

Southend-on-Sea Borough Council

Consultation Signature

Report by Strategic Planning

to

Deputy Chief Executive (Place) and Executive Councillor for
Housing, Planning & Public Protection Services

22/11/16

Essex and Southend Replacement Waste Local Plan: Modifications Agreement for public consultation

1 Purpose of Report

- 1.1 To seek agreement of the modifications to the Essex and Southend Replacement Waste Local Plan (RWLP), which have been recommended by the Inspector appointed by the Secretary of State to examine the RWLP. The Inspector has stated that these modifications are necessary in order to make the Plan sound. This report also seeks authority to consult on these modifications.
- 1.2 It is considered that the modifications recommended by the Inspector do not conflict with the overall strategy of the RWLP and that these are not significant for Southend.
- 1.3 Under the Cabinet resolution (See **Appendix 1** for associated Cabinet Report dated 05/01/16) delegated authority was granted to the then Director for Place (now Deputy Chief Executive (Place)), in consultation with the Executive Councillor for Housing, Planning & Public Protection Services, to agree and approve amendments that might be proposed by the Inspector during the EIP process and to any further consultation that may be required as part of this, taking all necessary steps to ensure compliance with the relevant statutory processes and procedures necessary for preparation and participation of the Council at the EIP.

2. Recommendations

To agree to publish the Essex and Southend Replacement Waste Local Plan proposed modifications, as set out in Appendix 2, for a period of no less than 6 week public consultation. Only comments relating to the modifications will be sought and considered by the Planning Inspector.

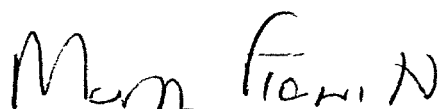
If in agreement please sign (overleaf) and return to Mark Sheppard on behalf of Peter Geraghty.

Signatures to agree the proposed modification (Appendix 2) for consultation

**Deputy Chief Executive (Place)
Andrew Lewis**



**Executive Councillor for Housing, Planning & Public Protection Services
Councillor M. Flewitt**



3. Background

- 3.1 Essex County Council and Southend-on-Sea Borough Council (SBC) are jointly preparing a Replacement Waste Local Plan (RWLP). In February 2016, both Councils approved the Pre Submission version of the Plan for public consultation and subsequent submission to the Secretary of State for Examination.
- 3.2 The extant Local Plan was adopted in 2001 and is considered to be out of date and must be replaced. SBC has a statutory responsibility to plan for future waste management capacity from a land use perspective, and it is fulfilling this responsibility by preparing the RWLP to support the achievement of sustainable development within the Borough until 2032.
- 3.3 The RWLP was submitted to the Secretary of State who appointed a Planning Inspector to undertake the formal examination process. The Inspector conducted hearing sessions over a two week period in September and October 2016.
- 3.4 During the hearing sessions the Inspector has advised that the overall strategy is sound and the RWLP legally compliant. However, the Inspector has indicated that a number of modifications are needed to ensure the Plan is sound and suitable for adoption by the Councils.

Proposed Modifications

- 3.5 A schedule of all modifications proposed through the Examination Hearing sessions along with their justification is set out in Appendix 2 of this report.
- 3.6 It is considered that the modifications recommended by the Inspector do not conflict with the overall strategy of the Plan and that these are not significant for Southend. In summary, the main modifications seek to address the issues raised during the last stage of public consultation and include:
- Insertion of a previously unallocated site (Dollyman's Farm, on the border of Rochford and Basildon) to contribute to the outstanding inert waste disposal capacity needs of the Plan area
 - Modifications to policies and supporting text for clarification purposes. It should be understood that none of the changes to the policies or supporting text materially change the intention or approach agreed by the full Council in February 2016.
 - Amendments to allocated sites and area of search designations, all of which are outside of Southend-on-Sea. These essentially reflect factual updates and include amendments due to recent planning permissions, consistency with other plans and minor inaccuracies

Public Consultation

- 3.7 The Inspector has recommended that the modifications be subject to public consultation prior to issuing her report. The outcome of the consultation will be considered by the Inspector before she finalises her report and by the Council when making its final adoption decision on the Plan.
- 3.8 The schedule of modifications will be subject to formal public consultation in line with the Council's adopted [Statement of Community Involvement](#) (2013). The consultation however would be limited to responses made in relation to the proposed modifications only.

Timetable and Adoption

- 3.9 The outcome of the public consultation process must be reported back to the Inspector. The Inspector then reviews the issues raised and prepares a final report. The Inspector could, for example, recommend that the Plan is sound if adopted with the modifications or she could still find the Plan unsound. The latter outcome is considered unlikely given current indications, but either way a report would be presented to Full Council in due course recommending that the Plan is either adopted or withdrawn taking into account the Inspector's recommendations.
- 3.10 The Inspector has indicated that, given commitments at the Planning Inspectorate, it would be prudent to allow for a period of 6 weeks following the submission of the consultation responses to receive her final report. On this basis, the following timetable provides an indication of possible timeframes for adoption.

Indicative timetable	
Public consultation on modifications	5 Jan – 16 Feb 2017 (to avoid the Christmas break)
Submission of responses to Inspector	March 2017
Inspector's report	April 2017
Preparation of final Plan and recommendations for adoption via cabinet and Full Council	May 2017
Full Council adoption of Plan	July 2017

4. Appendices

Appendix 1 – Report to Cabinet (5/01/16) Essex and Southend-on-Sea Replacement Waste Local Plan – Proposed Submission Document

Appendix 2 - Schedule of Modifications to the Essex and Southend Replacement Waste Local Plan