

WASTE INFRASTRUCTURE DELIVERY PROGRAMME (WIDP)

NOTE FOR AUTHORITIES: WIDP PLANNING SYSTEMS GUIDANCE & PLANNING HEALTH FRAMEWORK

1. Background & Purpose

This note outlines the planning guidance that has been developed by WIDP (and endorsed by the Project Review Group) for use by Authorities procuring residual waste treatment facilities. In particular, the guidance addresses means to help reduce the planning risks associated with delivering waste facilities (irrespective of the nature or size of the proposed waste facility) to which procurements are exposed in the situation up to the adoption of a Development Planning Document covering waste as an element of the Local Development Framework. The purpose of the guidance is to facilitate a transitive process in planning towards the delivery of successful procurement outcomes, avoiding as far as possible complications arising late on in the procurement process or during implementation. It is suggested that the guidance is appropriate even for projects that are well advanced in their procurement preparations.

Although some aspects of the note that follow are framed towards the approvals process relating to PFI projects, WIDP's planning guidance is equally relevant to non-PFI procurements.

2. Guidance

WIDP's planning guidance comprises the following:

- the Planning Health Framework; and
- WIDP Planning Systems Guidance.

A. The Planning Health Framework ("PHF")

The PHF contains structured questions that Authorities will be required to complete as part of their EoI and OBC submissions. These questions will cover issues such as:

- site identification process;
- existing and emerging planning environment;
- consultation with the community on the use of sites
- site acquisition strategy; and
- overall alignment between procurement, planning and site acquisition strategy.

The Authority's responses to the PHF will be analysed by the planning specialist element of the WIDP Scrutiny Team. The WIDP Scrutiny Team will work with the Authority and the allocated WIDP transactor so that, by the time of submission of the OBC, it and the Authority will have an agreed planning strategy for the proposed procurement. The Authority will also be required to update its responses to the PHF as the procurement progresses and, if necessary, adjust its planning strategy in the light of experience going forward.

B. WIDP planning systems guidance

The WIDP planning systems guidance provides advice for projects on the constructive engagement with planning issues and identifies specific actions that will help facilitate favourable planning determinations and successful corresponding procurement outcomes. Examples of issues that the WIDP planning systems guidance covers include ensuring that there is a sufficient level of engagement with plan preparation at regional and local levels; underlining that sites are identified in accordance with PPS10; promoting early engagement with the planning process covering issues such as ensuring that base-line studies are planned for well in advance; and emphasising the need for good design to be incorporated into planning applications.

The WIDP planning systems guidance also addresses the issue of who should submit the planning application, i.e., whether the Authority should make a planning application in its own name; whether the application should be made jointly between the Authority and the Contractor; or whether the Contractor should make the planning application, the Authority having in advance progressed as far as practicable the necessary planning studies. WIDP does not promote any one approach over another concerning who should submit a planning application, as each is likely to have particular merits depending on the prevailing circumstances, and each approach will require a substantial amount of work by the Authority on planning issues. The WIDP Scrutiny Team will, however, agree with the Authority the appropriate approach for its particular procurement.

3. Minimum planning and site requirements at OBC stage

WIDP recognises that the planning environment for procurements will vary quite substantially. It has therefore endeavoured to adopt, through the use of the PHF and the advice of the WIDP Scrutiny Team, an approach which provides for a degree of flexibility when determining whether a project's planning health is sufficiently mature so that the OBC may be endorsed.

At the same time, however, there are requirements that all procurements as a minimum will need to comply with at OBC stage. These minimum requirements are:

- Sites or options over such sites to be acquired. In some circumstances a sufficiently certain programme to acquire sites (i.e., draft heads of terms and price have been agreed) may be acceptable; and
- Environmental and ground condition studies to be complete (desktop and others) other than perhaps base-line studies, in relation to which the expectation would be that these are well progressed. Information from such studies should be warranted in favour of the bidders.

In addition to the above minimum OBC requirements, the WIDP Scrutiny Team will be required to endorse the Authority's overall planning strategy.

WIDP

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Department for Environment, Food and Rural Affairs