

NORTH LONDON WASTE AUTHORITY	
REPORT TITLE: CONSULTATIONS AND POLICY UPDATE	
REPORT OF: HEAD OF OPERATIONS	
FOR SUBMISSION TO: AUTHORITY MEETING	DATE: 17 June 2016
SUMMARY OF REPORT: This report provides the regular update on consultations and policy issues which have the potential to impact on Authority operations or activities. The report deals with a planning application to redevelop a site that includes the Gateway Road reuse and recycling centre (RRC), and two government consultations – one on the Local Government Transparency Code 2015, and the other on changes to landfill tax matters. Draft responses are attached for the first two consultations.	
RECOMMENDATIONS: The Authority is recommended to: <ul style="list-style-type: none"> • approve the draft response to London Borough of Waltham Forest in relation to the Bywaters (Leyton) Ltd outline planning application for the Gateway Road site (attached as Appendix 1.4); • approve the draft response to the Department for Communities and Local Government (DCLG) consultation on proposed changes to the Local Government Transparency Code 2015 (attached as Appendix 2); and • delegate authority to the Managing Director in consultation with the Chair to submit a response to the HMRC consultation “Landfill Tax: improving clarity and certainty for taxpayers”. 	
<p>SIGNED:</p> <p>Head of Operations</p> <p>DATE: 8 June 2016</p>	

1. PURPOSE AND STRUCTURE OF REPORT

- 1.1 This report advises Members on three consultations that are relevant to the Authority as they have the potential to affect the Authority's operations and/or costs. Draft responses are attached for the first two; the third has only very recently been published so delegated authority is sought to prepare and submit a response to it.

2. BYWATERS (LEYTON) LTD OUTLINE PLANNING APPLICATION FOR GATEWAY ROAD (FOR DECISION)

- 2.1 All the north London reuse and recycling centres (RRCs) are owned by the boroughs with the exception of the Gateway Road site which is owned by Bywaters (Leyton) Ltd (Bywaters). The London Borough of Waltham Forest (LBWF) established the Gateway Road RRC with Bywaters and London Recycling Fund funding on land leased from Bywaters, and NLWA has acted as client to the RRC since April 2012. The Bywaters Gateway Road site is mostly taken up by a commercial waste transfer station; the RRC is on land at one side of it.

- 2.2 The entire Bywaters site at Gateway Road comprises:

- Bywaters' own waste management centre/recycling facility
- Thames Water storm water treatment tanks
- Bywaters'/NLWA's Gateway Road RRC (see diagram at Appendix 1.1) Information about the RRC is available at: <http://www.wiseuptowaste.org.uk/recycle/reuse-and-recycling-centres/detail/waltham-forest---gateway-rd>

- 2.3 Bywaters has submitted an outline planning application to redevelop the site which will be put forward to LBWF's planning committee on 5 July 2016.

2.4 The scheme proposals:

- 2.4.1 Bywaters has submitted an outline planning application for the comprehensive redevelopment of the Bywaters Gateway Road site for a residential-led mixed use development (see diagram at Appendix 1.2). The proposals incorporate the relocation of the existing Bywaters' waste and recycling facility and the decommissioning of the existing Thames Water waste water tanks, which are replaced by four new tanks in the north-western corner of the site. The proposals also include the redevelopment of the RRC on a temporary basis with the longer term proposal (in Phase 4 of the development, the timing for which is not suggested) for the RRC to be relocated offsite at a location to be determined.

2.5 Drivers for changing the site

- 2.5.1 The pre-application committee presentation to Waltham Forest (one of the documents accompanying the application) states that the drivers for changing the site are as follows:

1. Whilst the surrounding area in Leyton has developed, particularly after the 2012 Olympic Games, this site has remained untouched. The facility is now regarded by Bywaters as “totally out of place in its current surroundings”.
2. There is also an identified need for new housing in Leyton and across the London Borough of Waltham Forest.
3. The site is also identified as suitable for development in the Northern Olympic Area Opportunity Plan.

2.5.2 The presentation goes on to state that there is therefore potential for the Gateway Road site to offer more in the way of public realm for the community and make a contribution to delivering much needed housing in the local area.

2.6 Draft Authority response

2.6.1 The draft Authority response focuses on commenting on proposals affecting the RRC as this is the Authority’s main interest in the development proposals. The main points identified by officers and included in the draft Authority response attached at Appendix 1.4 concern the practicalities of the proposed redeveloped Gateway Road RRC. The full detail is contained within the draft response at Appendix 1.4, but the areas of concern are, in outline, that:

- the proposed RRC site is too small because
 - it appears to have been reduced relative to the current RRC site, notwithstanding that the current staff welfare facilities are external to the current RRC but will need providing within the redeveloped RRC;
 - it is not completely clear that the land outside the current RRC leased area but essential for servicing the residual waste compactor bins will be included in the leased area for the redeveloped RRC; and
 - the proposed gabion walls and supporting structures for a new canopy to screen the redeveloped RRCs from the new residential and commercial properties will take up more land than the current simple fencing.
- the proposed RRC site may not be workable because:
 - the proposed use of tipping bays rather than waste containers means that there is a risk of waste piles falling on residents whilst they are depositing wastes;
 - the Environment Agency may not be willing to permit some wastes to be stored loose in bays;
 - the canopy noted above may interfere with and inhibit the use of mobile plant when removing wastes from the tipping bays to load an out-going lorry, causing additional operating costs;
 - the proximity of the RRC to new residential and commercial properties may lead to conflict and restrictions on the RRC that reduce its ability to serve the residents of the wider area and/or add operating costs (e.g. container exchanges can currently take place from 6.30am); and
 - the proposed layout reverses the direction of traffic flow back to how it was originally, notwithstanding that the current traffic flow

makes recycling the first and most convenient thing for residents to do rather than residual waste disposal.

- on the positive side (potentially):
 - if the road behind the allotments is included in the redeveloped RRC, (which it appears to be from the plans submitted with the application) there may be a benefit of being able to use this for an emergency access for either the emergency services or for waste lorries if the main public access is obstructed for any reason; and
 - the application appears to recognise that RRCs are an accepted part of the townscape.

2.6.2 In light of the above comments, the draft response suggests that before LB Waltham Forest grants outline permission, it should first confirm with NLWA that it is satisfied that the outline application is indeed capable of providing an operable RRC that will serve local residents needs and facilitate high recycling rates.

2.6.3 Similarly, the terms under which any successor RRC site will be assessed, approved and made available to NLWA for use as an RRC should be made clear at this stage, rather than leave any uncertainty as to the circumstances under which Bywaters might be able to require the current RRC to make way for the final phase of its redevelopment notwithstanding that there may be disagreement about the suitability or terms of any successor RRC site that Bywaters identifies.

2.6.4 The Authority is recommended to approve the draft response to the planning application which is attached as Appendix 1.4 to this report.

3.0 CONSULTATION ON CHANGES TO THE LOCAL GOVERNMENT TRANSPARENCY CODE 2015 (FOR DECISION)

3.1 Since 2011 the Authority has had to have regard to Government requirements on data transparency that have been set down in a Code of Practice, which has been updated from time to time; since October 2014 parts of this have been mandatory.

3.2 The Local Government Transparency Code 2015 requires that authorities publish, on a quarterly basis, details of expenditure exceeding £500, government procurement card transactions and information about procurement and contracts. The Code also requires that local authorities publish, on an annual basis, information about local authority land, social housing assets, grants to voluntary, community and social enterprise organisations, their organisation chart, details of trade union facility time, their parking account, details of the number of parking spaces in the local authority, local authority senior salaries, the local authority's constitution, the pay multiple in the local authority and details of local authority fraud detections.

3.3 The Code also recommends that local authorities go further than the minimum requirements for expenditure, procurement, land, parking spaces, local authority organisation, grants and fraud prevention.

- 3.4 The Authority publishes the required information on a dedicated webpage on the Authority's website: <http://www.nlwa.gov.uk/governance-and-accountability/transparency-and-supplier-payments>
- 3.5 As part of the government's approach to strengthening local government transparency the Department for Communities and Local Government (DCLG) is consulting on proposals to change the way that local authorities record details of their land and property assets and publish information about their procurement, their contracts and the delivery of some of their services.
- 3.6 The proposed changes also include proposals that local authorities publish information about their dealings with small and medium-sized enterprises and other changes which are not relevant to the Authority.
- 3.7 A draft Authority response to the relevant sections of the consultation is attached as Appendix 2 which the Authority is recommended to approve. The key points in the draft response are organised into four sections:
1. Comments on proposals for centralising information - applicable to land and property and procurement
 2. Comments on proposals for publishing information about the decision making process of retaining, or taking, a service 'in house'.
 3. Comments upon the method of publication of information.
 4. Comments on the proposed new requirements for publishing information about dealings with small and medium-sized enterprises.
- 3.7.1 Regarding centralising information, the draft Authority response is broadly supportive of the proposal for authorities to supply information for input to a central source, but comments that the central source must be easily accessible by reference to the geographical area so that local residents can find local data easily and that it should be easy to use and preferably not require additional software.
- 3.7.2 Regarding proposals to apply the same level of transparency requirements to contracts awarded to in-house services as is applied to contracts awarded to the private sector, the draft Authority response supports this driving principle. However, the draft response notes that the requirements for transparency regarding in-house contracts and the decision-making process for the same should be no more onerous than those which apply to externally contracted services.
- 3.7.3 Regarding proposals to standardise the method and format of the publication of information, the draft Authority response suggests that DCLG should pilot its proposals before requiring all relevant local authorities to comply with them.
- 3.7.4 Regarding proposed new requirements to publish information about contracts with small to medium sized enterprises (SMEs) the draft Authority response comments that local authorities should only have to report at the time of contract award. This will avoid the burdens of re-

assessing past contract awards and of monitoring whether an appointed contractor's status changes during a contract e.g. from an SME to a large organisation. The draft response also suggests that DCLG might also wish to consider the desirability and practicability of local authorities reporting not only on consortia that involve one or more SMEs but also partnership and sub-contracting arrangements that involve SMEs. If this is not done, DCLG may under-report real SME activity, but the level of administrative burdens should always remain a consideration.

3.8 The Authority is recommended to approve the draft Authority response to this consultation outlined in Appendix 2.

4.0 LANDFILL TAX: IMPROVING CLARITY AND CERTAINTY FOR TAX PAYERS (*FOR DECISION*)

4.1 The Government commenced a consultation on proposed changes to the landfill tax criteria as this report was being finalised. The consultation seeks to clarify the circumstances in which tax should be paid, and the rate of tax that should be paid when wastes that would normally attract the lower rate of landfill tax are deemed hazardous. The Authority has an interest in this matter as relatively small amounts of bottom ash from the energy-from-waste plant at the Edmonton EcoPark are sent to landfill by LondonWaste Ltd and this may be true of future waste treatment facilities commissioned by the Authority. Accordingly officers consider that the Authority should respond to the consultation and therefore recommend that the Authority delegates authority to the Managing Director in consultation with the Chair to respond to the consultation on behalf of the Authority. The closing date for comments is 18 August 2016.

5.0 COMMENTS OF THE LEGAL ADVISER

5.1 The Legal Adviser has been consulted in the preparation of this report and comments have been taken into account in the report.

6.0 COMMENTS OF THE FINANCIAL ADVISER

6.1 The Financial Adviser has been consulted in the preparation of this report and has no further comments.

Local Government Act 1972 - Access to Information

Documents used: Application documents for application 160923, postcode reference E10 5BY available at:
<https://planning.walthamforest.gov.uk/Planning/lg/GFPlanningWelcome.page>

Strengthening Local Government Transparency,
Consultation on changes to the Local Government
Transparency Code 2015, Department for Communities and
Local Government, May 2016

Landfill Tax: improving clarity and certainty for taxpayers,
HMRC, 26 May 2016

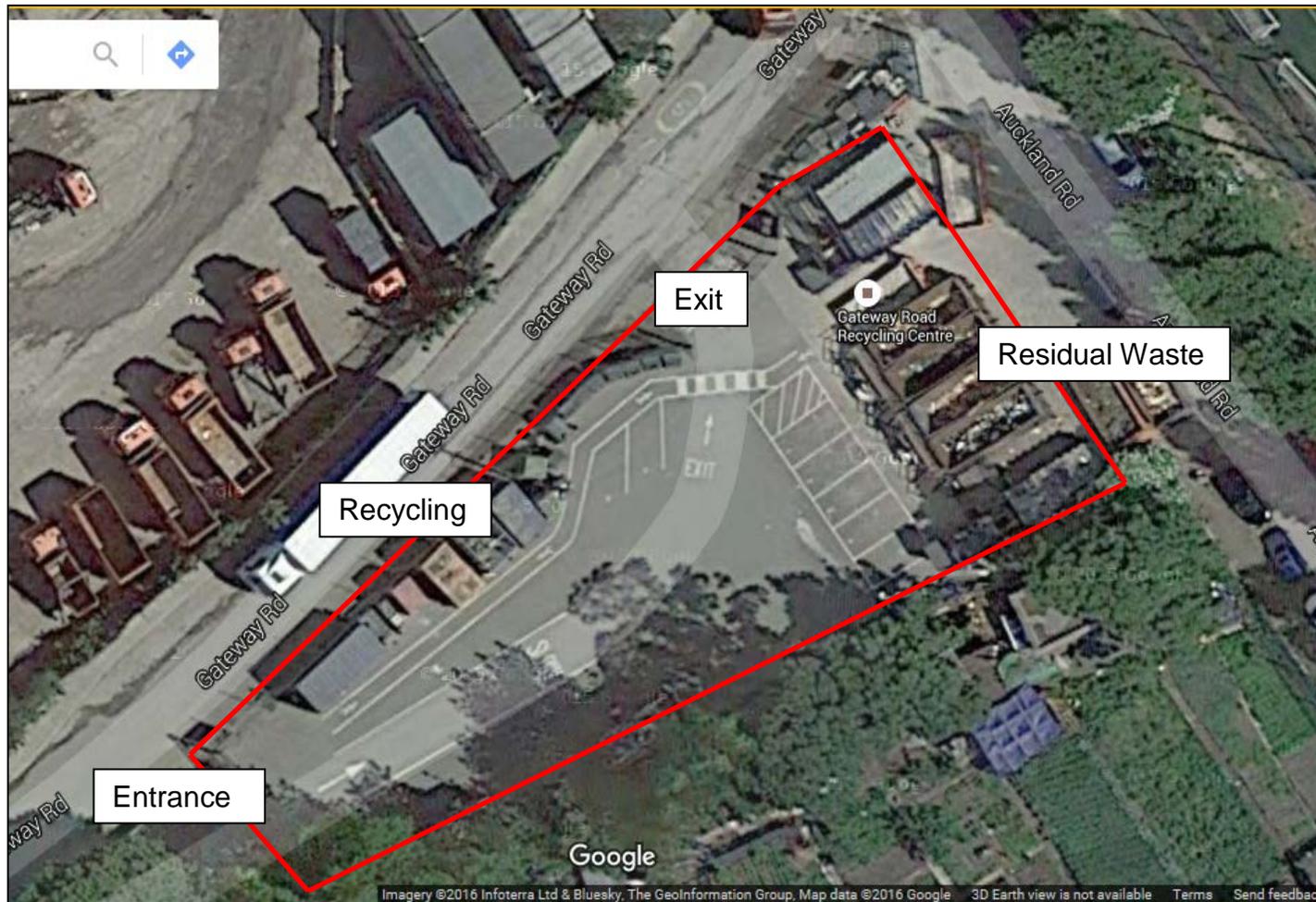
Contact Officers:

Andrew Lappage, Head of Operations
Barbara Herridge, External Relations Manager

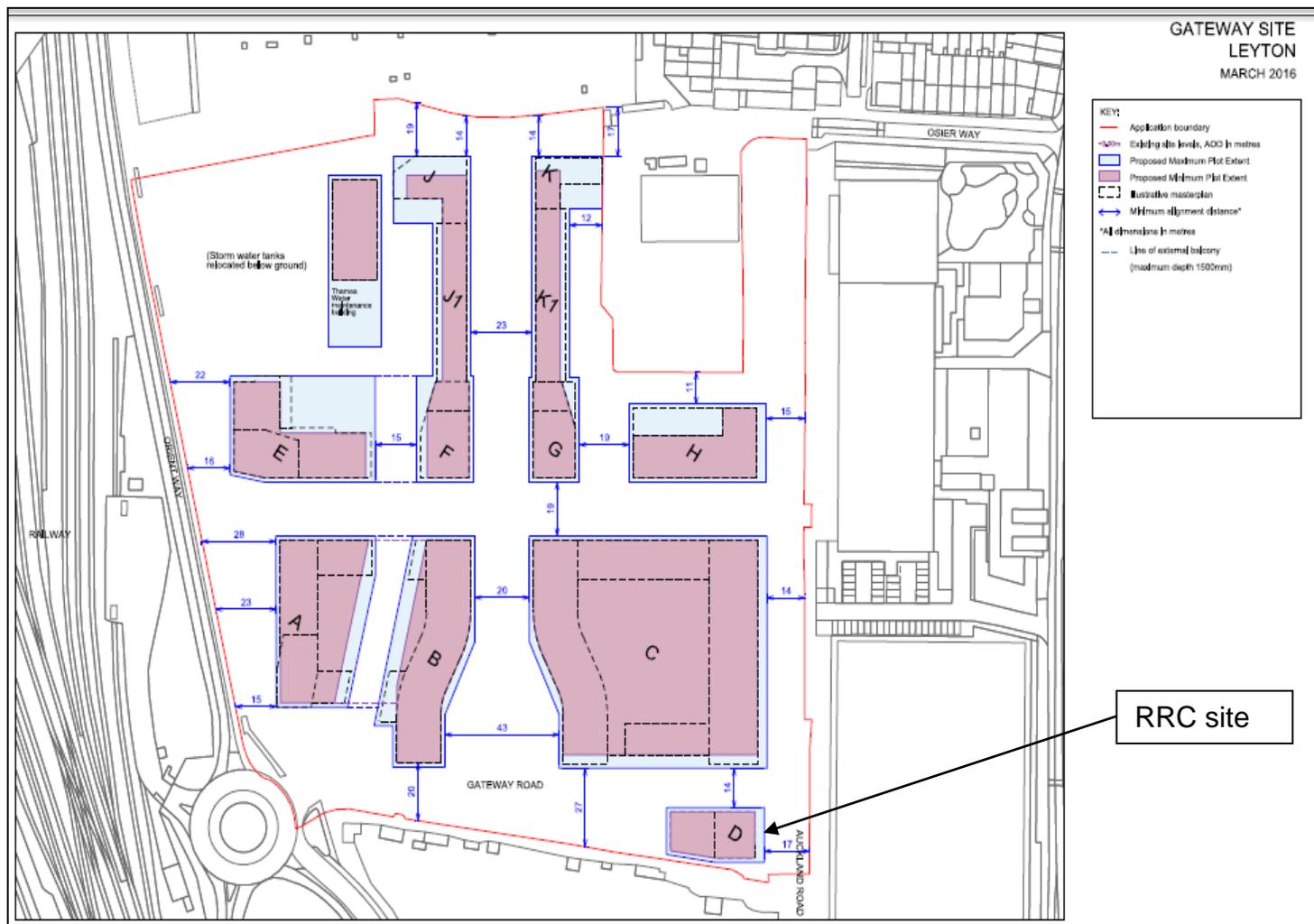
Unit 1B, Berol House
25 Ashley Road
Tottenham Hale
N17 9LJ

Tel: 020 8489 5730
Fax: 020 8365 0254
E-mail: post@nlwa.gov.uk

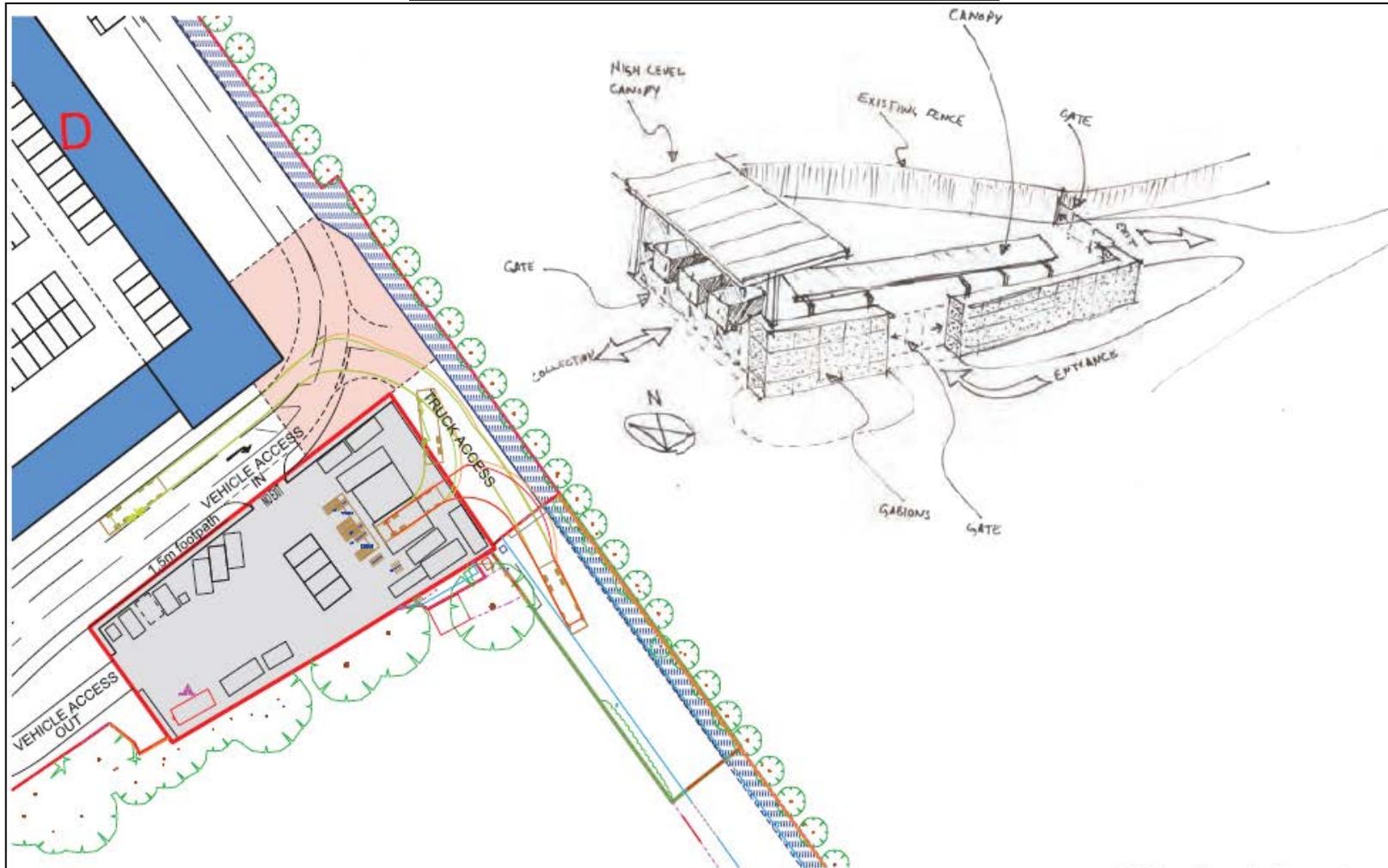
Current Gateway Road RRC (approximate boundary)



General Overall Site Layout in Planning Application



Possible RRC Layout in Planning Application



APPENDIX 1.4

Draft Authority response to Bywaters (Leyton) Ltd outline planning application for Gateway Road

18 June 2016

By email to: dmconsultations@walthamforest.gov.uk



**North London
Waste Authority**

Unit 1B
Berol House
25 Ashley Road
Tottenham Hale
London N17 9LJ

T 020 8489 5730
E post@nlwa.gov.uk
W nlwa.gov.uk
wiseuptowaste.org.uk

FAO: Development Management
London Borough of Waltham Forest
Sycamore House
Town Hall Complex
Forest Road
Walthamstow,
E17 4JF

Dear Development Management department,

**Ref: Outline planning application for Gateway Road, submitted by
Bywaters (Leyton) Ltd, application reference 160923**

The North London Waste Authority (NLWA) is pleased to provide a response as detailed below on the outline planning application submitted by Bywaters (Leyton) Ltd for Gateway Road (Postcode E10 5BY, application reference 160923).

North London Waste Authority (NLWA) is the statutory joint waste disposal authority for north London and as such is responsible for the disposal of waste collected by seven north London boroughs namely, Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest. NLWA also arranges for the recycling and composting of waste collected by six of the boroughs, and has a duty to organise the management of reuse and recycling centres (RRCs), the one exception being where a borough is managing the RRC themselves under its Localism Act powers.

The Authority has an interest in the outline application to redevelop Gateway Road because the proposals include redevelopment of the on-site RRC, one of the network of RRCs provided in north London and managed by NLWA on the boroughs' behalf.

NLWA is also the owner of LondonWaste Ltd (LWL), which owns the Edmonton EcoPark in Enfield and which operates an Energy-from-Waste (EfW) facility and other processes there as well as being contracted to operate RRCs across north London, including Gateway Road.

NLWA has reviewed the documents supplied in support of the outline planning application for the Gateway Road site but we are confining our comments to the proposals which affect the RRC.

I trust that you find our response of interest, but if you have any additional questions then please do not hesitate to contact me at the address above or directly by email to: barbara.herridge@nlwa.gov.uk

Yours sincerely

David Beadle
Managing Director

Bywaters (Leyton) Ltd outline planning application for Gateway Road – comments from the North London Waste Authority (NLWA)

1.0 Introduction to north London's provision of RRCs

1.1 There are nine reuse and recycling centres (RRCs) in north London serving a population of 1.9 million residents. In 2010 NLWA agreed a policy on the provision of RRCs in its area as follows:

“ to aim to have 95% of residents within 2 miles (measured in a straight line) of a Re-use and Recycling Centre as it seeks greater coverage and improved services. At present an estimated 76% of residents fall within this distance.”

The Gateway Road site is part of that provision.

1.2 The RRC network makes an important contribution to the recycling rate for north London – NLWA and the seven constituent boroughs aim to reach 50% recycling by 2020, a target set out in the North London Joint Waste Strategy. The current (2015/16) recycling rate is 32%, down from 33% in 2014/15. However, recycling rates have been improving at the RRCs – up from 54% overall in 2006/07 to 64% in 2014/15 (excluding rubble) which exceeds the North London Joint Waste Strategy target to achieve 60% recycling and composting diversion rates at all north London re-use and recycling centres by 2015.

1.2 All the north London reuse and recycling centres (RRCs) are owned by the boroughs with the exception of the Gateway Road RRC (E10 5BY) which is owned by Bywaters (Leyton) Ltd (Bywaters). The London Borough of Waltham Forest established the Gateway Road site with Bywaters and London Recycling Fund funding on land leased from Bywaters so it is different from all the other north London RRCs in land ownership terms. However, in practical and operational terms it is managed along with the other sites as part of the north London network (the RRC in Enfield is managed by the borough under their Localism Act powers). Accordingly NLWA and LondonWaste Ltd seek to provide a consistent service across the network with the same policies across the sites for example regarding acceptance of rubble and procedures for booking in vans to the sites. NLWA promotes the services of the RRCs through its website <http://wiseuptowaste.org.uk/recycle/reuse-and-recycling-centres>

2.0 The scheme proposals and NLWA's comments

2.1 The proposals for redeveloping Gateway Road include the redevelopment of the RRC on a temporary basis with the longer term proposals (in phase 4 of the site development) for the RRC to be relocated offsite at a location to be determined.

2.2 Whilst the current RRC is not covered or enclosed the proposals for the redevelopment of Gateway Road include the installation of a canopy over the waste containers at the side and rear of the RRC. Based on the drawing and photographic examples included with the application, this canopy would be to cover loose waste contained in push wall (gabion) bays. NLWA is concerned about any proposals for loose waste on-site as

there is a risk of a pile of waste falling whilst they are depositing wastes. The Environment Agency may not be willing to permit some wastes to be stored loose in bays. Gabion walls and supporting structures for a new canopy to screen the redeveloped RRC from the new residential and commercial properties will take up more land than the current simple fencing which is not the most productive use of the land available. NLWA argues that all waste should be containerised, none of it should be loose, and if a canopy was to be installed it would need to be of a suitable height to allow machinery to tamp down waste in containers and for collection vehicles to exchange containers i.e. to replace full containers with empty ones in order to be an effective operation. The proposals need to work from an operational perspective.

- 2.3 There is no fence or gate around the rear of the RRC – currently where Bywaters exchanges containers for the existing RRC. The gate and fence line would need extending to this area in order for the temporary RRC to be able to operate.
- 2.4 Overall the new redeveloped RRC appears smaller than the current RRC and even if it is the same size as the current operation the proposed new site provides reduced provision e.g. there is no provision for welfare facilities. Currently site staff use the Bywaters' welfare facilities at Gateway Road, but with the Bywaters moving off site the RRC will need to have its own on-site provision. Secondly as noted above it appears that access to the rear of the site, which is essential for site operations (changing containers) is being removed. If this is the case it makes the site unworkable from an operational perspective.
- 2.5 Confirmation is needed on the allocation of land behind the allotments, which is currently a roadway. In the submitted plans this area has been highlighted as land for the RRC. It is essential that the road is retained for vehicle use for emergency access and for servicing the site, essential requirements for operation. The proposed layout reverses the direction of traffic flow back to a previous plan, notwithstanding that the current traffic flow makes recycling the first and most convenient thing for residents to do rather than residual waste disposal.
- 2.6 The block opposite the RRC is going to be redeveloped into commercial units on the ground floor and flats above. The redeveloped block is very close to the temporary RRC (which is not fully enclosed). Accordingly the Authority is concerned about the possibility of noise impacts affecting residents. The RRC is open from 8.30am, but the current permit allows operations from 6.00 am for container exchanges etc before the site opens. Whilst it is very possible to have RRCs located adjacent to residents and the Islington RRC is a good example of this where the RRC, waste transfer station and office buildings adjoin residential flats. However, the Islington facility is fully enclosed to reduce noise impacts. This is not the same position at Gateway Road particularly given current permitting arrangements, including operational hours. The Authority is therefore very concerned about the co-location of the RRC as designed so close to commercial units and residential flats.

- 2.7 The design and access statement confirms that the RRC compromises part of the townscape which is welcomed by NLWA and Phase 4 of the development identifies the RRC as being replaced. The Authority is concerned with two aspects of this element of the application: Firstly we question how something which is part of the townscape can then be re-located. Secondly the Authority is concerned about the difficulty of finding a suitable replacement site for the RRC. Given the pressure on land locally and particularly the pressure to identify land for additional housing development the Authority is concerned about the likelihood of finding a suitable replacement site within the vicinity of the current location. It would be NLWA's preference to locate a replacement site within the same locality in order to meet the Authority's policy requirements regarding RRC provision.
- 2.8 The Authority's other concern about the relocation of the RRC is whether there would be a desire to move the RRC outside of the NLWA area, e.g. to co-locate the RRC with the Bywaters' waste management facility in its move to Bow. NLWA opposes any such move for the reasons set out above regarding provision of RRC facilities in the NLWA area.
- 2.9 It is essential that the Authority is engaged in the final design of the temporary RRC and that outline permission should not be granted until NLWA has seen details of the revised RRC and confirms that it can operate. Outline permission for the redevelopment of Gateway Road should therefore not be granted until the Authority is satisfied that the RRC is workable.

APPENDIX 2

Draft Authority response to the DCLG consultation on changes to the local government transparency code 2015

18 June 2016

By email to: TransparencyCode@communities.gsi.gov.uk



**North London
Waste Authority**

Unit 1B
Berol House
25 Ashley Road
Tottenham Hale
London N17 9LJ

T 020 8489 5730
E post@nlwa.gov.uk
W nlwa.gov.uk
wiseuptowaste.org.uk

FAO: Mr J. Jobe
Department for Communities and Local Government,
2nd Floor, NE, Fry Building,
2 Marsham Street
London
SW1P 4DF

Dear Mr Jobe

Ref: Strengthening Local Government Transparency – Consultation on changes to the Local Government Transparency Code 2015

Thank you for providing the North London Waste Authority (NLWA) with the opportunity to respond to the consultation on changes to the Local Government Transparency Code. This is the official response on behalf of the North London Waste Authority. This letter forms part of our response.

North London Waste Authority (NLWA) is the statutory joint waste disposal authority for north London and as such is responsible for the disposal of waste collected by seven north London boroughs namely, Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest. NLWA is the second largest (by tonnage) waste disposal authority in the country.

The Authority provides the mandatory information required under the Local Government Transparency Code 2015 and makes the information available on a separate page of its corporate website: <http://www.nlwa.gov.uk/governance-and-accountability/transparency-and-supplier-payments>

As the Authority has awarded its main waste contract to LondonWaste Ltd, which is wholly owned by the Authority, NLWA also provides a redacted copy of its contract with LondonWaste Ltd on the above web page.

I trust that you find our response of interest, but if you have any additional questions then please do not hesitate to contact me at the address above or directly by email to: barbara.herridge@nlwa.gov.uk

Yours sincerely

David Beadle
Managing Director

DCLG Questions on changes to the Local Government Transparency Code 2015 ('the Code') – North London Waste Authority Response

In this Authority response we have combined question responses into the following groups:

1. Comments on proposals for centralising information - applicable to land and property and procurement
2. Comments on proposals for publishing information about the decision making process of retaining, or taking, a service 'in house'.
3. Comments upon the method of publication.
4. Comments on the proposed new requirements for publishing information about dealings with small and medium-sized enterprises

1.0 Comments on proposals for centralising information

1.1 The Authority agrees that if authorities were to record details of their land and property assets in a consistent way on ePIMS that this would make the information more accessible for tax payers. Similarly the Authority considers that proposals to record procurement information centrally are acceptable.

1.2 However, centralised reporting is considered acceptable provided that:

- (a) the central source is easily accessible by reference to the area so that local residents can find local data easily;
- (b) the format is an easy to use one and preferably doesn't require additional software; and
- (c) the central source has the capacity to include references to important contextual information from the relevant authority;
- (d) any additional reporting obligations should avoid Local Authorities having to report the same information in different formats for different purposes or in different places;
- (e) DCLG should guard against a fragmentation of where Local Authorities have to report what information (land, contracts, others), as this will only make it harder for local residents to find information, and could thereby undermine public confidence; and
- (f) in relation to reporting on land potentially suitable for housing the requirement should be to publish only current planning designations; to do otherwise could undermine proper planning policy processes, particularly if the judgements on housing suitability are made by people with no relevant experience, training or qualifications.

2.0 Comments on proposals for publishing information about the decision making process of retaining, or taking, a service 'in house'

2.1 The Authority understands the desire to apply the same level of transparency to contracts awarded to in-house services as is applied to contracts awarded to the private sector and supports this driving principle. However the requirements for transparency regarding in-house contracts

and the decision-making process for the same should be no more onerous than those which apply to externally contracted services. This includes obligations and exemptions under FoI, EiR and LGA 1972 Schedule 12A (as amended). If DCLG is minded to place further burdens on authorities in this regard, we suggest that it should not do so without first consulting on specific proposals.

- 2.2 DCLG is reminded of the role of the External Auditor, and the tests he/she applies to ensure value for money for local residents.
- 2.3 In order to minimise burdens for Local Authorities, the Authority would recommend that this requirement is limited. The consultation document suggests that the requirement could be limited to services with a threshold value in excess of £500,000, however no rationale is provided for this limit. The Authority recommends that both a value limit and rationale is required before concluding a final amount for triggering publication of this category of information.

3.0 Method of publication

- 3.1 Before DCLG decides on a method of publication, it should consider the (dis)benefits of standardisation of data for the sake of simplicity and comparability as against the risk of misunderstandings and erroneous conclusions due to an absence of contextual information. Also, DCLG should give consideration to the differences of single-purpose Local Authorities, and whether a simpler regime might apply to bodies such as NLWA.
- 3.2 The Authority suggests that DCLG should pilot its proposals before requiring all relevant Local Authorities to comply with them.
- 3.3 From the consultation paper it appears (provided the above issues are addressed) that any impact on staff time is expected to be neutral as we already publish information on our existing web-site. However, wherever there appears to be a risk of new burdens, we have asked that DCLG consults on the specifics of these if they are likely to arise.

4. Proposed new requirements for publishing information about dealings with small and medium-sized enterprises

- 4.1 The Authority understands why it would be useful for authorities to publish information regarding the value of contracts awarded to SMEs. However, in NLWA's case for example there would be some practical barriers to implementing this requirement immediately.
- 4.2 Local authorities should only have to report at the time of contract award. This will avoid the burdens of re-assessing past contract awards and of monitoring whether an appointed contractor's status changes during a contract.

- 4.3 As previously noted, it is important to avoid duplication of reporting on contract awards, and to ensure the definition of SME is clear, particularly in relation to the third sector, and to consortia.
- 4.4 DCLG might also wish to consider the desirability and practicability of Local Authorities reporting not only on consortia that involve one or more SMEs but also partnership and sub-contracting arrangements that involve SMEs. If this is not done, DCLG may under-report real SME activity.
- 4.5 Given the above considerations the Authority considers that publishing this data should be a recommendation rather than a requirement.
- 4.6 At this stage it is not possible to quantify the added cost or staff hours that would be involved in publishing this data at this stage because no assessment has been carried out of the proportion of suppliers already registered on our supplier database for whom size information is not currently recorded or for whom the information is out-of-date. DCLG should consult further on any specific proposals that will create new burdens on authorities.

REPORT ENDS