

**CYNGOR SIR POWYS COUNTY COUNCIL**

**COUNCIL**  
**3<sup>rd</sup> May 2019**

**REPORT AUTHOR:** County Councillor Phyl Davies  
Portfolio Holder for Highways, Recycling and Assets

**SUBJECT:** Development of Recycling Bulking Facility in North Powys

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**REPORT FOR:** Information

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**1. Summary**

- 1.1 Powys, like all local authorities in Wales, is required to reach stringent Statutory Recycling Targets (SRTs) set by the Welsh Government. Failure to reach these targets will result in significant fines. The purpose of these targets is to reduce Wales environmental footprint and be globally responsible for future generations.
- 1.2 The kerbside recycling collection makes an essential contribution to achieving recycling rates, and in order to maximise the quality of material collected, Powys follows the Welsh Government's 'blueprint' kerbside sort collection method, with the materials collected being clean and pre-sorted.
- 1.3 To maximise the efficiency of the collection vehicles, strategically located bulking facilities are required, which in the case of a county the size of Powys are required in the south, mid and north.
- 1.4 To secure future delivery of the service, facilities are now in place in the Council's ownership in the south and mid with the requirement for a site in the north of the county. Currently material is bulked with a private operator in Welshpool and at a Council owned site in Newtown that is not of sufficient capacity for existing and future requirements. Neither of these options are considered to be sustainable.
- 1.5 Planning permission was granted on 2 August 2018 for such a bulking facility at the Abermule Business Park, which is very well situated to serve the north of the County. As part of the planning process, the Planning Committee considered several objections.
- 1.6 Following the granting of planning approval, a local community group known as Abermule Communities Together (ACT) has been formed to object to the decision to locate the bulking facility at this site.

- 1.7 Capital funding has been approved for the facility, with a virement taken to Council on 21<sup>st</sup> February 2019. The virement was approved with an amendment that ongoing discussions would be held with the local community regarding suitable sites and an update report would be submitted to Council. The project budget for 2019/20, for £3.023million, was included and approved on 7<sup>th</sup> March 2019 as part of the Capital Programme included in the Capital Strategy. The overall budget allocated to this project remains at £4.055m (including land purchase), however the reprofiling of the budget across financial years has required the aforementioned virement.
- 1.8 As agreed this report is to provide members with an update on discussions with the local community group, and fully brief them on the current position and any proposed alternative sites proposed by ACT. The decision on whether to continue with the development of the North Powys bulking facility at Abermule (or elsewhere) rests with the Cabinet.

## **2. Background**

- 2.1 A number of sites have been considered over the past 7 years for a Bulk Recycling Facility to serve the north of the county, including the site at Abermule.
- 2.2 The Abermule site was initially considered in a report to Cabinet on 30<sup>th</sup> July 2013, when an alternative site was preferred on the Vastre Industrial Estate in Newtown. The Vastre site was the one that had been vacated by Cwm Harry Land Trust, which had been used to process food waste. Due to the planning and environmental permissions already in place for the Vastre site, it was chosen ahead of the Abermule site.
- 2.3 However, before the Council was able to purchase the Vastre site, a third party made an increased offer to the vendor, which was accepted, and hence the Council was again left to seek an alternative location for a Bulk Recycling Facility in the north of the county.
- 2.4 A number of further sites were then considered for this facility. These were considered against a set of criteria to establish whether they warranted further investigation. A list of these sites, together with the assessment of each against the criteria, is included in Appendix 1.
- 2.5 The site at Abermule remained vacant and following discussions between the Council's property department and the Welsh Government, a proposal was taken to Cabinet on 28<sup>th</sup> February 2017 to develop the site as a Business Park incorporating business units and a Bulk Recycling Facility.
- 2.6 The then local member was supportive of the proposal based on its ability to secure half of the site being developed as business units. The

co-location of the bulking facility would facilitate this and following a visit to a similar facility, the local member expressed no concerns.

- 2.7 A planning application for a bulking facility was submitted on 6 June 2018 and considered at the planning committee meeting on 2 August 2018, with a full consultation having been carried out. The consultation undertaken was over and above the requirements for such an application and included a consultation event, a visit to a similar site for the Community Council, and publicly available information on the Council's website. A list of activities carried out during the consultation is included as Appendix 2. The documents relating to the planning application including the Pre-Application (PAC) response are available on the PCC website at the following link: <http://pa.powys.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ZZZ ZUYMPRW184>
- 2.8 Whilst there were concerns raised prior to and at the Planning meeting, these were given due consideration as part of the planning process. Planning permission was granted at the meeting with conditions attached which included agreeing the colour of the building.
- 2.9 Following the decision a local community group was formed to oppose the development, Abermule Communities Together (ACT). One of their most prominent concerns is that they were not fully informed of the consultation and hence did not have the opportunity to object. It should be noted that one of the founder members of this group did speak as an objector at the planning meeting on 2 August 2018. Members will be aware that in order to be entitled to speak at a planning committee, an objector must first have submitted written objections to the planning proposal. The Community Council, a consultee to the application, raised concerns but did not formally object.
- 2.10 ACT have actively campaigned to prevent the development going ahead and have undertaken extensive lobbying of Members, officers, and local politicians. They have also set up their own Facebook page.
- 2.11 A public meeting was held in December 2018 attended by the Leader, Deputy Leader and Portfolio Holder for Finance, Portfolio Holder for Highways, Assets and Recycling, along with senior officers. At this meeting the Portfolio Holder for Highways, Assets and Recycling made a commitment that there would be no construction work on site in the coming months and that if alternative sites were proposed by ACT they would be considered within that timescale prior to any construction work on site commencing.
- 2.12 Several sites have subsequently been submitted by ACT, all of which have been assessed and are not considered as suitable as the Abermule site for different reasons. These sites are detailed in Section 4 of this report and also listed in Appendix 1.

- 2.13 Following the Full Council Meeting on 24<sup>th</sup> January 2019, a separate meeting was held with members of ACT, along with the local member, the Deputy Leader and portfolio holder for Finance, the portfolio holder for Highways, Assets and Recycling, and relevant senior officers. At this meeting it was agreed that further meetings would be held to discuss individual issues in more depth.
- 2.14 Officers met with members of ACT on 31<sup>st</sup> January 2019 where a number of issues were discussed and the group was encouraged to approach the nominated lead officer with any questions, issues or concerns. This meeting was felt to be very productive for both parties.
- 2.15 Following a debate regarding the proposed financial virement for the North Powys Bulking Facility at the Full Council meeting of 21<sup>st</sup> February 2019, an amendment was passed that discussions would continue with the local community regarding the most suitable location for this facility and that a progress report was presented to Council prior to works commencing.

### **3 Progress since Council Meeting of 21<sup>st</sup> February**

- 3.1 Immediately following the item at the full Council meeting of 21<sup>st</sup> February, an informal discussion took place outside of the main meeting with officers and members of the community where a number of issues were raised with answers given by officers.
- 3.2 A further meeting took place on 28<sup>th</sup> March 2019. Assembly Members Russell George and Helen Mary Jones were in attendance at this meeting along with the local member, representatives from ACT, and the Community Council. The Council was represented by the Portfolio Holder for Highways, Transport and Recycling, along with officers from the Design Team and Waste and Recycling.
- 3.3 At this meeting a further site was proposed by the group, the office site for the Newtown bypass, and it was agreed that the position regarding this site would be clarified.
- 3.4 Discussions then moved onto mitigation measures that could be put in place should the facility in Abermule go ahead, including additional screening, and the positioning of the facility. It was also suggested by Assembly Members that PCC could consider contributing in some way to benefit the local community if the facility was progressed.
- 3.5 As ACT had published an artist's impression of how the facility would look from Dolforwyn Castle, in the same meeting PCC presented an alternative artist's impression which is to scale with the surroundings. This, along with a 3D image of how the bulking facility will look compared to the other units at the business park, is included in Appendix 3.

- 3.6 Further discussions were then held as regards the reporting of incorrect information on social media and in the press. The group were asked to approach the nominated lead officer with any questions or concerns so that they could be given factual information so that the community had an informed viewpoint. It is disappointing to note that subsequent social media posts still appear not to be in the spirit of this request, with inaccurate information being presented as fact.
- 3.7 Since the meeting of 28<sup>th</sup> March 2019, the two lead members of the ACT group have made unannounced visits to both the bulking facilities at Brecon and Rhayader. Whilst the Council had requested that these visits be pre-arranged as they are working sites, on both occasions they were suitably accommodated and provided with a tour of the facilities.

#### **4 Alternative sites proposed by ACT**

- 4.1 A total of 13 sites have now been considered for the bulking facility, which are detailed in Appendix 1. The following table lists the sites specifically proposed by ACT, summarising the main reasons why each site is not considered suitable. A full consideration of these sites against the required criteria is set out in Appendix 1.

<b>Site</b>	<b>Main Reasons for not taking forward</b>
Former Cae Post site in Trewern	<ul style="list-style-type: none"> <li>• Too small for required operation</li> <li>• Limited traffic access through housing</li> <li>• Unsuitable location to serve the north of Powys</li> </ul>
G and T Evans, Mochdre, Newtown	<ul style="list-style-type: none"> <li>• Site not currently on the market</li> <li>• Following discussions with the owner, the price at which a sale could be agreed would be above the market value of the site.</li> <li>• The purchase of any alternative site would require additional capital which is not provided for in the capital programme that has been approved.</li> <li>• Whilst not a consideration in terms of rejecting the site, it should be noted that this site is considerably closer to residential properties than the site in Abermule.</li> </ul>
Office site for Newtown bypass construction	<ul style="list-style-type: none"> <li>• Site not level so would require considerable groundworks for development</li> <li>• Within the Local Development Plan, the land is designated as open countryside, is not suitable for industrial use and is required to be returned to its previous state once the maintenance period has expired after 5 years.</li> <li>• The purchase of any alternative site would require additional capital which is not provided for in the capital programme that has been approved.</li> </ul>

**5 Specific concerns and issues raised by ACT and the local community**

- 5.1 Whenever a facility that handles waste and recycling is proposed, there are always concerns raised, the majority of which are misplaced based on misinformation and often scaremongering.
- 5.2 The local member and the community council were given a tour of the bulking facility in Rhayader prior to the planning meeting on 2 August 2018, where their questions were answered. Following this visit, the community council did raise concerns which were addressed through the planning process, but they did not submit a formal objection.
- 5.3 The main concerns raised by ACT following the planning approval are listed below along with the Council's position and any mitigation measures that are deemed appropriate.

<b>Concern / Issue</b>	<b>Response and potential mitigation</b>
Noise	<ul style="list-style-type: none"> <li>• The main source of noise is when collection vehicles offload glass and lorries are loaded for onward transport.</li> <li>• This will be for short periods with minimum impact on properties nearly 400 metres away.</li> <li>• The positioning of the building and adequate screening will further mitigate any noise issues.</li> </ul>
Odour	<ul style="list-style-type: none"> <li>• The materials stored at the site are source segregated and hence clean in nature with no discernible odour.</li> <li>• The food waste is stored in sealed containers prior to loading for onward transport.</li> </ul>
Vermin	<ul style="list-style-type: none"> <li>• With the storage of clean materials, vermin is not a problem at these sites.</li> <li>• Nearby farms are considered likely to generate more opportunities for vermin than a bulking facility.</li> </ul>
Traffic	<ul style="list-style-type: none"> <li>• There will be an increase in traffic at the site but this is in keeping with the road layout which has been specifically enhanced for such activity.</li> <li>• There will be no increase through the village itself as access is directly from the trunk road.</li> </ul>

Proximity to housing	<ul style="list-style-type: none"> <li>• These facilities do not adversely impact neighbouring properties as demonstrated by the site at Rhayader which is immediately adjacent to housing, from which we do not receive complaints.</li> <li>• The site at Abermule would be nearly 400 metres away from the houses in the village, with a railway line with appropriate screening between them.</li> <li>• It should be noted that two of the sites proposed by ACT are considerably closer to residential properties than the one at Abermule.</li> </ul>
Risk of fire	<ul style="list-style-type: none"> <li>• Fires are rare at these facilities although widely reported when they do happen.</li> <li>• Fire prevention measures are in place at the other sites as approved by the fire service and Natural Resources Wales.</li> </ul>
Size of building	<ul style="list-style-type: none"> <li>• The building has been designed to accommodate the present and future quantities of materials that it is anticipated will be collected in the north of Powys. The quantities of materials will increase with the requirement to meet the Welsh Government Statutory Targets.</li> <li>• It needs to also be able to accommodate vehicles offloading and also larger lorries to be loaded for onward transport.</li> <li>• With potential changes to the requirements to collect different materials such as textiles and electrical items it is essential that there is flexibility to accommodate these additional requirements in the future.</li> <li>• ACT claim that the size of the building is not necessary as the one at Rhayader is notably smaller. This is because space was limited at this site and the operation is carried out over two levels in two buildings.</li> <li>• Screening will be put in place to minimise the visual impact of the facility..</li> </ul>
Requirement for an Environmental Impact Assessment (EIA) as it is a 'waste disposal facility'	<ul style="list-style-type: none"> <li>• The site is purely for the bulking of material prior to onward transport</li> <li>• Whilst the material is classified as waste until recycled, there is no disposal on site and no significant environmental risk.</li> <li>• Planning Officers are satisfied that there is no requirement for an EIA.</li> </ul>

Bulking facilities should be located on industrial estates and in accordance with Technical Advice Note (TAN) 21	<ul style="list-style-type: none"> <li>• The site at Abermule is designated for B1, B2 and B8 industrial use under the Local Development Plan and therefore suitable for such a facility.</li> <li>• A Waste Planning Assessment has been carried out to demonstrate conformance with TAN 21 – see Appendix 4.</li> </ul>
Future developments in recycling and packaging will negate the need for such a facility	<ul style="list-style-type: none"> <li>• The waste and recycling industry is constantly changing and adapting to new legislation and technology, but it is recognised that local authorities will continue to play a pivotal role in the collection of material.</li> <li>• There are currently consultations underway on Deposit Return Schemes and Extended Producer Responsibility, but the role of Councils will remain broadly similar even if the costs shift to industry.</li> </ul>
Impact on house prices	<ul style="list-style-type: none"> <li>• There is no evidence to suggest that such a facility at this distance from residential properties will adversely impact house prices.</li> <li>• The negative and misleading image of the facility being portrayed on social media would not be helpful in this regard.</li> </ul>
Residual waste being taken to the facility	<ul style="list-style-type: none"> <li>• There are no current plans to bulk residual waste at the facility as this is dealt with by an existing contractual arrangement.</li> <li>• With a WG statutory target of 70% for 2024/25 and a further target of 80% being considered, the amount of residual waste will continue to fall and hence the requirements for bulking residual waste will reduce.</li> </ul>

5.4 It should be noted that the operation of any such site is subject to a Natural Resources Wales permit with any environmental breaches potentially resulting in the suspension of activities at the site.

5.5 The Council has its own Quality Management System in place and has accreditation for ISO 14001, the recognised environmental standard. Maintaining this standard requires strict environmental controls on site.

## **6 Suitability of Abermule for a Recycling Bulking Facility**

6.1 The Abermule site is considered very well suited for a Bulk Recycling Facility for the following reasons:

- Designated for B1, B2 and B8 industrial use and hence meets Local Development Plan requirements.
- Ideally located between the two main populations in the north of Powys.
- Suitable road network already in place through earlier Welsh Government development on site.
- Level site which reduces development costs.
- Sufficient size for required facility.
- All utilities are currently available at the site.
- Land in PCC ownership following purchase with a Welsh Government grant.

6.2 It should be noted that the development of the remaining site for business units (welcomed by the community) is supported by the funding secured for the Bulking Facility and if the Bulking Facility is not provided on this site, the business case for the business units will need to be updated and reviewed.

6.3 Due to the size of the overall site, the development has been designed to have the recycling facility furthest away from residential properties, with the business units and the railway line in between.

6.4 Plans of the site including aerial photographs clearly show the position of the development and are available as Appendix 5.

## **7 Recommendations to be taken to Cabinet for consideration**

7.1 To note the contents of this report and continue with the development of the North Powys Recycling Bulking Facility at the Abermule Business Park on the basis that it is the most suitable site available for the development of the facility. Any alternative would result in considerable additional cost to the authority, which is not provided for in the approved capital programme, and likely to also result in similar opposition from interested parties.

7.2 Officers to continue to liaise with the local community through the development phase and following commencement of operations to ensure that the community are fully informed of progress and able to contribute to the process.

<b>Recommendation to Council:</b>
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<b>To note the contents of this report</b>
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**Appendices:**

Appendix 1 – List of sites considered for Bulking Facility

Appendix 2 – Consultation Activities and Timeline

Appendix 3 – Artist's impressions of facility

Appendix 4 – Waste Planning Assessment

Appendix 5 – Plans and aerial view of site