



DERBY CITY COUNCIL

**CLIMATE CHANGE COMMISSION  
23 JULY 2009**

Report of the Director of Corporate and Adult Services

## **Waste Treatment Plant – Environmental Statement**

### **RECOMMENDATION**

- 1 For members to discuss the Environmental Statement of the proposed Waste Treatment Plant and to provide any comments to the Cabinet Member for Direct and Internal Services to aid ongoing policy development in the environmental impacts of waste management.

### **SUPPORTING INFORMATION**

- 2.1 United Utilities and Interserve have been selected as the preferred bidder for the City Council's joint waste management contract with Derbyshire County Council.
- 2.2 United Utilities and Interserve have confirmed that a waste treatment plant would be used to treat the City and the County's waste through recycling and heat treatment, and that the plant would incorporate a facility for electricity generation. The proposals will be going before the Planning Control Committee on 30 July 2009.
- 2.3 At their meeting on 31 March 2009, the Climate Change Commission agreed that they wanted to remain involved with the scrutiny of the plant, and it was felt that the most appropriate way to do this would be by looking at the Environmental Statement prepared as part of the planning application. The full statement is available online via the Council's e-planning pages (application number 05/09/00571), and a summary of the statement is included at appendix two of this report.
- 2.4 Initially, it had been felt that any comments on the environmental statement should be submitted directly to the Planning Control Committee for consideration alongside the application. However, after further consideration of the guidance supporting the Local Government Act 2000, it was felt that it would be more appropriate for the Commission to submit any comments to the Cabinet Member for Direct and Internal Services, and the lead officer, who have been invited to

attend the meeting. Further details on this can be found in the Legal Implications section of Appendix 1.

- 2.5 The Commission are requested to look at the environmental statement and bring any comments on the environmental proposals contained within it for discussion to the meeting on 23 July. A representative from the contractor has been invited to answer any technical questions that members may have on the statement. Officers from the waste management unit will be present, along with the Cabinet Member for Direct and Internal Services, to answer any questions that Members may have on waste management policy.

<b>For more information contact:</b>	Laura Follows 01332 255599 e-mail <a href="mailto:laura.follows@derby.gov.uk">laura.follows@derby.gov.uk</a>
<b>Background papers:</b>	None
<b>List of appendices:</b>	Appendix 1 – Implications Appendix 2 – Environmental Statement Chapter 16: Summary of Effects

<b>IMPLICATIONS</b>
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**Financial**

1. None arising from this report

**Legal**

2. The Climate Change Commission are scrutinising the Environmental Statement as part of the ongoing policy development of the environmental impact of the waste treatment plant. The Local Government Act 2000 guidance has the following provision:

*3.16: Where an overview and scrutiny committee is reviewing the work of another committee of the local authority it should not normally scrutinise individual decisions made by such committees, particularly decisions in respect of development control, licensing, registration, consents and other permissions. In particular a local authority will need to ensure such scrutiny is not an alternative to normal appeals procedures. However, overview and scrutiny committees do have the power to make reports and recommendations on functions which are not the responsibility of the executive and the Secretary of State recommends that this should normally be used as part of wider policy reviews.*

This means that the Scrutiny Commission has no power to resolve to support or oppose any planning application, but can make recommendations to the Cabinet Member on wider waste management policy.

**Personnel**

3. None arising from this report.

**Equalities impact**

4. Effective scrutiny is to the benefit of all the people of Derby

**Corporate Objectives**

5. This report has the potential to link with all of the Council's Corporate Objectives.