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Circular 20/87
(Department of the Environment)
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Circular 36/87
(Welsh Office)



Joint Circular from the
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Sir

7 August 1987

USE OF WASTE MATERIAL FOR ROAD FILL

1. We are directed by the Secretary of State for Transport, the Secretary of State for the Environment and the Secretary of State for Wales to say that they have considered, in the light of the report by the inter-departmental committee on the use of Waste Material for Road Fill and the responses to consultation on that report, the scope for continuing the experimental procedures aimed at increasing the use of waste material as bulk fill in road works through the dual tendering procedures announced in DOE Circular 47/72 and Welsh Office Circular 22/72. The Government remain convinced that the use of waste material in a constructive and economic way is to the nation's advantage but have concluded that this objective can best be achieved by the improved and early information exchanges recommended in the inter-departmental committee's report.

2. The Government have therefore decided to terminate the experimental dual tendering scheme and to replace this with improved administrative procedures which will ensure that information about future road schemes and their likely fill requirements is given to both waste producers and local planning authorities at the earliest possible stage. The Government welcome major waste producers' affirmations that they will continue to seek to make the use of their waste products financially attractive to clients consistent with their commercial aims, taking into account the costs and environmental issues that are associated with the disposal of colliery and coal-fired power station waste.

3. The Annex to this circular sets out the main stages in the development of trunk road schemes in England and Wales. Under the new procedures, at the earliest opportunity, the highway authority, in consultation with the minerals and local planning authority and waste producers, will identify whether suitable waste material is likely to be available within an economic transporting distance of the prospective routes of a new road. That distance will vary from place to place, but as a general guide, beyond a radius of about 10 miles transport costs are likely to make the use of waste material uneconomic except where no environmentally acceptable alternative sources of fill are available locally. At that stage, planning authorities are asked to indicate, in general terms, areas where there are likely to be environmental or other constraints on the use of borrow pits for locally excavated fill or for the disposal of surplus material. The Department of Transport and Welsh Office aim to design new and improved roads so that they are sympathetically fitted into their surroundings. The information provided by the planning authorities will assist in weighing the economic and environmental effects of available options.

4. Discussions with the planning authorities will continue as more information becomes available on likely routes and design features. As soon as information is available on the likely requirement for fill, the highway authority will inform the minerals and local planning authority and waste producers. In the light of that information, planning authorities are asked to prepare a planning brief indicating areas where there would be a presumption against borrow pit workings or the disposal of surplus material and identifying alternative potential sources of suitable fill.

5. The highway authority in their instructions for tendering, will draw these points to the attention of tenderers. It will be for tenderers to choose their source of suitable fill on a commercial basis, but the acceptability of sites for borrow pits and disposal of surplus material is a matter for the land use planning system. Planning authorities should therefore treat planning applications for borrow pits (or the disposal of surplus material) in the same way as applications for other mineral developments, taking into account the availability of alternative sources of suitable waste material.

6. Local authorities will wish to consider whether these administrative arrangements are suitable for road schemes for which they are responsible as highway authorities.

Local Authority Financial and Manpower Implications

7. The procedures outlined above primarily represent a formalisation of existing good practice. However the preparation of a planning brief will be a new area of work for planning authorities. It is intended that this should draw together information which should in the main already be available within the authority eg through development and mineral plans. Any new resource implications should therefore arise only in relation to collation and up-dating existing material and should not give rise to additional costs in excess of £100,000 a year in aggregate. Moreover in the longer term there should be resource benefits through formalised consultation procedures and a reduction in incidents of excavations or spoil tipping being commenced without planning permission. This estimate has been agreed with the local authority associations.

8. DOE Circular 47/72 (Welsh Office Circular 22/72) is hereby cancelled.

We are, Sir, your obedient Servants,
H J BLANKS, *Under Secretary*
R C MABEY, *Assistant Chief Planner*
J C LEWIS, *Assistant Secretary*

The Chief Executive
County Councils } in England and Wales
District Councils }
London Borough Councils
Urban Development Corporations
Council for the Isles of Scilly
The Town Clerk, City of London
The National Park Officer
Lake District Special Planning Board
Peak Park Joint Planning Board
[DOE DPS M/372/17]
[DTP APM/3/5/022]
[WO P112/58/01]

MAIN STAGES IN THE DEVELOPMENT OF
TRUNK ROAD SCHEMES

<i>Main Stages</i>	<i>Actions</i>
SCHEME IDENTIFICATION	Identification of need or problems existing.
ENTRY OF SCHEME TO NATIONAL TRUNK ROAD PROGRAMME	Publication in White Paper or Roads Report.
PUBLIC CONSULTATION	Public views sought.
PREFERRED ROUTE ANNOUNCEMENT	
PUBLICATION OF DRAFT ORDERS	Draft Line, Side Road and Compulsory Purchase Orders Published.
PUBLIC INQUIRIES (IF NECESSARY)	
INSPECTOR'S REPORT(S) RECEIVED	
(JOINT) DECISION(S) OF SECRETARIES OF STATE ANNOUNCED AND ORDERS MADE	
PREPARE CONTACTS, INVITE TENDERS	
START OF WORKS	
COMPLETION OF WORKS	- Road Opens.

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