

FROM THE EXECUTIVE DIRECTOR

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21 April 2020

Rt Hon. Robert Jenrick MP
Secretary of State
Ministry of Housing, Communities and Local Government
By e-mail only

Dear Secretary of State,

COVID19: WASTE PLANNING IMPLICATIONS

We thank the Government for promptly recognising the waste management industry as a critical sector, and welcome Rebecca Pow's recent letter recognising our sector's role in helping protect the environment, local amenity and people's health during the pandemic. However, we feel that further assistance from your department is needed to allow us to continue carrying out our essential role.

Flexibility for planning conditions during the crisis has perhaps received less attention than other urgent issues, but is equally important in helping maintain household collections and essential waste management operations. Stronger steer from Government, by means of a Ministerial Statement, would greatly assist in ensuring that all local authorities adopt the pragmatic approach to planning envisaged by the Government.

As you may know, the Environmental Services Association (ESA) is the trade association for the UK's waste and recycling industry. We note your written statement to Parliament (HCWS159, 13 March 2020) advising local authorities to take a positive approach in their engagement with the food retail sector and to refrain from planning enforcement action that might unnecessarily restrict food deliveries during the pandemic.

We request that a similar Ministerial Statement is adopted for the waste management industry, which recognises that planning flexibility is needed to enable the industry to adapt and respond to reduced staffing and additional operational needs.

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There are two key areas which would benefit in particular from ministerial support:

1. Urgent operational compliance

Maintaining necessary operation of existing waste management facilities which may need additional, temporary flexibility on planning compliance, for example: planning conditions controlling operating days/hours; vehicle numbers; waste storage and throughput. Tolerance for additional temporary structures or equipment would also be welcome, such as fencing, weighbridges, site offices, additional segregation bays or temporary storage areas.

2. Essential development consents

Ensuring the continuation of planning application determinations so as not to inhibit or delay the post-pandemic economic recovery phase due to a bottleneck of undetermined applications. This process also includes completion of legal agreements and submitted schemes under planning conditions. Additional essential waste management infrastructure or modifications to existing sites will be needed to manage the after effects of the pandemic and support recovery of the returning economy.

In addition, there is also the potential for planning consents to lapse if it is not possible to commence site works, therefore time extension for implementation may be required.

ESA's Members report difficulties in some cases of convincing planning authorities to follow Government planning guidance and adopt a pragmatic and positive approach to planning during the pandemic. It would therefore be helpful if a Ministerial Statement could be used to reinforce the message to planning authorities that during the current crisis planning applications should still be processed as usual, and they should be making use of existing powers already at their disposal to complete determinations.

We would be happy to clarify in more detail any of these points your officials.

I look forward to your response.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'J. Hayler', with a stylized flourish at the end.

Jacob Hayler