

**Summary for the Planning Inspector:
Key issues from the Regulation 28 consultation
(Updated 15/04/2008)**

The Submission Waste Core Strategy was subject to public consultation between January and March 2008. Fifty two organisations/individuals made 221 separate representations on a number of issues. Table 1 summarises the number and type of representations.

Sixty three of the representations find aspects of the Core Strategy sound, whilst 83 representations state that aspects of the plan are currently unsound. Seventy five representations make general comments on the Core Strategy that do not relate directly to soundness issues.

Table 1: Number and type of representations on Submission Waste Core Strategy

Type of representation	General Comment	Sound	Unsound			Totals
Number of representations	75	63	83			221
Unsound representations - preferred means of taking forward objection		In writing	Examination		No details	83
			24	53		
Type of Examination			Formal hearing	Informal hearing	Round table discussions	53
			5	3	45	

Of the 83 'unsound' representations, 62 raise new issues, not made at the earlier consultation stages.

As table 1 illustrates, respondents have stated that 24 of the 'unsound' representations can be dealt with in writing, but 53 of the representations request an appearance. Six representations give no details about how the issue should be dealt with. Of the 53 representations that request an appearance, most favour round table discussions.

The following sections summarise the key issues raised by respondents. A full copy of the responses and a summary report detailing each response are also available.

SOUND

Sixty three representations by eight organisations find all or part of the Waste Core Strategy 'sound'. Dacorum Borough Council, St Albans District Council, Biffa Waste Services, Campaign to Protect Rural England (CPRE) and East Herts District Council conclude that the Strategy is sound against all the tests. Comments include reference to good strategic and spatial context, support for the vision, objectives and policies and praise for the inclusion of reasoned justification. Tring Town Council states that the Core Strategy complies with all the soundness tests except test 4.

Kelshall Parish Council considers that the location of facilities is effective and therefore complies with soundness test 4.

East of England Regional Assembly (EERA) state that the Waste Core Strategy is in conformity with the East of England Plan and therefore consider the strategy 'sound'.

UNSOUND

This section highlights the key reasons respondents currently find aspects of the plan 'unsound'. Comments below are categorised under a number of headings.

Vision and objectives

Goodman International Ltd and Welwyn Hatfield Borough Council both claim that the vision fails soundness test 4 as it is too vague, making it difficult to achieve in practice. Welwyn Hatfield Borough Council states that there is no evidence to substantiate the claim that Hertfordshire will be able to lead the country so the aspiration is over ambitious.

Likewise, Welwyn Hatfield Borough Council criticise objectives 4, 6 and 11 because they are not taken forward by policies in the Core Strategy. In the case of objective 8, it is considered there is no evidence in the plan as to how this will be implemented. These shortfalls are said to constitute a failing under soundness test 6.

Facility Numbers

A number of respondents have criticised the Core Strategy's failure to clearly set out the number and type of facilities needed within the plan period. Hertsmere Borough Council and Welwyn Hatfield Borough Council claim that the Core Strategy fails soundness tests 4 and 7 because it is too vague in terms of the type and quantity of waste facilities needed. As such the Core Strategy is considered weak in implementation terms. Whilst not referring to a soundness test, Go-East reiterate this criticism by stating that WCS Policy 1 is little more than a statement of intent and does not ensure the delivery of new facilities. Welwyn Hatfield Borough Council and the Environment Agency claim that the failure of this policy to implement the waste hierarchy principle amounts to a failure under soundness test 6.

Eco Aggregates Ltd consider that lack of a policy which outlines the tonnages of hazardous waste that need to be recycled and the number of facilities needed constitutes a failing under soundness test 7.

Hertsmere Borough Council considers that the Core Strategy fails Test 7 because there is discrepancy between the estimated number of new facilities set out in the Core Strategy and the Site Allocations DPD. The Core Strategy states that up to 12 facilities will be needed, whilst the Site Allocations document states that up to 32 may be required. On this basis the robustness of the evidence base is queried. Go-East also express this concern, but again do not explicitly label the Core Strategy unsound.

Spatial strategy

Four respondents considered that the Core Strategy failed soundness test 4 because it did not provide an adequate spatial strategy. Go-East criticised this aspect of the plan, but do not identify if it makes the plan unsound.

Hertsmere Borough Council and Go-East are concerned that the Core Strategy is not spatially distinct enough and that it doesn't adequately include broad locations for future waste management facilities. WCS Policy 3 sets out broad locational criteria, but leaves the assessment of all relevant locational factors to the Site Allocations DPD.

The identification of the A1 corridor as an area for residential waste treatment has also been queried, because there is no justification in the Core Strategy why it the only area of search and why reasonable alternatives were not considered. In particular, Hertsmere Borough Council and Vail Williams consider that other areas with good primary road access (e.g. along A414 and the A505) should have been identified. Welwyn Hatfield Borough Council claim that as the majority of the identified corridor area of search is located in the Green Belt, this is at odds with the intentions in WCS Policy 4.

Implementation issues

Concerns about the implementation of policies and targets are raised by a number of respondents. As mentioned above Welwyn Hatfield Borough Council argues that some of the objectives are not implemented by the Core Strategy. For example, Welwyn Hatfield Borough Council claim that to meet objective 4 a policy relating to job provision is needed.

In relation to landfill, Hertsmere Borough Council highlights a failing under tests 7 and 8 because it is not clear how the 'zero untreated waste landfill target' (table 3) is consistent with WCS policy 9 and the supporting text. On this issue North Hertfordshire District Council highlight that the text in paragraph 2.3 states that landfill capacity will be full by 2009, which is inconsistent with views of the county waste management team that state that Ware Landfill will be operational until 2018.

Go-East criticise implementation more broadly. Without explicitly calling the plan unsound, they make some strong criticisms, claiming that WCS policies 1, 5 and 9 are little more than statements of intent.. In addition they criticise WCS policies 2, 4 and 6 as being development control policies, rather than strategic policies that have the function of delivering the vision and core objectives of the Waste Core Strategy.

With regards to particular policies Eco Aggregates Ltd, Welwyn Hatfield Borough Council and Goodman International Ltd would like the supporting text to clarify more clearly the approach to Green Belt in WCS Policy 4, in order to comply with soundness test 4. The Environment Agency considers that WCS Policy 2 also fails test 4 because it does not make reference to the proximity to railways and waterways. Equally it is not underpinned by a Strategic Flood Risk assessment. Lafarge Aggregates Ltd states that WCS Policy 2 fails test 8 because it is not clear how cumulative impact will be measured.

In addition, Lafarge Aggregates Ltd claim it is not clear how the objectives of WCS policies 1 and 7 will be delivered, constituting a failure under soundness test 7.

WCS5 Policy Safeguarding Existing Sites

In addition to the comments by Go-East that the policy is simply a statement of intent, Eco-Aggregates Ltd claim it fails soundness test 6 because the safeguarding of sites is at odds with the issuing of temporary permissions. The organisation claim that this creates uncertainty and financial costs for the operator and gives false expectations to local people that the facilities will be removed within a short period of time when in reality there is a permanent requirement for such facilities.

WCS7 Policy Sustainable Transport

The delivery of sustainable transport alternatives (e.g. rail and water) has generated particular comment. Hertsmere Borough Council, Welwyn Hatfield Borough Council and Lafarge Aggregates Ltd have claimed there needs to be more emphasis on how the aspiration will be achieved. Without these details of implementation the Core Strategy is considered unsound under test 4.

WCS8 Policy energy recovery

Four respondents (two members of the public, Welwyn Hatfield Friends of the Earth and Hertsmere Borough Council) claim that Policy WCS 8 fails soundness test 7 because of its lack of clarity in terms of the amount and type of energy recovery facilities required. It is suggested that the Core Strategy provides a greater lead on which waste to energy formats would be acceptable. With the exception of Hertsmere Borough Council, the 3 other respondents object to incineration technology.

Sustainability Appraisal (SA)

Two organisations criticised the Sustainability Appraisal. Dacorum Borough Council raised general concerns about inconsistencies between the Core Strategy SA and work undertaken by their own consultant. More fundamentally, Welwyn Hatfield Borough Council claims the SA fails soundness test 3 because it is insufficient. Some major policy positions proposed in the Core Strategy have not been sufficiently well articulated to allow for their adequate appraisal. It is recommended that the section which analyses core strategy objectives against the SA objectives is revisited.

Renewable energy

Eco-Aggregates Ltd states that the Waste Core Strategy makes no reference for the need to incorporate renewable energy into new development proposals. This means the plan is inconsistent with national planning policy and fails soundness test 4.

GENERAL COMMENTS

Seventy five representations from a range of individuals and organisations make general comments about the Waste Core Strategy, which don't relate directly to the tests of soundness. For clarity, Go-East's comments have been summarised under the 'unsound' heading because many of the criticisms they raise relate to issues raised by other respondents who find aspects of the plan unsound.

A significant proportion of the comments are from the general public about the need to reduce packaging and increase recycling and also raising concern about waste

incineration. Others are from organisations making reference to how their function relates to waste planning and highlighting issues to take into account. For example, the Highways Agency emphasises the importance of transport assessments to ensure the impact of new development on the highway network is minimised.

Some representations broadly support aspects of the Core Strategy. Equally, others query issues, without overtly criticising policies or supporting text. For example, a member of the public (Jill Western) supports WCS Policy 4, but would like to see more emphasis on the importance of biodiversity when allocating sites within the Green Belt. Equally, Broxbourne Borough Council query the policy wording of WCS Policy 5.

Four organisations responded to confirm they have no comments to make.