



**CABINET**

**11<sup>TH</sup> JUNE 2015**

**AGENDA ITEM (7)**

**SOUTH CERNEY WASTE TRANSFER STATION SITE - WITHDRAWAL OF PLANNING APPLICATION**

<b>Accountable Members</b>	Councillor Nicholas Parsons Cabinet Member with responsibility for Property  Councillor Sue Coakley Cabinet Member for Environment and Communities
<b>Accountable Officer</b>	Frank Wilson Strategic Director 01285 623101 frank.wilson@cotswold.gov.uk

<b>Purpose of Report</b>	To seek agreement to the withdrawal of planning application to County Council for Waste transfer station.
<b>Recommendations</b>	<b>That the planning application to Gloucestershire County Council for a bulking and waste transfer station be withdrawn.</b>
<b>Reason(s) for Recommendation(s)</b>	To provide time for the Council to reconsider its business cases for expansion of the current SITA waste depot and vehicle maintenance site and to conduct further local public consultation.

<b>Ward(s) Affected</b>	Siddington and Cerney Rural
<b>Key Decision</b>	No
<b>Recommendation to Council</b>	No

<b>Financial Implications</b>	<p>The decision to move the waste service away from SITA was intended to deliver revenue savings for Cotswold taxpayers in excess of £570,000 a year. These savings (and more) are now being delivered by Ubico, for the present time out of the alternate temporary depot in South Cerney.</p> <p>As part of the outline business case, further potential savings opportunities were identified if the Council also included a waste transfer station on the site. At the present time, this additional business case has not been considered in detail, although some savings targets were included in the future within the Medium Term Financial Strategy. If the Council chooses not to generate these revenue savings through this route, or if the business case is not sound, it may need to consider the impact of this upon the Medium Term Financial Strategy.</p>
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<b>Legal and Human Rights Implications</b>	Withdrawal of the waste transfer station application does not impact directly on the business case and conditional contract for the site acquisition for a vehicle depot and maintenance workshop on the SITA site.
<b>Environmental and Sustainability Implications</b>	These will be considered as part of any planning application.
<b>Human Resource Implications</b>	No current impact.
<b>Key Risks</b>	<p>The key risk of withdrawing the application and reconsidering the business cases is to potential delay or limit the potential future revenue savings to Council taxpayers.</p> <p>If the Council fails to secure planning permission for a basic vehicle depot facility by the end of July it will breach the conditional contract, which will fall away; and it will need to consider how it could meet its waste service obligations in the future, when the existing temporary planning permission expires in 2017.</p>
<b>Equalities Impact Assessment</b>	Not required

<b>Related Decisions</b>	<p>Council, 24<sup>th</sup> September 2013 - Minute CL.39 (extract):-</p> <p><i>(f) the Cabinet be authorised to:-</i></p> <p><i>(i) submit a planning application, which includes bulking facilities and other potential service growth options, on the preferred site to allow sign-off on a conditional contract;</i></p>
<b>Background Documents</b>	Eunomia Consultants Report
<b>Appendices</b>	None

<b>Performance Management Follow Up</b>	Implement Cabinet decision; further reports will be presented to Cabinet
<b>Options for Joint Working</b>	Ubico deliver the waste and recycling services as a five-way shared Local Authority company for this Council, Cheltenham Borough Council, Forest of Dean District Council, West Oxfordshire District Council, and Tewkesbury Borough Council.

<p><b>Background Information</b></p> <p>1. <u>Background</u></p> <p>1.1 In June 2011, the Cabinet received a confidential report seeking agreement on the preferred procurement option for the future delivery of Environmental Services. It was agreed at that time that, based on the business case presented, a local authority company should be formed. This decision was then confirmed in October 2011, when the Cabinet approved recommendations that included the approval of Articles of Association and nominations the Board of Directors. In June 2011, the following recommendation was approved:-</p>
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That a depot be procured and that delegated authority be given to the Portfolio Holder for Environment to approve terms for the acquisition of a suitable site under the Council's Acquisitions Policy.

1.2 The report explained that "the development costs for a depot do not impact on the business case as the same investment would be required regardless of the option [for future service delivery] selected".

1.3 Following extensive work in the form of an Alternative Sites Assessment to identify viable sites, a total of 92 potential sites were identified and then short-listed based on the depot requirements, i.e. site size, access, location to areas of high population density etc., and other factors including proximity to sensitive receptors (neighbours), existing site infrastructure, existing/planned uses, site availability, landscape and visual impact, ecology, archaeology, environmental issues, flood risk and potential nuisance (noise/dust/litter/odour).

1.4 In December 2011, the decision was taken to develop a temporary depot to enable the transfer of Environmental Services to Ubico Ltd. in August 2012, when the Council's contract with SITA terminated, thereby allowing more time for a permanent site to be researched and selected. Planning permission was granted for a period of two years for a temporary site at the Broadway Lane Industrial Estate, South Cerney in July 2012. The depot was developed with minimal investment and the provision of temporary office and welfare facilities in the form of portacabins. The site is small and provides for vehicle parking only. There is no provision for fuel storage, a vehicle workshop or any other facilities. Recycling vehicles are parked overnight at the Thamesdown recycling facility south of Cricklade, under a lease agreement. The recycling vehicles visit the Thamesdown recycling facility daily to tip, so this is an efficient temporary location for vehicle storage. This temporary approval has subsequently been extended.

1.5 Eunomia Research and Consulting were appointed to provide a report and business case on the site options and facilities for delivery of an Environmental Service Depot.

1.6 The preferred site was identified as the SITA Site at Broadway Lane, South Cerney. This was the recommendation from both the consultants, Eunomia, and the Council's Project Team (which comprises the Chief Finance Officer, the Head of Environmental Services, the Strategic Property and Estates Officer and the Managing Director of Ubico Ltd.). The key issues supporting the site at that time are set out below:-

- This site is approximately 2 hectares in area, with rights over the access road into the site. Freehold purchase is proposed allowing the required long term acquisition of the site.
- The greatest advantage over other sites is the size. This site is substantially larger and provides more space than required, allowing for service growth or income generation through letting part of the site (subject to planning permission and permits).
- The plot is owned by SITA UK Limited, who is keen to sell. Negotiations should, therefore, be swift and relatively straight forward.
- The site has operated as a depot for a number of years and has an established use, although planning permission would be required due to the increased vehicle movements and proposals for a bulking facility, if this was progressed at a later stage.
- It is considered that this site presents the lowest risk that permissions could not be obtained and a site successfully developed.
- There is existing vehicle maintenance workshop and fuel storage on-site. The workshop may provide greater provision than required giving the opportunity to offer a commercial service and attract income. Business cases on vehicle maintenance provision will be subject to a future report.

- Relocation of the depot back to this site would have no detrimental impact on the workforce.

1.7 As a reminder set out below is a matrix to review the non-financial benefits and risks of each site option (each criteria was scored out of 10; significant risk = 10, low risk = less than 3):-

Site	Acquisition risk due number of owner and current position with negotiations	Environmental risks (i.e. contaminated land, access etc. Flooding)	Planning risk	Site ownership freehold or leasehold	Site size constraints preventing business growth	Total risk score
SITA	2	4	4	2	1	13
T Barry	2	5	5	6	4	22
Site C	7	6	8	2	7	30

1.8 The preferred site is the lowest risk score.

## 2. Current Position

2.1 In September 2013, Full Council supported the SITA site as the most appropriate site and delegated subsequent acquisition processes to Cabinet and individual officers in consultation with appropriate members.

2.2 Part of this delegation was to apply for planning permissions; and, consequently, permissions were applied for in respect of:-

- The basic vehicle depot and maintenance facility (from Cotswold District Council);
- Waste transfer station permissions (from Gloucestershire County Council) to cover future service growth (in case required).

2.3 The acquisition process for this land has not been straightforward or smooth, with a number of issues requiring resolution at a cost to the Council for site investigations, but in January 2015 a delegated decision was taken to move to a conditional contract (conditional on planning permission being obtained for the basic vehicle depot).

2.4 In line with the conditional contract, applications were submitted to the respective planning authorities, although it was acknowledged that to meet the conditional contract requirements there was only a requirement to submit to Cotswold DC Planning Committee.

2.5 As part of the pre-planning consultation carried out with the local community, it has become apparent that the Waste Transfer Station is causing significant public concern in respect of noise, odour and traffic movements. As a consequence, officers, in consultation with the relevant Cabinet Member and Leader, have concluded that this element of the development could be regarded as premature and that, in the interests of all parties, the application for a Waste Transfer Station to Gloucestershire County Council should be withdrawn to allow for further business case investigations and local consultation.

2.6 Officers had previously concluded that the business case for the SITA site remained valid whether it was for the basic depot service or the basic depot with addition of waste transfer service - hence the decision to sign the conditional contract.

2.7 Officers have brought this back to Cabinet as Cabinet had previously resolved to submit the planning applications.

(END)