

**MATTER 9: WASTE
SUGGESTED CHANGES – RSS REVOCATION AND RELATED ISSUES**

MATTER	ISSUE	ACTION	POSITION TO REPORT TO EXAMINATION	SOUNDNESS
9 WM1	Suggest amendment to last paragraph of the policy to remove reference to RSS.	Subject to agreement	Proposed change to Policy WM1: “ We The Black Country will aim to achieve the following landfill diversion targets across the Black Country in line with the West Midlands Regional Spatial Strategy. ”	Change does not affect soundness as it is a minor change reflecting the revocation of the RSS. The landfill diversion targets reflect those in the National Waste Strategy and local targets, and are not based solely on the requirements in the RSS Phase 2 Revision.
9 WM1 Policy Justification	Suggest amendments to paragraphs 7.3 and 7.3a to remove references to the emerging regional waste strategy and RSS Phase 2 Revision, and merge paragraphs.	Subject to agreement	Suggested changes to paragraphs 7.3 and 7.3a: “ 7.3 The emerging regional waste strategy is set out in the draft RSS Phase 2 Revision Preferred Option (December 2007). The principles of this strategy have already been carried forward into the waste policies and proposals and into other elements of the Core Strategy. Policies WM1 – WM5 ”	Change does not affect soundness as it reflects the revocation of the RSS. Although Policy WM1 reflects the targets and requirements in the emerging regional waste strategy, these were consistent with national policy guidance and the national waste strategy. The evidence on which the requirements were based is robust, and this was tested through independent

			<p>require new developments to address waste as a resource (thus discouraging further waste growth), and include targets and proposals aimed at providing sufficient waste management capacity to achieve achieving “equivalent self-sufficiency” in waste treatment by 2026.</p> <p>7.3a The targets and requirements in Policy WM1 are aimed at addressing the minimum diversion targets in the RSS and other deficiencies identified through the waste technical work and consultation and engagement process, will also contribute towards the landfill diversion targets in the National Waste Strategy and local diversion targets for Municipal and household waste, and will address significant gaps in existing waste management capacity, and future requirements. The future requirements in Table 17 are set at a level which will achieve equivalent self</p>	<p>examination. This evidence has been further developed and tested at a local level through the BCWPS and other work undertaken by the Black Country Authorities. The revocation of the RSS and abandonment of the regional waste strategy therefore does not affect the soundness of the key principles, requirements and targets set out in Policy WM1.</p>
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			<p>sufficiency across all waste streams in the Black Country.</p> <p>They also reflect proposed housing growth, capacity likely to be lost as a result of proposals for change within the Growth Network, and the need to diversify the range of recovery and treatment capacity currently available in the Black Country.</p>	
9 WM1 Policy Justification	Suggest amendments to paragraph 7.6 to remove references to the RSS and clarify the source of the data underpinning the requirements in Policy WM1.	Subject to agreement	<p>Suggested change to paragraph 7.6:</p> <p>“The waste management requirements in WM1 are based on current and future projected arisings and which have in turn informed the landfill diversion requirements in the RSS. The waste arisings data has which have been further refined and developed in <u>underpinning the requirements is based on published regional technical studies and the results of the Black Country Waste Planning Study Final Version (May 2009)</u></p>	Change does not affect soundness as it reflects the revocation of the RSS and provides further clarification on sources of data used. Although Policy WM1 reflects the projected waste arisings in the regional technical work undertaken for the RSS Phase 2 Revision, the BCWPS and subsequent work undertaken by the Black Country Authorities has confirmed that the regional technical work is generally robust. Where necessary, the requirements have been adjusted to reflect the situation in the Black Country (e.g. falling

			<p>(BCWPS) undertaken on behalf of the authorities by Atkins Ltd. The MSW projections reflect the levels of housing growth proposed in Policy HOU1. The Waste Background Paper 2 (November 2009) (February 2010) (BCWBP2) provides <u>further background information on this data, updating the information in the BCWPS, and outlines the sources of data which have informed the requirements in Table 17.</u> This shows that the RSS and BCWPS projections are generally valid.”</p>	<p>Municipal waste arisings) and more recent information. The revocation of the RSS and abandonment of the regional waste strategy therefore does not affect the soundness of the requirements set out in Policy WM1.</p>
<p>9 WM1 Policy Justification</p>	<p>Suggest amendment to paragraph 7.9, 1st sentence, to remove reference to the RSS apportionments and replace this with a reference to the technical work.</p>	<p>Subject to agreement</p>	<p>Suggested change to 1st sentence of paragraph 7.9: “In line with PPS10, the emerging RSS has set <u>Regional technical studies commissioned by the former regional planning body and Regional Technical Advisory Body for Waste (RTAB) identified potential</u> minimum landfill diversion targets of</p>	<p>Change does not affect soundness as it reflects the revocation of the RSS and the background to the technical work undertaken to inform the diversion requirements in the Core Strategy.</p>

			“apportionments” for MSW and C&I waste for the Black Country up to 2026.”	
9 WM1 Policy Justification	Suggest amendment to paragraph 7.10, last sentence, to remove reference to the RSS apportionments and replace this with a reference to the technical work.	Subject to agreement	Suggested change to last sentence of paragraph 7.10: “The RSS targets and underlying waste technical data for the Black Country <u>identified in the regional technical work</u> have been further developed and refined through the BCWPS, in consultation with the Waste Disposal Authorities, to provide diversion targets for each authority for MSW and C&I Waste (see Monitoring section below Appendix 6, Tables WM1c, WM1d and WM1e). ”	Change does not affect soundness as it reflects the revocation of the RSS and the background to the technical work undertaken to inform the diversion requirements in the Core Strategy.
9 WM1 Policy Justification	Suggest amendment to paragraph 7.12, 1 st sentence, to remove reference to the RSS apportionments and replace this with a reference to the technical work.	Subject to agreement	Suggested change to 1 st sentence of paragraph 7.12: “At the present time, no targets have been set for diversion of CD&EW and hazardous waste away from landfill in the emerging RSS. ”	Change does not affect soundness as it reflects the revocation of the RSS. This does not alter the position on diversion of CD&EW and hazardous waste in the Core Strategy which reflects the findings of the BCWPS.

<p>9 WM1 Policy Justification</p>	<p>Suggest amendment to paragraph 7.13, 1st sentence, to remove reference to the RSS apportionments and replace this with a reference to the technical work.</p>	<p>Subject to agreement</p>	<p>Suggested change to 1st sentence of paragraph 7.13: “National policy guidance requires Core Strategies to demonstrate how waste treatment capacity equivalent to at least 10 years of the <u>annual rates set in RSS requirements</u> can be provided.</p>	<p>Change does not affect soundness as it reflects the revocation of the RSS. The requirements in the Core Strategy are based on robust technical evidence and do not depend solely on the requirements set by the RSS Phase 2 Revision.</p>
<p>9 WM3 Policy Justification</p>	<p>Suggest amendment to paragraph 7.28, 1st sentence, to remove reference to the RSS apportionments and replace this with a reference to the requirements identified in the Core Strategy.</p>	<p>Subject to agreement</p>	<p>Suggested change to 1st sentence of paragraph 7.28: “National policy guidance requires Core Strategies for waste to demonstrate how at least 10 years’ worth of the <u>RSS annual diversion rates requirements</u> could be provided (PPS10, paragraph 18).”</p>	<p>Change does not affect soundness as it reflects the revocation of the RSS. The requirements in the Core Strategy are based on robust technical evidence and do not depend solely on the requirements set by the RSS Phase 2 Revision.</p>
<p>9 WM3 Policy Justification</p>	<p>Suggest amendment to paragraph 7.36, last sentence, to remove reference to the RSS and replace this with a summary</p>	<p>Subject to agreement</p>	<p>Suggested change to last sentence of paragraph 7.36: “However, temporary or permanent CD&EW facilities may be developed in</p>	<p>Change does not affect soundness as it reflects the revocation of the RSS. There was a need to There was a need to consider making provision for management of</p>

	of evidence of a need for provision for contaminated soil management.		<p>conjunction with facilities for managing contaminated soils, for which a <u>potential</u> need has been identified in the RSS through stakeholder engagement. The BCWPS found that there are currently <u>no sites in the Black Country for the storage, treatment and remediation of contaminated soils</u>. The Stage Two <u>Infrastructure and Deliverability Study</u> has also confirmed that <u>contamination is a potential constraint in many parts of the Growth Network, suggesting that contaminated soil management should be addressed in the Core Strategy.</u>"</p>	contaminated soils in the Core Strategy irrespective of the RSS, in the light of the technical evidence and comments from stakeholders, which has confirmed that there is an unmet need for facilities in the Black Country. The identification of a potential need for contaminated soil management facilities is therefore not based solely on the requirements set by the RSS Phase 2 Revision.
9 WM3 Policy Justification	Suggest amendment to paragraph 7.37, 1 st sentence to remove reference to the RSS.	Subject to agreement	<p>Suggested change to 1st sentence of paragraph 7.37: "In accordance with emerging RSS policy, we The authorities have given specific priority to identifying sites for managing contaminated soils, <u>as this is recognised as an important</u></p>	Change does not affect soundness as it reflects the revocation of the RSS.

			<p>issue for the Black Country. There is already one operator specialising in this field in-situ treatment based in the Black Country (Enviro-treat in Dudley), and their base has been identified as a strategic site (see Policy WM2 and Appendix 6).</p>	
9 WM4 Policy Justification	Suggest deletion of paragraph 7.42, last sentence, to remove reference to the RSS.	Subject to agreement	<p>Suggested change to last sentence of paragraph 7.42:</p> <p>“This has been was developed having regard to the locational considerations in national policy guidance and the emerging RSS waste policies, feedback from stakeholders on the emerging Core Strategy waste policies, the BCWPS, the SA framework and the assessment framework developed for the Employment Land Study (2009).”</p>	Change does not affect soundness as it reflects the revocation of the RSS.