

Planning and Waste Management Advice

INTRODUCTION

1. This Planning Advice complements the [National Planning Framework](#) (NPF3), [Scottish Planning Policy](#) (SPP) and [Scotland's Zero Waste Plan](#) (ZWP). A low carbon place and 'circular economy' are alternatives to the 'make, use, dispose' culture which means re-using products and materials continually and growing a low carbon economy. The advice provides step-by-step advice on development planning and development management. The advice has the same function as the previous PAN 63 under Part 2 of the [National Waste Management Plan for Scotland Regulations 2007](#). The advice will be kept under review and any changes will be publicised.

Why is zero waste relevant to planning?

2. [The Waste \(Scotland\) Regulations 2012](#) provide a statutory framework to maximise the quantity and quality of materials available for recycling and to minimise the need for residual waste infrastructure, in accordance with the objectives of the revised [Waste Framework Directive](#) (WFD) and the ZWP. The planning system has a role to play in moving towards Scotland's goal of a zero waste society. Good practice supporting that goal and the sustainability principles of SPP will secure new ways of capturing the economic value of waste resources.

What European requirements apply to planning for waste?

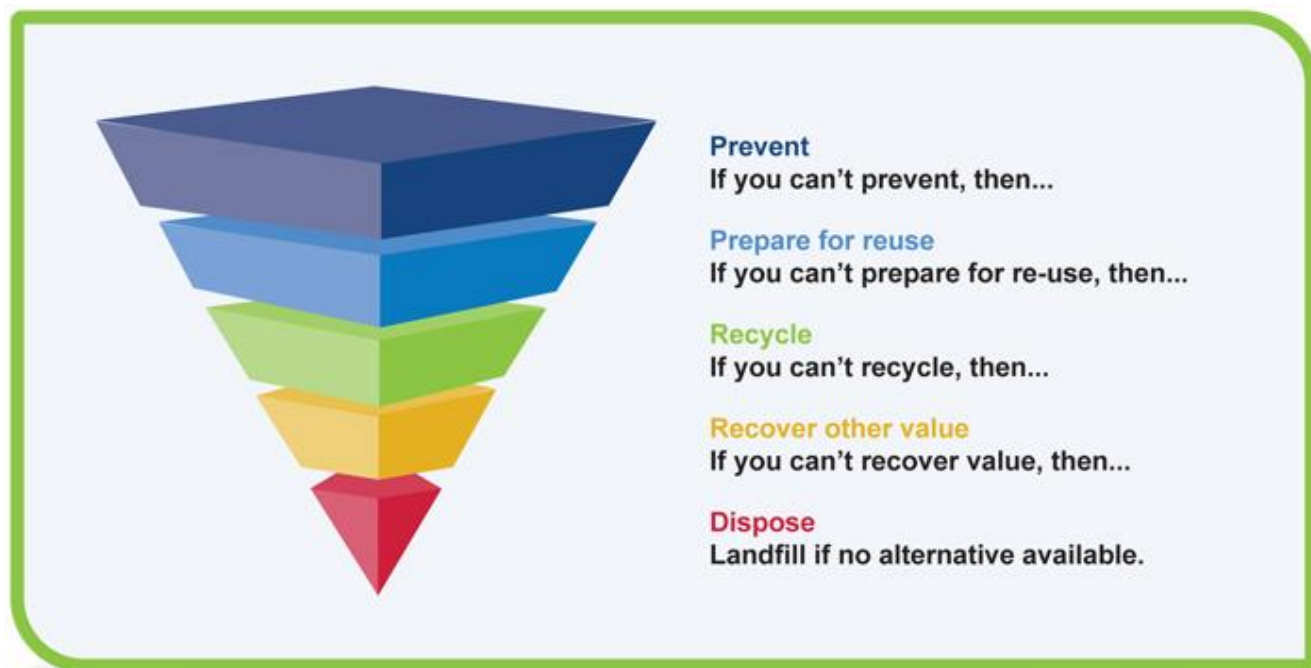
3. Waste prevention (the highest priority), reuse, recycling, recovery and disposal are the elements of the waste hierarchy set out WFD Article 4. Together, WFD Article 16, which outlines principles of self-sufficiency and proximity, and Article 28, which establishes the need for waste management plans, specify:
 - the need "to establish an integrated and adequate network of waste disposal installations and of installations for the recovery of mixed municipal waste taking into account geographical circumstances or the need for specialised installations for certain types of waste" (Art.16.1)
 - that "the network shall enable waste to be disposed of in one of the nearest appropriate installations" (Art.16.3)
 - that plans contain "sufficient information on the locational criteria for site identification and on the capacity of future disposal or major recovery installations, if necessary" (Art. 28.3(d))
4. A network of waste management installations will be necessary to implement the Waste (Scotland) Regulations 2012's measures to drive re-use and recycling and to treat biowaste. Established and licensed waste management facilities can also form part of the network including where there is scope for changes of use: typically within Use Classes 4, 5 and 6 as explained in [Circular 1/1998: The Town and Country Planning \(Use Classes\) \(Scotland\) Order 1997](#).

How do planning authorities know whether or not they have sufficient waste infrastructure in their area?

5. WFD objectives are achieved through SPP and the ZWP in combination. [Tables 1 and 2](#) from the ZWP provide an annual update of the shortfall in operational waste infrastructure capacity. SPP requires development plans to meet the “significant increase in waste management infrastructure” implied by the shortfall. This, in line with WFD Article 28.3(d), can be reflected in routine monitoring ahead of 5-year development plan reviews.
6. The shortfall is an expression of national need to meet the ZWP’s targets. This need is expected to decline as new installations come into operation, and other factors such as increased resource efficiency and improved collection systems take effect. Further advice on an understanding of infrastructure capacity is given under Step 2.

What is the waste hierarchy?

7. The Scottish Government’s ['Guidance on applying the waste hierarchy'](#) explains what the hierarchy is, why it is important and how it should be applied to a range of common materials and products.



HOW CAN PLANNING AUTHORITIES ADDRESS ZERO WASTE IN DEVELOPMENT PLANNING?

8. National Planning Framework 3 (NPF3) and Scottish Planning Policy (SPP) provide the framework for development planning, supported by legislative provisions explained in [Circular 6/2013: Development Planning](#). Along with the ZWP, they provide the context for the planning actions that will achieve Scotland’s zero waste objectives. The four strategic development plans can reflect waste management requirements in spatial strategies and vision statements in order to guide local development plans. Development planning can consider all forms of waste from all types of development, as well as waste management infrastructure.

Step 1 - Plan Inception

9. At the outset of the process, waste management can be considered as part of the development plan scheme and participation statement covering public involvement and consultation, as described in Circular 6/2013. The importance of effective engagement - involving communities, public sector waste managers, the waste industry and the third sector; evidence-gathering signposted by this advice; and stakeholder learning and development cannot be overstressed.
10. Local authority waste managers and their planning counterparts should be clear about project procurement (implementing local authority waste strategies) and the implications for land use of guidance to local authorities on ZWP recycling targets and landfill diversion. The [guidance](#), published by Scottish Government, reflects the new targets and reporting conventions set out in Annex A to the ZWP.
11. At inception there are two further key factors. First, it is advisable for planning authorities to tackle shortfalls in waste management capacity as a main issue, and to describe the implications of alternatives in the main issues report (MIR) (see Step 2). The ZWP infrastructure capacity shortfall data provides an annual update on need but this may not be widely recognised unless explicitly described in the MIR. This should be made transparent to ensure that stakeholders can participate effectively in the context of ZWP policies.
12. Adopting a map-based approach at this stage is encouraged. Maps showing existing development and proposed growth and regeneration locations, use of the [SEPA Waste Site and Capacity Tool](#), [site capacity and infrastructure data](#) and strategic waste management reviews will inform options about the location of required facilities in the spatial strategy. The climate change [duties of public bodies](#) and the [carbon emissions abatement potential of the waste sector](#) should also be reflected, for example where development plan options secure carbon benefits. Using these resources and gathering evidence will make it easier to identify factors relevant to waste management in the MIR. SPP, use of the infrastructure capacity shortfall data and the guidance on need and proximity set out in this advice supersede the “areas of search” approach to waste management.
13. [Circular 6/2013](#) indicates that matters to be included in the development plan and not in supplementary guidance (SG) include development proposals of more than local impact. Waste flows relate to the dynamics of contracts, to arisings, recycle value, points of collection, transfer, treatment, disposal and, in some cases, export; across local authority and therefore development plan boundaries.
14. Statutory supplementary guidance forming part of the development plan under Section 22 of the Planning etc. (Scotland) Act 2006) can support or build on the detail of recently adopted policies which do not require substantial change. Additionally, guidance may describe how development management policy or master plans articulate waste management provision in other forms of development to prevent the generation of waste or encourage reuse, recycling and recovery. Supplementary guidance (statutory or non-statutory) should only be used to address substantive waste policy issues identified in the development plan and an explicit reference must be included within the plan. Guidance on SG is given in a [Chief Planner letter dated 15 January 2015](#).

Step 2 – Main Issues Reports (MIRs)

15. As the first statutory stage of plan-making, the MIR can consider the potential to manage all waste more effectively in the context of the plan’s proposed strategy. Introducing a settled

or prescribed approach at the proposed plan stage without having considered reasonable alternatives in the MIR and its associated SEA is unlikely to meet the requirements of legislation. In addition, effective engagement with key agencies, notably [SEPA](#), in the preparation of development plans is necessary to enable them to discharge their duty to co-operate in the development plan process. In relation to local development plans (LDPs), [Circular 6/2013](#) states that Regulation 10 of the Development Plan Regulations requires the planning authority to have regard to the national waste management plan.

Waste management infrastructure

16. The ZWP infrastructure capacity shortfall data monitored annually by SEPA is calculated by the method that will be set out on the new SEPA website. The shortfall establishes need by category and is presented geographically for development planning purposes. These data are not to be interpreted as limits. SPP paragraph 182 states that while the shortfall exists, emphasis is on need over proximity. That does not constrain planning authorities in taking a view on where new installations are best located – in collaboration with other planning authorities where appropriate and where the site is suited to the use. The technology mix and phasing is not prescribed by the Scottish Government. Individual technologies are described on Zero Waste Scotland and SEPA’s websites. As SEPA will regulate operations, it is not necessary to constrain site flexibility by ascribing sites to particular processes, other than for safeguarding purposes.
17. Establishing need, based on SEPA’s annual shortfall updates is a significant milestone. For locational purposes, the second consideration is proximity as set out in Article 16 of the WFD and summarised in paragraph 3 of this advice. Article 16(4) states that the principles of proximity and self-sufficiency do not mean that each member state has to possess the full range of final recovery facilities within its borders. Similarly, in considering waste management in development plans, not every authority is likely to need to accommodate a materials recycling or treatment plant of strategic scale and reach, although providing certainty in development plan policy and land allocations remains crucial.
18. It is likely that small-scale infrastructure such as recycling centres or waste transfer stations will be greater in number and more widely spread. Placing catchment restrictions on planning consents is likely to distort the market and constrain investment in new infrastructure without any clear land use planning benefit if the proposed use can be supported by its transport assessment. The management of specialist waste streams at installations which draw material from a wide catchment offers economic and inward investment opportunities whilst reducing exports to unregulated destinations. Alternatives to moving waste by road (e.g. rail, canal or sea) can deliver environmental benefits even where they involve longer journeys.
19. There will also be opportunities to derive renewable energy from resource management facilities. This supports ZWP Action 10 in which the connections between land use planning, energy efficiency, climate change obligations and the extraction of value (electricity and heat) from residual waste needs are interlinked. [Advice on renewable energy](#) derived from waste is available.

Site Identification

20. Modern waste management infrastructure is designed and regulated to high standards and is similar to other industrial processes. Subject to detailed site specific considerations,

waste management facilities can be considered appropriate for sites allocated in development plans for employment and industrial use. SPP paragraph 184 stresses the importance of site safeguarding.

21. Care should be taken to ensure that allocations for adjacent sites do not compromise waste handling operations. Where appropriate, sufficient land should also be identified to enable existing waste handling installations to expand without being constrained by adjoining land uses. Potential suitable sites for waste management activities include:

- industrial and employment areas
- degraded, contaminated or derelict land
- working and worked out quarries
- sites that have the potential to maximise the potential for the re-use of waste heat through co-location with potential heat users
- existing or redundant sites or buildings that can be easily adapted
- existing waste management sites, or sites that were previously occupied by waste management facilities
- sites accessible to railways, waterways or the trunk and principal road network junctions

22. Identifying potential waste management sites and alternatives in the MIR will alert communities and the waste management industry ahead of the proposed plan.

- If a range of possible locations is available, the planning authority may want to keep development options open by identifying the alternatives on the proposals map. Criteria-based policies which are so vague or over-elaborate that they offer little in the way of certainty about outcomes are discouraged. Policies need to provide “sufficient information on the locational criteria” that the WFD specifies
- The approach to proximity is set out in WFD Article 16
- If there is only one possible location, it should be identified clearly and safeguarded against development that might compromise its potential
- [SEPA’s Waste Site and Capacity Tool](#) shows existing licensed facilities: a starting point in safeguarding sites in development plans. Active or licensed sites may have other potential uses which meet a local priority. It is for planning authorities to assess priorities amongst competing uses. The careful allocation of land uses adjacent to sites safeguarded in proposed plans will avoid difficulties over separation and, at the development management phase, impacts such as noise and odour
- The selection of sites which facilitate the development of heat networks is a consideration at main issues stage. Further advice on energy from waste is given in the thematic section

Steps 3 and 4 – The Proposed Plan and Approval or Adoption

23. The proposed plan should reflect Zero Waste Plan objectives. Unless a subsequent determination of a waste management application has significant implications for the pattern of future development, the introduction of new waste management policies or proposals would not be appropriate at the proposed plan stage.

24. Technical papers or records of public discussions on waste management policies or proposals in the proposed plan may be helpful in auditing the strength of the evidence

supporting the plan's approach.

25. Detailed descriptions of residual waste management technologies will be available on SEPA's new website. Household waste recycling and transfer infrastructure capacity is unconstrained by the ZWP in order to encourage the efficient and effective collection and transfer of material resources and in support of the specific measures of The Waste (Scotland) Regulations 2012. The key to delivery is a sufficient choice of locational options. The disposal of residual wastes from which no further value can be derived to landfill is a locational decision in its own right.
26. There are additional planning reasons to avoid technology-specific land allocations:
- existing sites may be able to accommodate other waste management activities without the need for planning consent where other consents such as licences provide adequate safeguards
 - [local authority procurement](#) processes commonly specify outputs rather than how these are to be achieved
 - applications for 'planning permission in principle' may be submitted where it is neither possible nor desirable to specify a particular technology (however, the information accompanying such applications must meet any environmental impact assessment requirements); and
 - the industry's propensity to innovate, identify economies of scale and find new solutions may result in the clustering of a number of recovery and treatment methods on a single site
27. Development plan allocations which allow for these possibilities, should maximise the opportunities for on-site flexibility. This will help ensure that enough waste management infrastructure can be delivered to deal with all of Scotland's waste.
28. In making the case for supplementary guidance on waste management, the considerations at step 1 should be taken into account. While supplementary guidance on waste can be linked to a strategic development plan or shared by more than one planning authority, it will only have the status of the development plan once a strategic development plan has been approved or a local development plan has been adopted. Non-statutory guidance on waste can be adopted by planning authorities for use in determining planning applications, but will carry less weight.

Step 5 (a) Development plan action programmes

29. Development plan action programmes can be expected to address the delivery of key infrastructure or may signal the preparation of supplementary guidance relevant to waste management. Internal dialogue and external reference to industry, communities and the third sector will help to secure the buy-in necessary to deliver infrastructure; support ZWP actions (Actions 10, 11, 15, 17, 19, and particularly 21); and raise awareness of local responsibility for waste.

HOW SHOULD PLANNING AUTHORITIES SUPPORT ZERO WASTE THROUGH DEVELOPMENT MANAGEMENT?

Step 5(b) – Accordance with development plan and departures

30. Applications for waste installations and development that generates waste will continue while development plans are in preparation. They can be assessed against existing approved or adopted policy and all other material considerations including proposed plans. Good practice will ensure that chosen locations relate well to ZWP and planning policy, focusing on the development and regeneration strategy, employment opportunities, good design and an effective appraisal of the transport impacts of the proposal. As a statutory consultee, SEPA will advise on policy compliance and whether a proposal is capable of being consented, consistent with their regulatory function; avoiding overlapping licence and planning conditions.
31. As with all other types of development, proposed waste management facilities should be located where potential impacts on the human, built and natural environment can be minimised. There may be a requirement for an Environmental Impact Assessment (EIA) to be prepared to assist in the consideration of any potential likely significant environmental impacts. Operational and transport impacts are the features of waste installations most likely to give rise to community concerns. Such impacts can be addressed in environmental statements and transport assessments. Further guidance is given in this advice under the heading of 'Environmental Protection'.
32. There are procedures to deal with applications contrary to development plan policy. The likelihood of such applications being submitted can be reduced by following the advice above, but opportunities may arise at locations which have not been identified in the development plan. The origin of waste is not likely to be a material consideration. Good accessibility to transport infrastructure is one consideration that may override others, but built environmental and natural heritage considerations will still need to be taken into account.

Design

33. The reuse of existing buildings may be cost-effective. In the case of new buildings, design that breaks up the bulk of the building or blends in with the background may be most appropriate. Design and access statements are required for categories of major development and categories of local developments specified in section 3 of [Circular 3/2013: Development Management Procedures](#). Advice on design statements is provided in [Planning Advice Note 68: Design Statements](#).
34. Careful siting of development can minimise adverse visual effects on adjoining land uses. At supermarkets, car parks and at events, the use of waste collection and mini-recycling facilities can be increased by improved signposting. Locating facilities in places which can be accessed easily and are open to natural surveillance may also assist.

Design in All Developments

35. The '[Designing out Waste](#)' pages on Zero Waste Scotland's website explain how better design can contribute to the more efficient use of resources. Designing out waste can apply across procurement, construction, reuse and recovery, landscaping, drainage and demolition. It may be appropriate to condition planning consents to promote good practice.
36. The good design and layout of new buildings are crucial to effective waste management. Specific provision should be made for space to allow for the segregation and storage of waste. The Scottish Government's Designing Streets policy states that it will help if designers and local authorities have early discussions on waste collection. Additionally:

- layouts should promote designs that integrate waste management facilities without adverse impact on the street scene
- new streets should not need to accommodate larger waste collection vehicles than can be used within existing streets in the area
- swept-path analysis can be used to assess layouts, but quality of place should not be undermined by provision for vehicles

37. Local standards for the siting and handling of domestic waste bins can influence housing layout with consequences for other aspects of sustainability (for example, asking for back lane access or pends can cause problems with security). Instead of a prescriptive approach, local guidance should take account of the particular character of the place. Advice should not inhibit solutions that more broadly take account of environment, community and neighbourhood factors as part of a general drive towards more sustainable development.

Step 6 – Planning Application Consultations

38. Scottish Planning Policy sets out the importance of ensuring early and effective engagement in the planning process. Developers and local authorities require to follow statutory procedures for public and community engagement as set out in [Planning Advice Note 3/2010: Community Engagement](#). Pre-application consultation (PAC) is required for waste installations with an annual throughput of 25,000 tonnes or more, or in the case of plant generating electricity from waste, where the thermal capacity exceeds 20MW. There is no statutory PAC requirement below those thresholds and none for heat-only plant with a generating capacity exceeding 20MW or electricity generating plant exceeding 50MW. However there is an expectation that public engagement on proposals for such installations takes place as a matter of good practice, to ensure that consideration is inclusive and well informed. Any opportunities for communities to derive benefits from waste management developments are best addressed within a framework of public engagement. [Zero Waste Scotland](#) delivers a range of support programmes, campaigns and other interventions to help people and organisations to make progress towards Zero Waste.

39. The waste industry can ensure that a facility is a 'good neighbour'. Existing operations and proposals for waste management development need not be viewed with concern if provisions are in place to ensure they are well run. A well run site is one where account is taken of the amenity of people who live nearby. It may be appropriate to establish a liaison committee drawing representation from the planning authority, SEPA, the operator and community councils.

Step 7 – Decision Making

40. Pre-determination hearings can make a valuable contribution to the scrutiny of major waste management development proposals. Their role is explained in section 4 of [Circular 3/2013](#). Depending on the scale of development, different development management procedures apply. Developers and communities will expect processes to be objective and transparent and determinations to be clearly explained in relation to ZWP objectives.

41. In waste management, effective public engagement, evidence-gathering and ensuring that stakeholders are well informed about the planning process will serve decision-makers well. SEPA has developed a range of guidance providing [advice on the proper management of waste](#).

Step 8 – Operation, Monitoring and Compliance

42. Planning consents for waste management installations will normally be subject to conditions which should focus on the use of the land. Planning authorities should not impose planning conditions on matters subject to regulation by SEPA under pollution prevention or environmental protection legislation. [SEPA's Guide to Waste Management Licensing](#) covers this. SEPA has also published guidance aimed at helping operators to understand the operation of the [PPC regime](#).
43. If a planning authority enters into a planning obligation with a waste operator to restrict or regulate the impacts of a waste development, both parties should follow the guidance on planning obligations in [Circular 3/2012: Planning Obligations and Good Neighbour Agreements](#). A planning condition or a legal agreement may be the wrapper for a financial instrument concerning the decommissioning and full restoration of a site. Compliance with planning conditions is a matter for planning monitoring and enforcement. In the waste sector, public expectations in relation to post-closure decommissioning and restoration are high. Guidance on planning enforcement is given in [Circular 10/2009: Planning Enforcement](#).

THEMATIC PLANNING ADVICE

44. The following sections provide advice on particular waste streams and other matters of a specialist nature.

How should planning authorities deal with heat and power - energy from waste proposals?

45. A goal of the ZWP is to recover electricity and or heat from waste resources which cannot be reused or recycled. As a result, developers will seek planning permission for installations which derive energy from waste using a range of technologies. These should be Waste Incineration Directive compliant. [SEPA's Thermal Treatment of Waste Guidelines 2014](#) apply to the licensing of such installations but also set out the policy approach on plant efficiency and heat planning. Heat planning is developing rapidly. Opportunities can be identified in development plans. In determining applications, and in the context of Annex 2 to the Thermal Treatment Guidelines, planning authorities and SEPA will consider whether a heat plan contains enough detail for planning permission to be granted or whether further detail requires to be submitted for approval prior to commissioning the installation.
46. A heat plan should be provided by the applicant when planning permission is sought for energy from waste facilities. Sufficient space should be provided within the site for any equipment required to export heat, including space for pipe work taking heat off-site. When new development is planned in the vicinity of an existing or consented energy from waste facility, developers and planning authorities should consider how best to ensure that it is designed and conditioned to use the heat, for example through a district heating scheme. This is a requirement of the Climate Change (Scotland) Act 2009 and supports Scottish Planning Policy's 'low carbon place' outcome.
47. Energy from waste plants can contribute to the achievement of Scottish Government targets for renewable heat and electricity from renewables and emissions reduction. This means that, within the constraints of ZWP objectives designed to ensure that recycling is not discouraged; the value of residual waste will not be lost, as it will make a contribution to meeting energy demand. [Planning advice on energy from waste](#) is available on the Scottish Government website. The Scottish Government has published [Scotland's Heat Map and a User Guide](#).

What about construction waste?

48. Using resources efficiently in construction saves energy and waste. Development plan policies should encourage developers to avoid waste and to re-use and recycle waste generated during demolition and construction. It is crucial to the delivery of the ZWP that sustainable waste management is fully considered in all new development. Site Waste Management Plans (SWMPs) are useful non-statutory tools supporting such commitments. [A simple guide to SWMPs](#) is available on the NetRegs website. For developers, [SWMP templates](#) supported by Zero Waste Scotland are available on the WRAP website to encourage the effective management of materials and ensure waste is considered at all stages of a project. Other environmental impacts are relevant to SWMPs.

How should a planning authority deal with landfill requirements?

49. The ZWP allows for the disposal of only 5% of all waste to landfill by 2025; a Scottish Government target aimed at ensuring that [EC Landfill Directive](#) targets for 2020 are achieved or bettered. A detailed description of landfill diversion targets is given in [ZWP Annex A](#). The 10 year rolling [landfill capacity requirements](#) set out in the ZWP and the [SEPA Landfill Capacity tables](#) provide planning authorities with the data they need to make the necessary provisions in development plans. It is likely that landfill will be a cross-boundary and therefore strategic issue.

50. The design of the final landform of landfill sites, the mitigation of adverse impacts during the operational period, and the long-term control of landfill gas and leachate are important matters. Proposals for site restoration and aftercare should be fully set out in applications and appropriately conditioned, though regulatory interventions diverting waste from landfill may extend the life of consented sites, affecting restoration targets, final landform profiles and after-use. The future use of the site is an important consideration, not least in providing certainty to communities. Air safety considerations also need to be addressed, as waste sites may attract flocks of birds. The procedures in [Circular 2/2003: Safeguarding of Aerodromes, Technical Sites and Military Explosives Storage Areas](#) ensure proper consideration is given to birdstrike hazards.

What are the relevant environmental protection considerations?

51. Environmental considerations raised by waste management facilities include:

- effects on residential amenity, related to emissions to air, the control of odour, dust, noise, vermin, birds and litter
- impacts related to site access and traffic movements
- potential impacts related to the types of waste to be treated or deposited and the proposed method of treatment or disposal; and
- potential effects on the water environment or flood risk

52. An assessment of the main potential impacts is given in the SEPA factsheets. Further advice on environmental protection is available in [Planning Advice Note 51: Planning and Environmental Protection](#).

Should my development plan have a policy on the health impacts of waste management?

53. It should not be necessary to refer to health in development plan policies for waste management as it is covered by SEPA's PPC licensing function. Planning conditions to protect health are unnecessary for the same reason. Statutory nuisance legislation also applies. A report by Health Protection Scotland on the [Incineration of Waste and Reported Human Health Effects](#) sets out evidence which has satisfied the agency that the current regulatory approach should be continued.
54. Aspects of public safety not covered by PPC licensing may be for consideration by the planning authority, for example where [hazardous substances](#) would be stored on the site. Operators should provide evidence that safety has been considered in siting and design.

What are the requirements for dealing with clinical waste in Scotland?

55. Clinical waste must be segregated from other types of waste and treated or disposed of appropriately in suitably permitted, licensed or exempt facilities on the basis of the hazard it poses.

What are the requirements for dealing with Mining Waste in Scotland?

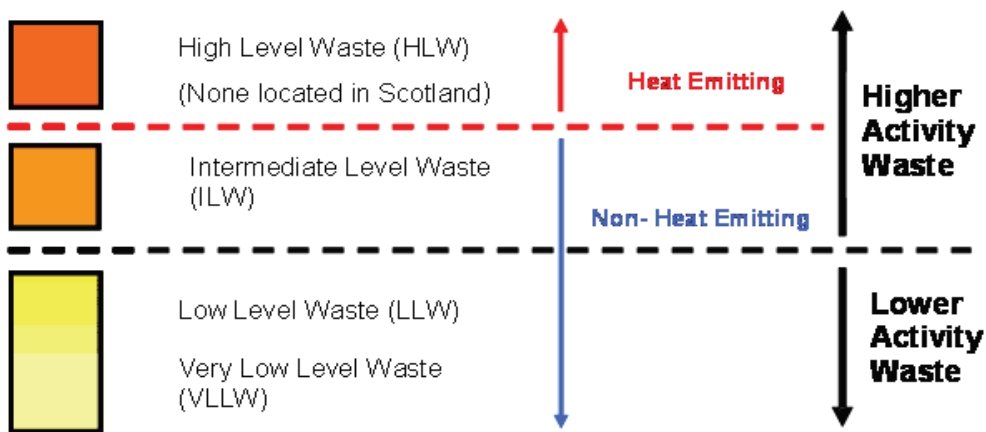
56. [The Management of Extractive Waste \(Scotland\) Regulations 2010](#) transpose the Mining Waste Directive in Scotland. [Guidance on The Management of Extractive Waste \(Scotland\) Regulations 2010](#) assists mineral operators and planning authorities with the preparation and consideration of the various documents that are needed to meet the requirements of the Regulations. [SEPA's standing advice on extractive waste management planning consultations](#) also refers. The UK met its first reporting obligation on the [operation of the Directive](#) in February 2012. Annex 3 of the Directive is a questionnaire used to establish the scope of the report. Outstanding obligations include provision of financial guarantees in respect of Category A waste facilities and should be addressed by planning authorities by the specified dates.

What is the policy framework for radioactive waste management in Scotland?

57. The Scottish Government is committed to dealing responsibly with radioactive waste and engaging the public on radioactive waste management policy. Radioactive waste is produced from sources including nuclear power stations, the decommissioning of nuclear power stations, oil and gas production, the health sector, industry and from research establishments. It is classified according to its level of radioactivity:

- High Level Waste (HLW)
- Intermediate Level Waste (ILW)
- Low Level Waste (LLW)
- Very Low Level Waste (VLLW)

58. The following diagram shows the relationship between the different categories of radioactive waste and how they are classed as higher activity or lower activity waste.



59. The management of radioactive waste is strictly regulated to minimise any impact on public health and the environment.

Higher Activity Radioactive Waste

60. The [Scottish Government Policy](#) published in January 2011 is that the long-term management of higher activity radioactive waste should be in near-surface facilities. Facilities should be located as near to the site where the waste is produced as possible. Developers need to demonstrate how the facilities will be monitored and how waste could be retrieved. All long-term waste management options will be subject to robust regulatory requirements. Further information on [radioactive waste](#) is available.

Low Level Radioactive Waste

61. In March 2007 the UK Government and the devolved administrations published the “policy for the long term management of solid low level radioactive waste in the UK” (‘LLW Policy’). The principles set out in the LLW policy are:

- use of a risk informed approach to ensure safety and protection of the environment;
- minimisation of waste arisings (both activity and mass)
- forecasting of future waste arisings, based upon fit for purpose characterisation of wastes and materials that may become wastes
- consideration of all practicable options for the management of LLW
- a presumption towards early solutions to waste management
- appropriate consideration of the proximity principle and waste transport issues; and
- in the case of long-term storage or disposal facilities, consideration of the potential effects of future climate change

62. The overall aim of the LLW Policy is to promote the ‘waste hierarchy’ principle through greater flexibility in managing LLW in the context of large-scale decommissioning and environmental restoration.

63. SEPA has published [guidance on near surface radioactive waste disposal](#). The developers and operators of near surface facilities for solid radioactive waste disposal have to demonstrate that their facilities will properly protect people and the environment. The guidance includes a requirement that the developer or operator of a disposal facility should produce an environmental safety case.

UK Nuclear Industry LLW Strategy

64. UK strategy for the management of solid low level radioactive waste (LLW) from the nuclear industry has been developed to reflect and implement LLW Policy. The aim is to provide a high level framework within which low level radioactive waste (LLW) management decisions can be taken flexibly to ensure safe, environmentally acceptable and cost-effective management solutions that reflect the nature of the LLW concerned.
65. Central to the strategy is the implementation of a waste hierarchy which will support the maintenance of the capability and capacity to manage LLW in the UK. The strategy has been prepared for the UK Government and devolved administrations by the Nuclear Decommissioning Authority (NDA) in response to the LLW Policy. The NDA is responsible for the decommissioning and clean up of the UK's civil nuclear sites.
66. The strategy is primarily aimed at nuclear industry waste producers (current and future), environmental regulators and waste planning bodies. It is also relevant to non-nuclear industry waste producers, waste management facility operators and suppliers of waste treatment services. The strategy will also be of interest to parties potentially affected by Low Level Waste (LLW) management, for example communities where waste is managed. It can be accessed through the website of the [NDA](#).
67. The [UK Strategy for the Management of Solid Low Level Radioactive Waste](#) arising from the non-nuclear industry is primarily aimed at non-nuclear industry waste producers, the environment agencies and waste planning bodies. It provides guidance and background information on this type of waste to enable planning authorities to make informed decisions on planning applications. It also clarifies the respective roles of waste producers, the environment agencies, planning authorities and the Nuclear Decommissioning Authority to enable decisions to be made that properly recognise the responsibility of others. It aims to ensure that waste producers and regulators are fully aware of how the regulatory framework should be applied to LLW, particularly the need for waste management plans, waste minimisation at source and use of the waste hierarchy.

Naturally Occurring Radioactive Material (NORM) Strategy

68. The [UK Strategy for the Management of Naturally Occurring Radioactive Material \(NORM\) waste in the United Kingdom](#) has been jointly adopted by DECC, the Scottish Government, the Welsh Government and the Northern Ireland Department of the Environment. Our strategy for promoting the sustainable and efficient management of Low Level Radioactive Waste in line with the "waste hierarchy" principle in respect of the NORM sector is based on stimulating investment in the waste management supply chain. It will do this principally through (i) reforming the regulatory framework to ensure it is clear, coherent and effective; (ii) removing policy barriers to the development of a robust and efficient market for NORM waste management; and (iii) supporting efforts by waste producers and the waste management supply chain to generate better data and information about current and future NORM waste arisings.