BIRMINGHAM DEVELOPMENT PLAN EXAMINATION

MATTER C: THE PLAN'S APPROACH TO MINERALS AND WASTE (BDP POLICIES TP13 – 14)

STATEMENT ON BEHALF OF BIRMINGHAM CITY COUNCIL

Main issue: Is the Plan's approach to minerals and waste planning justified, effective and consistent with national policy?

Minerals

General

G.1 There have been no active mineral workings within Birmingham for over 30 years and the approach in the BDP is to maximise the use of recycled and secondary aggregates whilst protecting freight and aggregate recycling facilities. The City Council does not consider that there is any specific requirement for safeguarding minerals within Birmingham.

Issue 1
In the Plan area, are there minerals of national or local importance which ought to be the subject of safeguarding and policies to govern their extraction?

1.1 There are no active mineral workings within Birmingham and this has been the case for over 30 years. During that time the City Council has received no applications from mineral operators and no enquiries regarding the possible extraction of minerals within the city boundary.

1.2 The Council has not undertaken any specific studies to address this issue. However, there are known to be sand and gravel deposits within the area identified as green belt option area B in the Green Belt Assessment (PG1) to the north west of Sutton Coldfield but there has been no interest in extracting these.

1.3 The National and Regional Guidelines for Aggregates Provision in England 2005 – 2020 set out target production figures for primary aggregate production in the West Midlands. These requirements have been apportioned to sub-regions following advice from the Aggregates Working Party. For this purpose the former West Midlands County is treated as a sub-region and has an apportionment in relation to sand and gravel. It has been recognised that the only authorities with viable sand and gravel reserves within the former West Midlands County are Walsall and Solihull, with the majority located within Solihull, and provision to meet this requirement has been made through the Black Country Core Strategy and the Solihull Local Plan.

1.4 For these reasons the City Council does not consider that there is any specific requirement for safeguarding minerals within Birmingham. Those areas which do have mineral deposits are in any event protected from built development because they are designated as green belt.

1.5 The submitted Plan contains no proposals for the development of land containing workable mineral deposits, so the issue of prior extraction does not arise. However the Council recognises that this would be appropriate in the event that development proposals were supported in areas which are demonstrated to contain workable minerals.

Issue 2
What is the required aggregate supply for the Plan period, and what proportion of that supply could be derived from substitute, recycled and secondary materials?

2.1 Under current arrangements agreed through the Aggregates Working Party there is no requirement for Birmingham to produce primary aggregates (see previous response). Past sales of primary aggregates from sites in Birmingham are consequently zero.

2.2 The table below illustrates all Mineral Planning Authorities (MPAs) which produce primary aggregates which were sold to the West Midlands. This sales and distribution data obtained from the Collation of the Aggregate Minerals 2009 Survey was estimated at 31st December 2009 and this data was presented by the Aggregates Working Parties. Crushed rock includes limestone (includes dolomite) igneous rock (including metamorphic rock) sandstone (including gritstone, greywacke and quartzite), chalk and ironstone. As no figure exists which breaks down the overall West Midlands figure for Birmingham, we have used population as a basis for the proportion of sales to Birmingham. Based on the ONS mid-year estimates (2013) 40% of the population is attributed to Birmingham.

2.3 Using the data supplied from 2009, the figure for Birmingham in that year would amount to around 2 million tons, multiplying that figure over the plan period (2011-2031) Birmingham would require 40 million tons of primary aggregates, of which 17 million tons will be sand and gravel and 23 million tons will be crushed rocks. It is important to note that this figure is conservative and it is expected to be higher, as house completions in 2008/9 and 2009/10 were at about 65% of the annual level required under the BDP. These figures will be further considered through the LAA process. The updated Waste Capacity Study (ES6) estimates that 70% of recycled and secondary aggregates are suitable for use in construction and table 20 estimates an annual supply of 237,000 tonnes or 4.474 million tonnes over the plan period. The BDP aims to maximise the contribution of recycled aggregates (see policy TP14) – though demolitions may be lower in the future which could reduce supply.

Table 1

Source Region	Source MPA	Destination	Land-won sand and gravel	Crushed Rock	Amount (Thousand Tonnes)
East Midlands	Derbyshire County Council	West Midlands		391	391
	Leicestershire County Council	West Midlands		1469	1469
	Peak District National Park	West Midlands		135	135
West Midlands	Herefordshire Council	West Midlands	5	c (45%)	5
	Shropshire County Council	West Midlands	135	468	603
	Solihull Metropolitan Borough Council (a)	West Midlands	280		280
	Staffordshire County Council	West Midlands	1303	c (7%)	1303

Source Region	Source MPA	Destination	Land-won sand and gravel	Crushed rock	Amount (Thousand Tonnes)
West Midlands continued	Walsall Metropolitan Borough Council (a)	West Midlands	c (75%)		
	Warwickshire County Council	West Midlands	509		509
South Wales	Powys	West Midlands		460	460
Total West Midlands			2,232	2,923	5,155
Total Birmingham (b)			893	1169	2,062
Total for Birmingham over the plan period -2031			**17,860**	**23,380**	**41,240**

Data : Collation of the Aggregate Minerals 2009 Survey

(a) Solihull also includes land-won sand and gravel for Walsall.

(b) Figure for Birmingham assumes 40% of the sales to the West Midlands is brought by Birmingham.

c- Indicates a confidential figure.

Issue 3
Does the Plan need to include provisions to safeguard facilities and sites as recommended in National Planning Policy Framework paragraph 143, fourth bullet point?

3.1 Policy TP41 Freight provides protection for freight transfer facilities (see bullets 2 and 3), and Policy TP14 for aggregate recycling facilities (see final bullet), in line with the NPPF.

3.2 It is not considered that any further more specific protection is required.

Waste

General

G.2 The City Council is committed to waste minimisation and reducing the amount of waste sent to landfill. Analysis of waste movements demonstrates that there is only a limited reliance on landfill in neighbouring authorities. The Tyseley Environmental Enterprise District will act as a focus for future waste management activity and has land available to accommodate additional recycling and treatment facilities.

Issue 4
Should the Plan contain more specific policies to prevent and reduce the production of waste, for example by requiring waste prevention, minimisation and management strategies to be produced for larger developments?

4.1 The Council is committed to waste minimisation and this is reflected in policy TP13. The Council accepts that this policy is phrased in general terms and has no objection to the inclusion of a more specific requirement for the production of waste management strategies for larger developments.

Issue 5
What are the Council's targets (in percentages and tonnages per annum) for increasing the reuse and recycling of waste, and reducing the proportion of waste going to landfill, over the course of the Plan period? Should these be set out in the Plan?

5.1 The Council has targets for the reuse and recycling of municipal waste (defined as domestic waste collected by the City Council) and for reducing the already very low proportion of this waste that goes to landfill. The current targets for 2013/14 are for 35% of municipal waste to be sent for reuse/recycling and composting and 7.5% of municipal waste to be landfilled. The Council also aims to reduce the amount of residual waste generated per household and is currently introducing a wheelie bin service to help achieve this. Wheelie bins limit the amount of waste that can be collected and pilots have shown that they have successfully reduced waste generation.

5.2 The Total Waste Strategy (ES7), produced for BeBirmingham, the Birmingham Strategic Partnership, contains a target to reduce the amount of waste going directly to landfill to zero by 2026. The Council considers that this continues to be a realistic objective. The City Council has no other targets.

5.3 At the European level new targets are expected to be introduced through the EU Targets Review Project for the period post 2020. These may increase recycling targets for municipal waste to 60% at the national level. In addition the definition of municipal waste has changed to include not only household waste, but also similar commercial, industrial and institutional waste.

5.4 Given that targets are likely to change through processes other than planning and there are current uncertainties, it is not considered sensible to include targets in the plan. However the Council will include updated targets in its municipal waste strategy which is due to be revised.

Issue 6
Are additional policies needed to ensure that adequate and timely provision is made for waste recovery and recycling facilities, including facilities for recycling of construction and demolition waste, to enable the Council's targets to be met?

6.1 Policy TP14 recognises the need for the development of additional facilities for materials recycling, the management of food waste, energy from waste production and aggregate recycling. Given the range of potential technologies to achieve this it is not considered that it would be helpful to be more precise as to the exact facilities to be provided.

6.2 The original Waste Capacity Study provided some guidance on the land take for different types of facility (ES5 p.18) and estimated that 3.4 hectares of land was required to bridge the recycling gap and a further 14 hectares of land to deal with additional requirements for organic treatments. This compares to land availability at the Tyseley Environmental Enterprise District of 18 hectares and a wider employment land supply of over 200 hectares. The Council is therefore satisfied that there is more than sufficient land available within the city to meet future requirements.

6.3 In view of this the Council does not consider that there is a need for any additional policies on this.

6.4 It is noteworthy that Table 16 of the Updated Waste Capacity Study (ES6) on page 22 records that there are currently planning permissions for around 325,000 tonnes per annum of additional waste treatment capacity. This would represent an increase of around 10% in the capacity available within Birmingham.

Issue 7
Are secure arrangements in place for the necessary disposal of waste to landfill outside the Plan area?

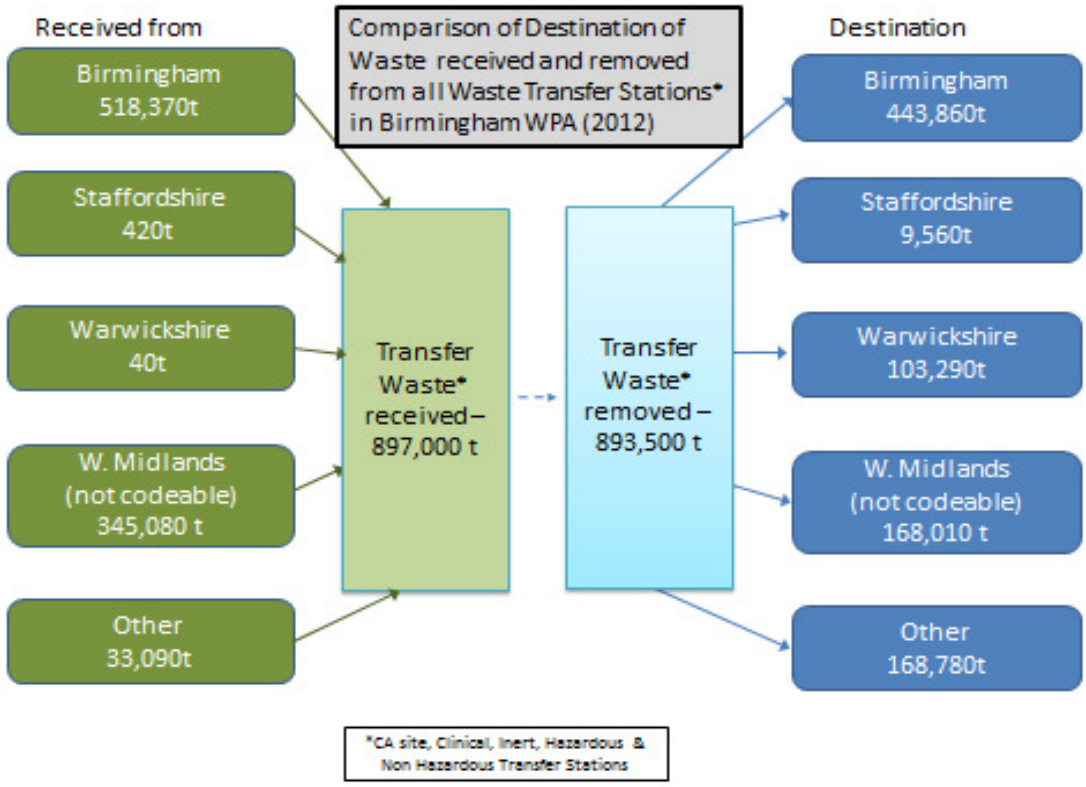
7.1 Analysis of the waste inputs to all waste transfer stations[1], in the Birmingham WPA, indicates that 897,000 tonnes of waste were received in 2012 (Source: EA Waste Data Interrogator) of which:

- 518,000 tonnes was coded as originating from Birmingham;
- 420 tonnes could be identified as originating from Staffordshire; and
- 40 tonnes from Warwickshire.

7.2 It is also possible to look at both the fate i.e. landfill, recovery and the destination of waste on leaving the transfer stations. The 2012 EA Waste Data Interrogator shows that 893,500 tonnes of waste left Birmingham transfer stations in 2012. The difference of 3,500 tonnes from waste received is likely due to stockpiling. When analysing the destination of waste from transfer, data suggests around 444,000 tonnes remained in Birmingham, 74,000 tonnes lower than material received. Whilst some of this tonnage from Birmingham may be in the 'West Midlands (not codeable)' category, data also shows around 103,000 tonnes of material removed from Birmingham transfer stations goes to Warwickshire WPA and around 9,500 tonnes to Staffordshire WPA. This is illustrated in diagram 1 overleaf.

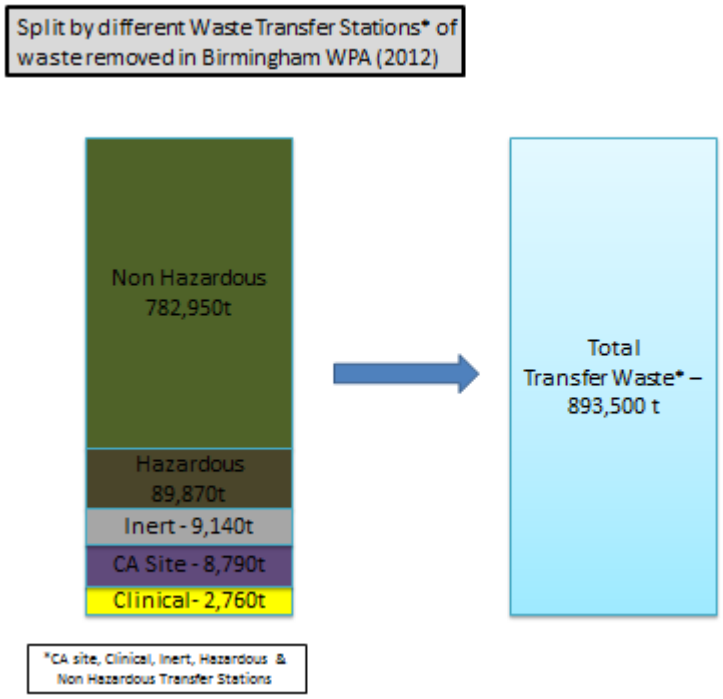
[1] includes data from Civic Amenity (CA) sites, clinical, inert, hazardous & non-hazardous transfer stations

Diagram 1



7.3 Non-hazardous waste transfer station waste represents a large proportion (783,000 tonnes) of the 893,500 tonnes of waste removed from transfer stations in Birmingham, hazardous waste around 90,000 tonnes with waste from clinical, inert and CA sites all less than 10,000 tonnes in 2012. See diagram 2 overleaf.

Diagram 2



7.4 Diagram 3 provides background on the fate of all transfer waste removed from Birmingham transfer stations while diagram 4 considers the destination of non-hazardous waste.

Diagram 3

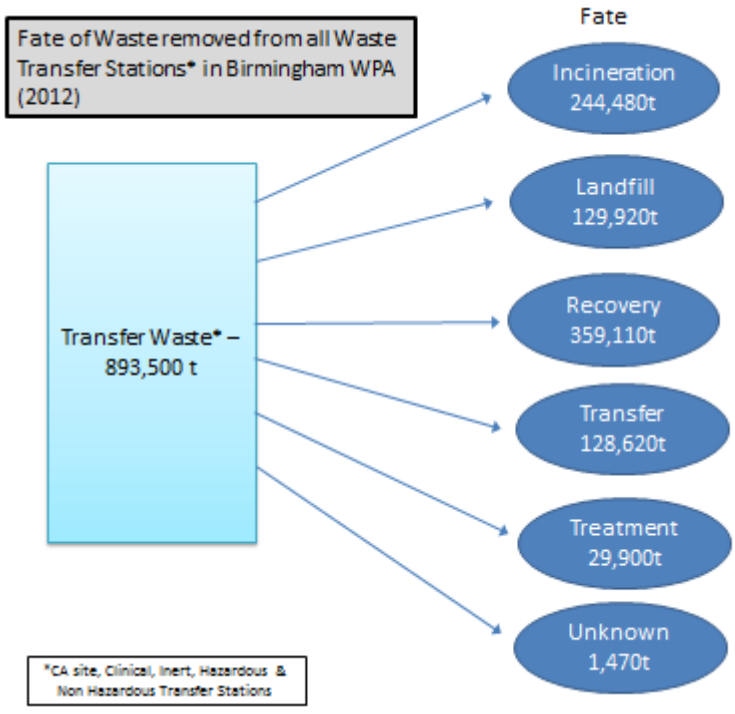
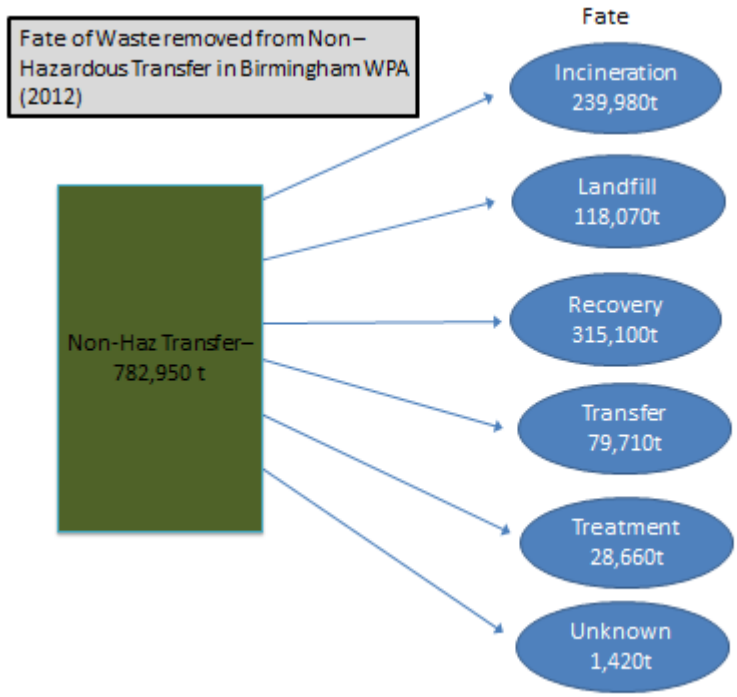


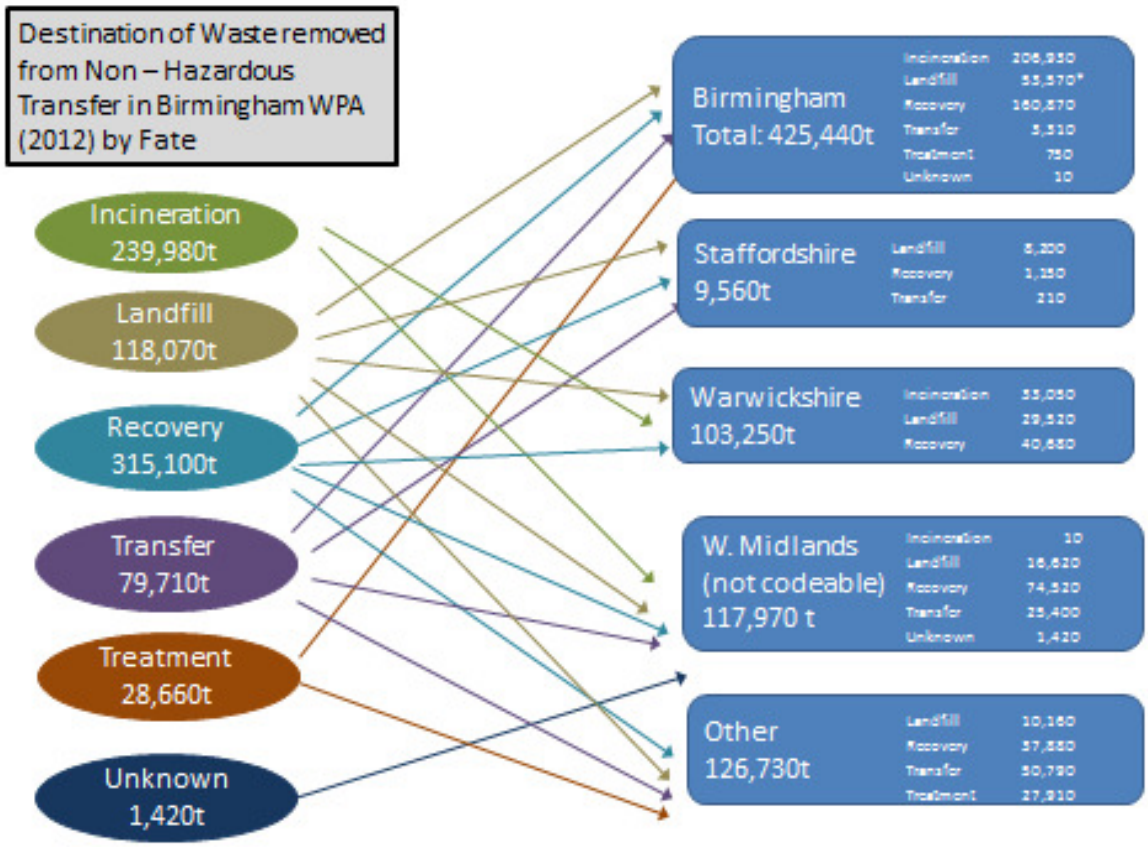
Diagram 4



7.5 Of the 783,000 tonnes of waste removed from non-hazardous waste transfer stations, the highest proportion of material is sent for recovery (315,000 tonnes), followed by incineration (240,000 tonnes) and landfill (118,000 tonnes). Around 80,000 tonnes is sent on to another transfer station, the remaining waste is sent for treatment (29,000 tonnes) or destination is unknown (1,500 tonnes).

7.6 When the destinations of the waste from non-hazardous waste transfer stations is considered (Diagram 5), data indicates that around 210,000 tonnes of the 425,000 tonnes of waste remaining in Birmingham is sent for incineration and a further 161,000 tonnes sent for recovery. The 53,500 tonnes identified as going to landfill is likely to be a coding error.

Diagram 5



7.7 9,500 tonnes of waste removed from non-hazardous transfer station is sent to Staffordshire, of which 8,200 tonnes goes to landfill.

7.8 103,000 tonnes of waste removed from non-hazardous transfer station is sent to Warwickshire, of which 29,500 tonnes goes to landfill.

7.9 A full breakdown of the fate and destination of waste removed from non-hazardous transfer stations in Birmingham is summarised in Table 2 below.

Table 2: Destination and fate of waste removed from Non-Hazardous Transfer Stations in Birmingham in 2012 (Source: EA Data Interrogator)

	Fate (tonnes)						
WPA	**Incinerator**	**Landfill**	**Recovery**	**Transfer**	**Treatment**	**Unknown**	**Total (tonnes)**
Birmingham City	206,930	53,570	160,870	3,310	750	10	**425,440**
County Durham UA	-	-	-	-	-	-	**-**
Coventry	-	410	5,900	12,120	-	-	**18,430**
Derbyshire	-	-	660	2,010	-	-	**2,670**
Kent	-	-	550	-	-	-	**550**
Leicestershire	-	20	-	2,400	-	-	**2,420**
Nottinghamshire	-	-	11,240	-	-	-	**11,240**
Outside UK	-	-	420	-	-	-	**420**
Sandwell	-	-	6,160	2,990	27,870	-	**37,020**
Staffordshire	-	8,200	1,150	210	-	-	**9,560**
Walsall	-	-	-	4,420	-	-	**4,420**
Warwickshire	33,050	29,520	40,680	-	-	-	**103,250**
Wolverhampton	-	-	11,460	-	50	-	**11,510**
Worcestershire	-	4,640	460	-	-	-	**5,100**
WPA not codeable (East Midlands)	-	-	-	5,390	-	-	**5,390**
WPA not codeable (Merseyside)	-	-	860	-	-	-	**860**
WPA Not Codeable (Not Codeable)	-	5,090	-	21,440	-	-	**26,530**
WPA not codeable (Wales)	-	-	160	-	-	-	**160**
WPA not codeable (West Midlands)	10	16,620	74,520	25,400	-	1,420	**117,970**
Grand Total	**239,980**	**118,070**	**315,100**	**79,710**	**28,660**	**1,420**	**782,950**

Landfill Space

7.10 **Staffordshire** – the EA Data Interrogator identifies 400 tonnes of waste in 2012 originating from Birmingham going direct to Poplars landfill site in Staffordshire. A further 8,200 tonnes of waste from non-hazardous transfer station in Birmingham was sent to landfill in Staffordshire (site unknown).

7.11 An review of permitted landfill sites in Staffordshire, see Table 3, suggests there are two landfill sites likely to be suitable for waste from non-hazardous transfer, these are Poplar Landfill in Cannock and Meece landfill near Stone, both are operated by Biffa Waste Services**.**

7.12 A review of data suggests Meece Landfill is not currently operational and due to close in 2015, although capacity is still available at the site (see letter from Biffa to Staffordshire County Council date February 2014 Appendix 1). The remaining site, Poplars landfill, has as of November 2013, 5.7 million cubic metres of void space, with an input of 350,000 – 500,000 tonnes per annum (see letter from Biffa to Cannock Chase Council date November 2013 Appendix 2) suggesting 11 – 16 years of life based on 1 tonne: 1 cubic metre and current rate of landfilling are maintained.

Table 3

Permit	Operator	Site Category	Permit Site Type	Site Name	Local Authority	Annual Capacity (tonnes)	2012 Input (tonnes)	Site PC	OS Grid Ref	Site Address	Sub Region	District	Permit Status	Issue Date
TP3331SU (210016)	F G Davis & Sons (Contractors) Ltd	Landfill	L05 : Inert LF	Enville Road Landfill	South Staffordshire	75,000	51,339	DY6 0AS	SO 872 899	Land/ Premises At, Enville Road, Nr Dudley, West Midlands, DY6 0AS,	Staffordshire	South Staffordshire	Licence issued	27-Nov-06
FP3193ME (210084)	Lafarge Aggregates Ltd	Landfill	L05 : Inert LF	Whitemoor Haye Landfill Site	Lichfield	74,999	40,905	DE13 7DL	SK 176 128	Alrewas Quarry, Barley Green Lane, Alrewas, Derbyshire, DE13 7DL,	Staffordshire	Lichfield	Licence modified	30-Mar-07
MP3192FZ (40059)	Tarmac Ltd	Landfill	L05 : Inert LF	Tarmac Ltd Shireoak Quarry	Tamworth	346,000	266,286	WS9 9PE	SK 060 043	Shireoak Quarry, Chester Road, Shire Oak, Walsall, Staffordshire, WS9 9PE,	Staffordshire	Tamworth	Licence issued	14-Jun-02
BR9677IT	Lafarge Aggregates Limited	Landfill	L02 : Non Haz (SNRHW) LF	WALLEYS QUARRY	Newcastle-under-Lyme	999,999	146,646	ST5 6DH	SJ 831 460	WALLEYS QUARRY, CEMETERY ROAD, SILVERDALE, NEWCASTLE UNDER LYME, STAFFORDSHIRE, ST5 6DH,	Staffordshire	Newcastle-under-Lyme	Effective	04-Nov-11
BV4967IW	Biffa Waste Services Ltd	Landfill	L04 : Non Hazardous LF	MEECE LANDFILL 1	Stafford	250,000	8,559	ST15 0QF	SJ 850 341	SWINNERTON, COLD MEECE, STONE, STAFFORDSHIRE, ST15 0QF,	Staffordshire	Stafford	Effective	26-Jun-12
BW0584IL	Biffa Waste Services Ltd	Landfill	L04 : Non Hazardous LF	POPLARS LANDFILL SITE	Cannock Chase	1,967,400	516,119	WS11 3EQ	SJ 993 094	POPLARS LANDFILL SITE, LICHFIELD ROAD, CANNOCK, STAFFORDSHIRE, WS11 3EQ,	Staffordshire	Cannock Chase	Effective	01-Dec-10
JP3139SG	Rugeley Power Limited	Landfill	L07 : Restricted LF	Rugeley Power Station	Lichfield	150,000	59,608	WS15 1PR	SK 066 169	Rugeley Power Station, Staffordshire, WS15 1PR,	Staffordshire	Lichfield	Effective	05-Nov-09

7.13 **Warwickshire -** the EA Data Interrogator identifies 9,500 tonnes of waste in 2012 originating from Birmingham going direct to Ling Hall landfill site in Warwickshire. A further 29,500 tonnes of waste from non-hazardous transfer station in Birmingham was sent to landfill in Warwickshire (site unknown).

7.14 A review of permitted landfill sites in Warwickshire, see Table 3, suggests there are four landfill sites likely to be suitable for waste from non-hazardous transfer, these are Ling Hall Landfill in Rugby operated by Veolia, Packington landfill in North Warwickshire operated by Sita and Ufton Farm landfill (Stratford on Avon) and Kingsbury landfill in North Warwickshire, both are operated by Biffa Waste Services**.**

7.15 A review of data suggests Packington Landfill is due to close in the next 2 – 3 years (Warwickshire County Council AMR report 2012 - 2013). However, data in the Warwickshire County Council AMR report 2012 – 2013 indicates there is over 9 million cubic metres of operational landfill void across Warwickshire (capable of disposing of municipal and commercial and industrial waste). A further data source (EA West Midlands Landfill Capacity 2012), indicates that there was over 11 million cubic metres of non-hazardous landfill capacity in Warwickshire in 2012.

Table 4

Permit	Operator	Site Category	Permit Site Type	Site Name	Local Authority	Annual Capacity (tonnes)	2012 Input (tonnes)	Site PC	OS Grid Ref	Site Address	Sub Region	District	ermit Statu	Issue Date
QP3690VE (102188)	A S Earthmoving And Developments Ltd	Landfill	L05 : Inert LF	Tollgate Farm	Warwick	49,998	21,773	CV33 9QJ	SP 312 597	Tollgate Farm, Banbury Road, Bishops Tachbrook, Leamington Spa, Warwickshire, CV33 9QJ,	Warwickshire	Warwick	Licence issued	09-Feb-12
GP3492LR (210015)	Smiths Concrete Ltd	Landfill	L05 : Inert LF	Glebe Farm Landfill Site	Warwick	221,000	69,747	CV8 3BN	SP 361 713	Weston Lane, Bubbenhall, Coventry, West Midlands, CV8 3BN,	Warwickshire	Warwick	Licence modified	30-Mar-07
FP3030LP (210048)	Newman R A	Landfill	L05 : Inert LF	Cross Hands Quarry Landfill Site	Stratford-on-Av	25,000	14,092	GL56 0SL	SP 270 291	Moreton-in-Marsh, Gloucestershire, GL56 0SL,	Warwickshire	Stratford-on-Avon	Licence issued	11-May-06
RP3595CU (48101)	The Rugby Group Limited	Landfill	L06 : Hazardou	Southam Landfill	Warwick	60,000	45,420	CV47 9RA	SP 422 638	Southam Landfill, Coventry Road, Long Itchington, Southam, Warwickshire, CV47 9RA,	Warwickshire	Warwick	Licence modified	29-Oct-90
BU2381IE	Veolia ES Landfill Ltd	Landfill	L02 : Non Haz (	Ling Hall Landfill	Rugby	850,000	175,326	CB23 9HH	SP 445 735	LING HALL LANDFILL SITE, COAL PIT LANE, LAWFORD HEATH, RUGBY, WARWICKSHIRE, CB23 9HH,	Warwickshire	Rugby	Effective	04-Jun-13
BW0533ID	SITA UK Limited	Landfill	L02 : Non Haz (	PACKINGTON LANDFILL	North Warwicks	3,125,000	391,106	CV7 7HN	SP 209 853	Packington Landfill Site, Packington Lane, Meriden, West Midlands, CV7 7HN,	Warwickshire	North Warwickshire	Effective	03-Sep-12
NP3435PX	Biffa Waste Services Ltd	Landfill	L02 : Non Haz (	Ufton Farm Landfill Site	Stratford-on-Av	290,458	176,265	CV33 9PP	SP 383 613	Ufton Farm, Southam Road, Ufton, Leamington Spa, Warwickshire, CV33 9PP,	Warwickshire	Stratford-on-Avon	Effective	20-Oct-11
NP3635SZ	Biffa Waste Services Ltd	Landfill	L04 : Non Haza	Kingsbury Landfill	North Warwicks	250,000	118,541	B77 1LT	SP 218 990	RUSH LANE, DOSTHILL, TAMWORTH, STAFFORDSHIRE, B77 1LT,	Warwickshire	North Warwickshire	Effective	29-May-13

7.16 On this basis the Council is confident that there is sufficient landfill capacity in adjoining areas. However, the City Council is committed to reducing these flows and the measures discussed under issue 6 are aimed at achieving this. However it is recognised that there will always be some waste residual which will require to be landfilled.

7.17 The Council has reached a Duty to Co-operate agreement with Worcestershire (DC2) and discussions with Warwickshire and Staffordshire are continuing.

Issue 8
Does the Plan need to make more specific provision for hazardous waste, low-level radioactive waste, agricultural waste or waste water?

8.1 Due to the specialist nature of hazardous waste treatment and disposal facilities combined with the scale of facility required to make a facility environmentally and economically viable, it is highly unlikely that a region let alone a WPA area would be self-sufficient in terms of hazardous waste treatment/disposal, with hazardous waste managed on a national basis.

8.2 This is reflected in a number of Government policies and plans:

1) The UK Plan for Shipments of Waste[2] puts in place the principle of self-sufficiency in waste disposal. The Plan is a statutory document which generally prohibits shipments of waste, including hazardous waste, to and from the UK for disposal subject to some specified exceptions. It is designed to fulfil the requirements of Article 16 of the revised Waste Framework Directive, which requires Member States to "*take appropriate measures, in cooperation with other Member States where this is necessary or advisable, to establish an integrated and adequate network of waste disposal installations [...], taking into account best available techniques.*"
2) Government's Strategy for Hazardous Waste Management in England[3], which sets out six principles for the environmentally sound management of hazardous waste. Principle 2 relates to the provision of infrastructure and states:
"*We look to the market for the development of hazardous waste infrastructure, which implements the hierarchy for the management of hazardous waste and meets the needs of the UK* ***to ensure that the country as a whole is self-sufficient in hazardous waste disposal****, facilities are put in place for hazardous waste recovery in England, and the proximity principle is met."*
3) National Policy Statement (NPS) for Hazardous Waste[4] states:

[2] http://www.defra.gov.uk/publications/files/pb13770-waste-shipments.pdf
[3] Defra - A Strategy for Hazardous Waste Management in England (2010).
[4] National Policy Statement for Hazardous Waste: A framework document for planning decisions on nationally significant hazardous waste infrastructure (June 2013)

- "*In terms of cross border movements within the United Kingdom, it should be recognised that there is freedom of movement of waste including hazardous waste within the UK. For example it is recognised that some hazardous waste arising in Scotland, Wales or Northern Ireland will be disposed of in England and potentially vice-versa. Furthermore, for those hazardous wastes arising in relatively small quantities, and requiring specialist treatment, there will only be one or two facilities in each Member State able to deal with the waste, and such waste might therefore have to travel further to such a facility. For example certain organic chemical wastes arise in industry in small quantities and are required to be incinerated at high temperature. The UK has two such merchant hazardous waste incinerators located in the North West and the South of England."* And
- "*Principle 2 of the Strategy*[2] *states that Government looks to the market to provide the infrastructure to implement the Strategy. Government's role is to provide the right framework and encouragement to the private sector to bring the necessary infrastructure forward. This is because* ***the waste industry has the greatest level of expertise in hazardous waste management issues and is best placed to consider where facilities are needed and the most appropriate types of technologies to use****."*

Based on these points the NPS makes clear statements on the provision of hazardous infrastructure i.e.

- "*….it is not Government policy to prescribe either where hazardous waste infrastructure is built, or which technologies should be use*"; and
- "*The private sector is best placed to select locations that are suitable for economic reason. […] It is not therefore Government policy to prescribe exactly where new hazardous waste infrastructure should be provided*"

8.3 Given this policy and strategy context, it is considered that it would be inappropriate for the Birmingham Development Plan to make specific provision for hazardous waste as this would contradict the stated Government policy. If the waste management industry brought forward proposals for new hazardous waste infrastructure in Birmingham, the City Council would use the Assessment Principles set out in the NPS to consider any application.

8.4 In addition, the data in the Waste Capacity Study Addendum highlights that Birmingham was a net importer of hazardous waste in 2012, with just less than 51,000 tonnes of hazardous waste being deposited in Birmingham, compared to

arisings of just over 44,000 tonnes. Therefore Birmingham is making a positive contribution to the principle of national self-sufficiency.

Comments on low level radioactive waste

8.5 The original 2010 Waste Capacity Study states:

> "Radioactive waste is not 'controlled waste' under UK legislation. However, WPAs should make note in their Local Development Framework that disposal requirements for such wastes may arise from time to time. The Environment Agency in England regulates the disposal of radioactive waste. A number of organisations within Birmingham have permits (known as authorisations) that allow the accumulation and disposal of radioactive waste. Although there is a small number of authorisations WPAs need to consider how they should cover the proposed generic requirements for high volume very low-level radio-active waste (VLLW) and low-level radio-active waste (LLW) disposals when they prepare RSSs and LDFs. However, the need for future treatment/disposal capacity for radioactive waste is not considered in this report."

8.6 The Environment Agency Public Register currently indicates that there are 19 organisations (cover 118 permits) in Birmingham holding Environmental Permits for the accumulation and disposal of radioactive substance. The organisations are mainly education and healthcare establishments (see below).

1) Alliance Medical Ltd
2) Birmingham Childrens Hospital NHS Trust
3) Birmingham City Laboratories
4) Birmingham Heartlands and Solihull Hospitals NHS
5) Birmingham Womens NHS Foundation Trust
6) BMI Health Care Ltd
7) Forensic8 Ltd
8) Health and Safety Laboratory
9) Heart of England NHS Foundation Trust
10) Institute Of Child Health
11) National Health Service Blood and Transplant
12) Royal Orthopaedic Hospital NHS Trust
13) Sandwell and West Birmingham Hospitals NHS Trust
14) SP Tyres UK Ltd
15) Survirn Engineering
16) University Hospital Birmingham NHS Trust
17) University Of Aston

18) University Of Birmingham
19) West Midlands Regional Blood Transfusion Service

8.7 Given the nature of these organisations, there is unlikely to be a need for a large scale radioactive waste treatment / disposal within Birmingham. In the long term radioactive waste treatment / disposal is a national issue.

8.8 Agricultural waste is not a significant issue in Birmingham and no requirement for additional provision for treating waste water has been identified.

Appendix 1 Letter from Biffa to Staffordshire County Council

Our ref: MT/060214/M2.P
Date: 18th February 2014

Planning, Policy & Development Control (Floor 2)
Staffordshire County Council
c/o Wedgwood Building
Tipping
Stafford
ST16 2DH

Biffa Waste Services Ltd
Poplars Landfill Site
Lichfield Road
Cannock
Staffordshire
WS11 8NQ

Telephone: 07850 494589
Email: mary.tappenden@biffa.co.uk

FAO: Mrs Julie Castree Denton

Dear Madam

19 FEB 2014

PLANNING PERMISSION S.11/23/403 W: MEECE LANDFILL SITE APPLICATION FOR A NON MATERIAL AMENDMENT IN RESPECT OF CONDITION 44

Further to our recent discussions please find enclosed our application for a non-material amendment to condition 44 of planning permission S.11/23/403 W for a soil recycling facility at Meece Landfill Site. The application comprises completed forms, this covering letter and a cheque to the value of **£195.00** in payment of the planning fee.

Condition 44 of planning permission S.11/23/403 W states:

> *"Unless otherwise overtaken by the approval of a revised Restoration and Aftercare Scheme for the Meece Landfill Site (which includes the site), within 12 months of the commencement of the development hereby permitted, a detailed Restoration and Aftercare Scheme (the Scheme) to set out the measures to be taken to restore the Site and bring it back to a condition fit to re-create the woodland for the benefit of nature conservation and amenity, shall be submitted for the written approval of the Waste Planning Authority....."*

The permitted development commenced on 1st October 2012 hence the scheme required by Condition 44 was required to be submitted by 1st October 2013. That date has now passed and no scheme has been provided to your Authority.

The Soil Treatment Facility (STF) is located within the boundary of the approved Meece Landfill Site. Under condition 2 of the planning permission for the landfill site, reference S.37608, landfilling is required to cease by 30th September 2015 and the site is to be restored by 30th September 2016.

As you are aware, the landfill is currently shut although there is still a significant amount of permitted void space available in the site. Biffa intend to re-open the site in the future to complete the infilling and restoration, however, the site will not be completed by the required date of 30th September 2015. The company will therefore

be making an application to extend the end date for infilling and restoration before planning permission S37608 expires and that application will include an updated and comprehensive restoration and aftercare scheme for the whole site, including the STF area.

With that in mind Biffa consider it a sensible approach to delay submission of the restoration and aftercare scheme required by condition 44 of permission S.11/23/403 W pending submission and determination of an application to extend the end date on the landfill permission. It is proposed that Condition 44 is amended to require the scheme to be submitted by 30th September 2015. Suggested revised wording for the condition is included on the enclosed application forms. The chosen date is the current end date on the landfill permission and including this date would ensure that a scheme to cover the STF area is submitted in the unlikely event that an application to extend the landfill end date is not forthcoming.

I trust that our application is in order. However, should you need any further information then then please do not hesitate to contact me.

Yours faithfully
For **Biffa Waste Services Ltd**

M Tappenden

Mary Tappenden Bsc Msc DIC PGDipTP MRTPI
Assistant Planning Manager

Encs.

Appendix 2 Letter from Biffa to Cannock Chase Council

ITEM NO. 8.5

Biffa Waste Services Ltd
Poplars Landfill Site
Lichfield Road
Cannock
Staffordshire
WS11 8NQ

Jeff.Rhodes@biffa.co.uk
Tel: 0121 6616732
Mob: 07715 772465
Web www.biffa.co.uk

Stephen Schofield
Waste & Engineering Services
Cannock Chase Council
Beecroft Road
Cannock
Staffordshire WS11 1BG

Date: 22nd November 2013

Dear Stephen,

POPLARS LANDFILL SITE ENQUIRY

Chris Blakeman has forwarded me your email of 15th November.

As you will be aware, there is a long established Liaison Group for the site, which includes Councillors and officers from Cannock Chase Council. We think it best and fairest if discussions regarding the site continue to be channelled through that forum, so that all interested parties are informed, as well as Cannock Chase Council. The questions you pose have also already been discussed, quite often, during the Liaison Group meetings.

Poplars landfill operation is in no different a situation to most other landfill sites around the country in that the more waste is diverted from landfill, the less waste is getting landfilled. The site is a commercial operation and, like any other commercial operation, has to respond to the market. At Poplars we have a defined set of fill and restoration contours we have to achieve under our planning consent. Therefore it is that restoration profile which will determine when the site is complete, not a calendar date. There is still a considerable void left to fill before we achieve those levels – approximately 5.7M cubic metres. We will continue filling the site but how quickly we are able to fill it depends on future input rates, which depends on market conditions. At one time, at its busiest, the site was taking around 500,000 tonnes/year. In more recent times with increased landfill diversion this has dropped to around 350,000 tonnes/year. This may fall further as more general waste is diverted from landfill.

Historically the site has always served a strategic role and it still does - taking industrial and commercial waste from businesses in the West Midlands and also municipal waste. Haulage costs tend to shape this natural commercial catchment area. Some municipal waste is still likely to come to the site, possibly also including waste from the new Four Ashes EfW facility during down times, but the vast majority of future inputs are likely to be the industrial and commercial waste stream. Typically and generally there is around twice as much industrial and commercial waste arising as there is municipal waste. However, as noted earlier, actual inputs and traffic will be market driven and are therefore difficult to predict. For that reason, it would probably unhelpful and misleading to speculate on likely completion dates with so much void still remaining, although the above numbers give an idea of different scenarios, if a crude 1:1 conversion is used (1 tonne: 1 cubic metre). Clearly it is a long way off.

This will no doubt be a regular discussion point at the Liaison Group going forward. I assume the CCC representatives on that group will feed back to your Council as a whole, or perhaps pass on copies of the minutes they get. I'm sorry it's not possible to be any more specific at this point in time but from the above explanation I hope you can understand why.

Yours sincerely,

Jeff Rhodes
BSc (Hons) BTP MRTPI
Company Planning & Permitting Manager, Biffa Group