste management, including for kerbside collection and community recycling as well as for larger waste facilities. Planning authorities should ensure that new development makes sufficient provision for waste management and promote designs and layouts that secure the integration of waste management facilities without adverse impact on the street scene or, in less developed areas, the local landscape.”*

The companion guide provides practice guidance on the implementation of policies set out in PPS10 of which paragraph 8.31 states:-

*“Sustainable waste management opportunities will be secured through good design and layout in both waste and non-waste related proposals. Non-waste related development might incorporate recycling facilities such as bring banks, provide dedicated facilities to enable the collection of recyclable materials, or contribute towards community waste management facilities such as green waste composting sites or civic amenity sites.”*

## **2.8 Government Review of Waste Policy in England 2011**

On 14<sup>th</sup> June 2011 the Government released it's Review of Waste Policy in England. Within this review it identified the *“breadth and impact of waste and resource use policies is very broad. The way we behave at home, at work or as consumers has a real impact. We need, as a society, to value products and care about how they are made and used, and how we deal with them when we no longer need or want them. If not, we will not only increase costs at a time when we are facing real challenges in reducing the deficit, but we will also have a negative impact on our environment.”*

It also identified that *“In conducting this Review we have been guided by the “waste hierarchy”, which is both a guide to sustainable waste management and a legal requirement. The hierarchy gives top priority to waste prevention, followed by preparing for re-use, recycling, other types of recovery (including energy recovery), and last of all disposal (e.g. landfill). In many cases, carbon acts as a good proxy for the overall environmental impacts of waste: generally speaking, the higher up the waste hierarchy waste is treated, the smaller the greenhouse gas impacts.”*

To meet these aims the government identified that it needed to continue to drive waste away from landfill and ensure that waste is managed more sustainably.

## 2.9 **Leicestershire Municipal Waste Management Strategy**

The Leicestershire Municipal Waste Management Strategy (2006) objectives, priorities and targets focus on sustainable waste management and use of resources. One aim is manage waste in accordance with a hierarchy of prioritising re-use, recycling and composting of waste in order to conserve energy and resources. In light of this new developments should be provided with easy, convenient and accessible methods of waste management and recycling (Appendix 1).

## 2.10 **County Guidance**

Statement of Requirements for Developer Contributions in Leicestershire (SRDCL) (Interim Version December 2007) (adopted December 2006).

## **Existing Facilities and Demand**

- 2.11 The County Council's Waste Management Team makes an assessment of the demands any proposed development would have on the existing Leicestershire County Council Civic Amenity infrastructure.
- 2.12 The assessment identifies which site the residents of any proposed development would use. In general, residents use the closest Civic Amenity Site, which for the proposed development would be the Coalville Civic Amenity Site (map one).
- 2.13 For the purposes of this document it is assumed that the residential development will create 1420 dwellings. Such a development would have a significant impact on the Civic Amenity site at Coalville.

## **Financial Contribution Sought and Calculation Methodology**

- 2.14 The need for additional civic amenity capacity arising out of new development is determined by the County Council which has its own standards with regard to the assessment of the capacity of the nearest civic amenity site/s, its relationship with the new proposed development and the increased waste likely to be generated by each additional household.
- 2.15 The County Council standards are found in its Statement of Requirements for Developer Contributions in Leicestershire (SRDCL) (interim revised version December 2007).
- 2.16 When calculating a civic amenity contribution, Leicestershire County Council use the formula developed for predicting additional demand from new housing on civic amenity facilities based on the scale of the proposed development in relation to additional users of the nearest existing civic amenity site which is at Coalville in this particular case.

- 2.17 The cost of providing the additional capacity is calculated by multiplying the number of additional dwellings, (each additional net dwelling is claimed), by the cost multiplier for Leicestershire Civic Amenity contributions rates for the Coalville Civic Amenity site. The contribution would relate to the provision of increased capacity at the Coalville Civic Amenity site.
- 2.18 Generally any new development generates an increase in household waste and the size and scale of the proposed development of 1420 dwellings will have an impact on the finite capacity of the nearest/convenient civic amenity site at Coalville.
- 2.19 In 2009/10 each household in Leicestershire delivered on average approximately 0.320 tonnes of municipal waste to a civic amenity site. On this basis the proposed development of 1420 dwellings would generate over 450 tonnes per annum of additional civic amenity waste at the Coalville Civic Amenity Site.
- 2.20 The Coalville Civic Amenity site in 2009/10 accepted over 5,829 tonnes of waste. The proposed development of 1420 dwellings is hence likely to generate on average a 7.7% (pro-rata increase) in waste being taken to the Coalville Civic Amenity site. Increasing waste inputs will lead to additional pressure in handling and storing the waste at the civic amenity site which would impact on the ability to maintain the current high levels of separation of material for reuse and recycling.
- 2.21 In order to provide additional civic amenity site capacity to accommodate the anticipated increase in waste due to the proposed development, the County Council would request contributions for the Coalville Civic Amenity Site to enable the County Council to maintain the same level of service to the residents of the additional dwellings which the development proposes.

## **Contributions relating to the development**

2.22 At the time of the planning application the calculation was determined by a contribution calculated on 1420 units multiplied by the current rate for the Coalville Civic amenity site of £34.48 per dwelling/unit (subject to Indexation and reviewed on at least an annual basis)

2.23 Hence to mitigate the impacts of proposed development at the Coalville Civic Amenity Site, a contribution of £48,962 is requested.

## **Proposed Use of Contributions**

2.24 The contributions arising from the proposed development would be used to provide for the additional capacity needed to accommodate the waste that would be generated by the proposed residential development at the Coalville Civic Amenity Site.

2.25 The additional capacity would be provided by the purchase and installation of additional compaction equipment and associated containers these allowing the site to handle the likely increased usage of the Coalville Civic Amenity site that would not otherwise arise except due to the proposed residential development. The existing civic amenity site serves a large number of households, the level of the amount reflects the proportional impact of the contribution and is therefore likely to be pooled with other funding sources such as a capital works fund; as the total costs of such equipment is unlikely to be fully met by the contribution on it's own as they have to be purchased on a per unit basis.

## **Summary**

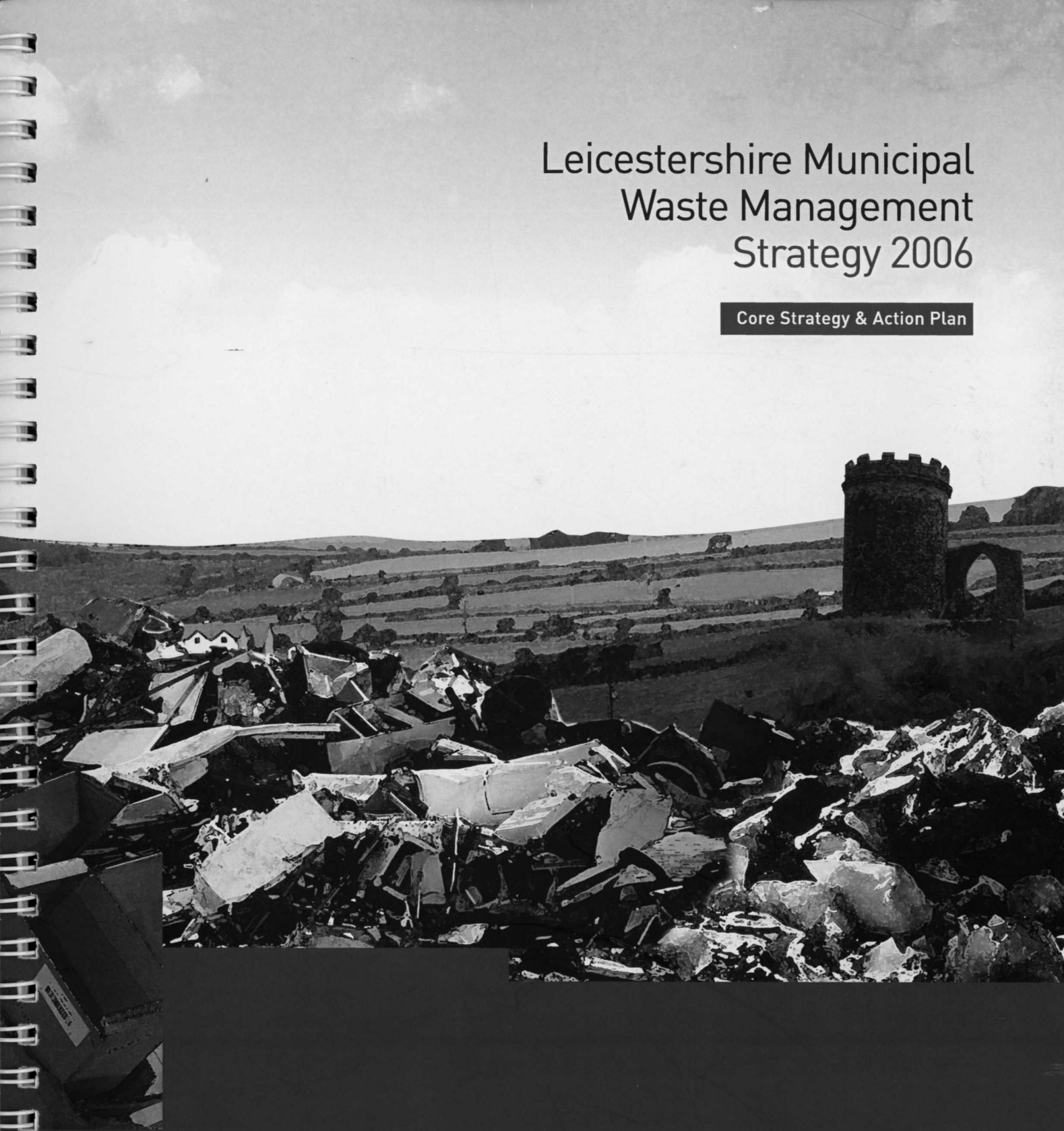
- 2.26 The proposed residential development will generate an increase in waste being generated and this will need to be managed in a sustainable manner as per national legislation and guidance. Existing Civic Amenity Sites are provided by Leicestershire County Council to undertake this duty.
- 2.27 The waste generated by residents of the proposed development that will be delivered to Civic Amenity Sites could not be accommodated by the existing Civic Amenity infrastructure within the region without provision of additional infrastructure. Failure to provide this additional infrastructure would reduce the service provided to both existing and new users arising from the proposed development.
- 2.28 The County Council consider the civic amenity contribution is justified and is necessary to make the development acceptable in planning terms because of the policies referred to and the additional demands that would be placed on the key infrastructure as a result of the proposed development. It is directly related to the development because the contribution is to be used for the purpose of providing the additional capacity at the nearest civic amenity site (Coalville) to the proposed development.

## **Documents**

- Leicestershire County Council Municipal Waste Management Strategy 2006 Core Strategy & Action Plan

# Leicestershire Municipal Waste Management Strategy 2006

Core Strategy & Action Plan



Leicestershire  
Waste  
Management  
Partnership

**Policy 7: The Leicestershire authorities will provide a network of quality Recycling Household Waste Sites which maximise the opportunity for segregated collection of as broad a range of materials as available markets allow.**

**Policy 8: The Leicestershire authorities will encourage re-use of appropriate products and materials, particularly those which can be collected in an appropriate manner through bulky waste collections and at RHWs.**

## 7.5 Residual waste

### 7.5.1 Residual household waste

The practice of setting percentage based recycling targets has received some criticism in recent years. It is possible to have a high performance in terms of the percentage of material sent for recycling and composting, but to be generating large quantities of waste overall. Is a local authority which collects 800kg of waste per household and recycles 38% of it performing better or worse than one which collects 1,000kg of waste per household and recycles 50% of it? Both have around 500kg of waste per household remaining after recycling and composting. In the authority with the lower recycling and composting rate, total collected waste is 20% lower.

A way of taking into account the effects of:

- measures aimed at waste prevention and reuse; and
- waste recycling and composting

is to assess the amount of residual waste remaining as a result of the implementation of these initiatives. In 2004/05, average residual municipal waste generated per person was around 430Kg.

**Policy 9: The Leicestershire authorities will work together to reduce the amount of residual municipal waste generated per person on a continuous basis so as to deliver the following targets:**

- 395Kg in 2007;
- 325Kg in 2010;
- 310Kg in 2015; and
- 295Kg in 2020

### 7.5.2 Dealing with residual waste

Almost all of the residual waste produced in Leicestershire is still sent to landfill for disposal. With the implementation LATS in England, there will have to be a shift away from this reliance.

It is not only drivers from central government which are pushing Leicestershire to consider different ways of managing its residual waste. There is a growing appreciation that simply landfilling untreated waste is neither prudent nor sustainable. Furthermore, local availability of landfill void cannot be guaranteed indefinitely. EU legislation effectively requires that

waste that is to be sent for disposal be dealt with as close to the point where it is generated as is possible.

All residual waste treatments generate residues which have to be dealt with. Inevitably, some landfilling of these results, so that even if every tonne of residual waste was fed into a treatment facility, there would still be some residues to be landfilled. However, some residual waste will continue to be landfilled without any form of pre-treatment for the foreseeable future. Whilst landfill lacks strong environmental credentials it is inherently more flexible than other waste treatment routes and for this reason can complement other techniques in an integrated strategy.

**Policy 10: The Leicestershire authorities will reduce the amount of unstabilised\* waste sent to landfill to a level which:**

- Retains flexibility to manage waste higher in the hierarchy;
- Enables routine maintenance to be carried out at other waste facilities.

**When waste is landfilled, this will be done at one of the nearest appropriate facilities to the area of generation.**

*\*i.e. waste that has not been pre-treated to reduce its biodegradability*

### 7.5.3 Treatments other than landfill

As far as other residual waste treatments are concerned, the authorities will seek to ensure that these are developed in a timely fashion such that potential deficits in the County's balance of landfill allowances are avoided, and the overall risks inherent in the implementation of the strategy are reduced. In choosing waste treatment technologies, the issues of deliverability, lead time for commissioning, reliability and the sustainability of markets for output materials will be considered with care.

**Policy 11: The Leicestershire authorities will ensure that the way residual waste is treated supports efforts higher in the hierarchy. They will aim to achieve self-sufficiency in Landfill Allowances where this represents best value and to minimise the need to have recourse to the LATS market.**

The previous Strategy made a commitment to consider thermal treatment as a means of diverting additional biodegradable waste from landfill, but in discussing the types of waste treatment options available, did not rule out any waste treatment option. Work will need to commence in the short term on the procurement of a residual waste treatment solution. The programme for this work is outlined in the Action Plan.

**Policy 12: The Leicestershire Authorities will seek a residual waste management solution which respects the Authorities' desire to move waste up the hierarchy, which is reliable and deliverable, which presents value for money and which is consistent with the Partnership's Response to LATS set out in section 8 of this Core Strategy.**