

Scrutiny proposal form

Section 1 – To be completed by member/officer proposing review

Subject area of proposed review

Planning, waste management, sustainable development and energy policies.

1. Who raised this issue?

Mr Draper

2. Aims of the review

To review:

- Process and procedures adopted by OCC in the execution of its waste disposal plans since 2004
- The possible grounds for the revocation of consent for any unsound planning applications identified
- The financial underpinnings of the proposed incinerator
- Alternative technologies to incineration to meet Oxfordshire's waste disposal requirements

N.B. Background document – A copy of the paper from Mr has been placed in the Members Resource Room, County Hall.

Section 2 : To be completed by the scrutiny team

CONTEXT

3. Are there any legislative/policy changes in the pipeline which may affect this issue?

Yes – the development of the new Minerals and Waste Development Framework, which is currently underway.

4. Which of our partners/stakeholders does this issue effect?

Oxfordshire Waste Partnership.

5. Who has been consulted about the upstream importance of this review?

Chris Cousins (Head of Sustainable Development),
Andrew Pau (Head of Waste Management)
Peter Day (Minerals and Waste Policy Team Leader)

A.R. Cloke (Assistant Head of Legal & Democratic Services)

Please see the attached note for details of their responses.

CORPORATE PRIORITIES

6. Which corporate objective would this review address?

Environment and climate change; better public services.

7. Which Sustainable Community Strategy Priority would this review address?

A successful residual waste treatment facility will positively address the Environment and climate change priority. However as outlined above, it is not clear how relevant this scrutiny review would be.

8. (a) Which Local Area Agreement 1 (LAA1) / LAA 2 target would this review address and how are we currently performing against this LAA1 target (if applicable)

None.

9. How was this issue viewed by the Comprehensive Area Assessment (CAA)?

Noted that progress is being made in this area.

Concurrent Work

10. Is this issue identified in the relevant directorate's business plan?

Yes

11. What work is concurrently being undertaken to address this issue?

As above.

12. What value would the review add to this work?

None. As above.

Resources

13. Which scrutiny committees does this issue relate to?

Growth and Infrastructure Scrutiny Committee.

Recommendation

Members are advised not to take any further action in regards to this proposal, for the reasons outlined in this form and in the attached note.

Decision of relevant Scrutiny Committee

Note 1

Following Mr Draper's request the following advice has been received:

- 1. Process and procedures adopted by OCC in the execution of its waste disposal plans since 2004

The current planning policy for minerals and waste is contained in the Oxfordshire Structure Plan 2016 and the Oxfordshire Minerals and Waste Local Plan. The Minerals and Waste Local Plan covers the period from 1996 to 2006. Many policies contained within this Plan were "saved" via a Direction of the Secretary of State, and so are still in effect.

The Minerals and Waste Local Plan is in the process of being replaced by a Minerals and Waste Development Framework, as required under the Planning and Compulsory Purchase Act 2004.

Since 2007, the Oxfordshire Waste Partnership has a joint waste strategy for dealing with municipal waste.

- 2. The possible grounds for the revocation of consent for any unsound planning applications identified

As for the revocation of consent for any unsound planning applications – this is not an appropriate topic for this Committee to look at, as Scrutiny has no jurisdiction over planning decisions.

- 3. The financial underpinnings of the proposed incinerator

The call-in for scrutinising the financial underpinnings of the proposed incinerator was made outside the required time limit as set out in the Overview and Scrutiny Procedure Rules (Paragraph 17 of Part 6.2). There are strict deadlines for the scrutiny of individual decisions: 5 working days from the publication of such decisions. The decisions listed by Mr Day therefore lie outside the time limit for the call in of decisions and cannot be considered by the Scrutiny Committee under this process.

- 4 Alternative technologies to incineration to meet Oxfordshire's waste disposal requirements

To review alternative technologies to incineration now would have no tangible outcome, as the decision to build an incinerator has been made and it is too late to appeal this decision.