

**NORTH LONDON WASTE AUTHORITY**

**REPORT TITLE:**

STRATEGY UPDATE

**REPORT OF:**

PROCUREMENT DIRECTOR

**FOR SUBMISSION TO:**

NORTH LONDON WASTE AUTHORITY

**DATE:**

27 June 2013

**SUMMARY OF REPORT**

This report provides the regular update on planning and waste policy issues affecting the Authority and its procurement for future services.

**RECOMMENDATIONS**

The Authority is recommended to:

1. Agree the consultation response submitted by officers to meet external deadlines in respect to the North London Waste Plan (NLWP).
2. Delegate authority to the Director of Procurement in consultation with the Chair to respond to the Government's call for evidence on environment and climate change.
3. Note the response as outlined in Sections 1 and 2 to:
  - London Borough of Enfield's Proposed Submission Draft North Circular Area Action Plan (NCAAP);
  - London Borough of Haringey's Planning Policy – Community Infrastructure Levy Draft Charging Schedule;
  - Government's consultation on Implementation of the WEEE Recast Directive 2012/19/EU and Proposed Changes to the UK WEEE System; and
  - Defra's funding review for WRAP.

**SIGNED:**

**Director of Procurement**

**DATE:**

**12 June 2013**

## **1. PLANNING STRATEGY ISSUES**

### **NORTH LONDON WASTE PLAN (NLWP) CONSULTATION**

- 1.1 Following the Planning Inspector's decision last year that the previously submitted waste plan failed to meet the Duty to Co-operate, the north London boroughs have individually agreed to develop, and are now developing a new plan ("The Plan").
- 1.2 As before, the aim of The Plan is to set the strategic planning framework for the allocation of sites for waste management in the area and the accompanying policies to be used when boroughs assess planning applications for waste facilities.
- 1.3 This consultation is the start of the process to prepare The Plan and the boroughs are inviting representations about what The Plan should contain. In particular comments are invited upon:
  - The content of The Plan;
  - The need for new waste facilities;
  - The characteristics of a site suitable for waste use;
  - Proposals for waste sites; and
  - Policies to ensure that waste developments are suitable in terms of local, environmental impact and any other important considerations.
- 1.4 Officers submitted a response on 7 June to meet the deadline. The officer response noted that the Authority had considered the proposed submission version (May 2011) of the old NLWP to be sound and to generally meet the needs of the Authority with regards to its statutory obligations for managing municipal waste from the seven north London boroughs subject to changes indicated in the response at the time.
- 1.5 The response reiterates points previously approved by Members in response to the old NLWP namely:
  - more new sites need to be allocated for waste use in north London, support is provided in this regard for allocating Pinkham Way and a replacement Hendon site;
  - existing waste sites must continue to be protected;
  - a criteria based approach to assessing the suitability of new sites for HWRCs is acceptable (rather than allocating specific sites now); however, if this approach is not adopted the response argues for additional consultation in order to allow time to put forward potentially suitable sites for consideration; and

- previously proposed planning policies were acceptable with minor changes that we suggested at the submission stage of the old plan.

1.6 The key new points made in the response are:

- updates are required to take account of new waste arisings information such as updated borough planning policies; it is suggested that a new chapter is added to the plan to cover waste projections in more detail;
- that consideration should be given to the inclusion of construction and demolition and hazardous waste within the scope of the new plan;
- that consideration needs to be given during the process of developing the new plan to the possible release of draft site assessment scores to allow for relevant public knowledge and engagement.

1.7 Members are recommended to agree the officer response attached at Appendix A.

### **PROPOSED SUBMISSION DRAFT NORTH CIRCULAR AREA ACTION PLAN**

1.8 The London Borough of Enfield launched a seven week consultation on the preparation of a North Circular Area Action Plan (NCAAP) for South West Enfield. The plan area stretches along the north circular eastwards from the border with Haringey and Barnet (abutting Pinkham Way) covering the area between New Southgate on the west and the start of the Great Cambridge Road approach to the east.

1.9 Officers submitted a short letter of response on 29 May to meet the LB Enfield deadline. This response sought to correct the factual references to Pinkham Way and update the information referred to in the NCAAP.

1.10 The Authority is recommended to note the officer response attached at Appendix B.

### **HARINGEY PLANNING POLICY – COMMUNITY INFRASTRUCTURE LEVY DRAFT CHARGING SCHEDULE**

1.11 The London Borough of Haringey has published for consultation its Community Infrastructure Levy (CIL) Draft Charging Schedule. This consultation started on 26 April and ended on 14 June.

1.12 The consultation document set out the Council's Draft Charging Schedule and sought comments prior to the submission of the schedule for examination in public.

- 1.13 To meet the consultation deadline, officers have submitted a response in consultation with the Chair, consistent with the Authority's previously agreed view of encouraging waste developments to be seen as community infrastructure. This means that rather than attracting a CIL charge, the relevant borough would seek a CIL contribution from other new developments towards the cost of any new waste infrastructure.
- 1.14 The Authority is recommended to note the officer response attached at Appendix C.

#### **ENFIELD COMMUNITY INFRASTRUCTURE LEVY – PRELIMINARY DRAFT CHARGING SCHEDULE**

- 1.15 The London Borough of Enfield has published for consultation its Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule. This consultation started on 7 June and will be for a period of six weeks until 19 July.
- 1.16 The consultation document sets out the Council's Preliminary Draft Charging Schedule and revised draft of the Infrastructure Delivery Plan.
- 1.17 It is proposed that industry, offices, leisure facilities and hotels will attract a £0 CIL charge in all parts of the borough.
- 1.18 The consultation makes reference to the relationship between CIL and Section 106 Planning Obligations and states that Section 106 planning obligations are to be scaled back to cover site specific mitigation, affordable housing and contributions to revenue projects. It is, however, not clear how and when this will apply and whether the planning application for the Edmonton Site will be subject to CIL, Section 106 or a combination. This will be raised with LB Enfield as part of the consultation response.
- 1.19 Officers will submit a response consistent with the Authority's previously agreed view (September 2012 Authority Meeting) of encouraging waste developments to be seen as community infrastructure and will provide the submitted response for Members to note.

## **2. WASTE STRATEGY ISSUES**

### **CALL FOR EVIDENCE: ENVIRONMENT AND CLIMATE CHANGE**

- 2.1 Defra and DECC have jointly issued a call for evidence seeking views on how EU Environment and Climate Change policies affects the UK.
- 2.2 The call for evidence period is between 20 May and 12 August and forms part of Government's review of the balance of competences between the UK and the EU.
- 2.3 The review of the balance of competences is broken down into a series of reports, with the environment and climate change report to be completed by the end of 2013.
- 2.4 The call for evidence lists the key issues as including: climate change; water and marine; air quality; industrial pollution; chemicals; genetically modified organisms (GMOs); waste; nature protection and biodiversity; noise, and environmental impact assessments. It does not include renewable energy as it states that whilst this is clearly climate and environment related it is also about security of supply and energy efficiency.
- 2.5 As it focuses on gathering evidence, officers are currently compiling the appropriate information to demonstrate the merits or otherwise of EU waste policy which directly affects the Authority as well as demonstrating that any new policies should reflect new burdens on local areas.
- 2.6 The evidence will focus on the advantages and disadvantages to the Authority of EU legislation such as the revised waste framework directive, landfill directive, packaging and packaging waste directives and the waste incineration directive. These are particularly relevant to the Authority's present activities and potential future activities. Specific information will also be provided to demonstrate whether or not national interests are better served when decisions are made at national / regional level rather than at EU level. Generally, the response is expected to be positive and will recognise the benefits of EU policy in the UK.
- 2.7 The response will not be complete in time for the June Meeting and so to meet the required response deadline, The Authority is recommended to delegate authority to the Director of Procurement in consultation with the Chair to respond to the Consultation.

## **IMPLEMENTATION OF THE WEEE RECAST DIRECTIVE 2012/19/EU AND PROPOSED CHANGES TO THE UK WEEE SYSTEM**

- 2.8 The Department for Business Innovation and Skills (BIS) has issued a consultation on potential reforms to the legislative arrangements for managing waste electrical and electronic equipment (WEEE) in the UK.
- 2.9 The Government notes that there are concerns firstly that the current system leads to producers over-paying for the costs of collection and processing and secondly that the administrative burden placed on small producers is too high. The consultation outlined four options for structuring the UK system in the future:
1. Do nothing – i.e. maintain the current system of compliance.
  2. Create a single national compliance scheme which would replace the current 38 PCSs with a single monopoly scheme funded by producers.
  3. Allow multiple compliance schemes to continue to operate but set each PCS a collection target by WEEE stream at the start of each year – based on their membership and the Directive targets. This option would also introduce a compliance fee which would enable PCSs to pay the fee as an alternative to collecting WEEE.
  4. Allow multiple compliances schemes to continue to operate, but establish a national WEEE matching centre which allocates collection sites to individual compliance schemes.
- 2.10 Officers have reviewed the consultation document and propose a response that endorses the majority of the proposals in the consultation document and that a version of option 3 would be the most effective approach to future compliance.
- 2.11 The Authority is recommended to note the officer response which was submitted in accordance with the BIS deadline of 21 June and is attached at Appendix D.

## **DEFRA FUNDING REVIEW FOR WRAP**

- 2.12 On 3 May 2013, Government published a Consultation on a review of funding for WRAP in England. The Consultation was open for 3 weeks and closed on 24 May.
- 2.13 Officers submitted a response in consultation with the Chair of the Authority.
- 2.14 The response recognised WRAP's effort at a national level but raised issues around the applicability of delivering national initiatives in a local context.

2.15 The Authority is recommended to note the response attached at Appendix E.

**3. LEGAL ADVISOR COMMENTS**

The Legal Adviser has been consulted in the preparation of this report and has no comments.

**4. FINANCE ADVISOR COMMENTS**

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

## DOCUMENTS USED:

Initial Consultation on North London Waste Plan. Available at: [www.nlwp.net](http://www.nlwp.net).

Proposed Submission Draft North Circular Area Action Plan. Available at: [http://www.enfield.gov.uk/info/200057/planning\\_policy/506/north\\_circular\\_area\\_action\\_plan](http://www.enfield.gov.uk/info/200057/planning_policy/506/north_circular_area_action_plan)

London Borough of Haringey's Planning Policy – Community Infrastructure Levy Draft Charging Schedule. Available at: [www.haringey.gov.uk/CIL](http://www.haringey.gov.uk/CIL)

London Borough of Enfield's Community Infrastructure Levy. Available at: [www.enfield.gov.uk/cil](http://www.enfield.gov.uk/cil)

Government's Call for Evidence: Environment and Climate Change. Available at: [https://consult.defra.gov.uk/eu/balance\\_of\\_competences](https://consult.defra.gov.uk/eu/balance_of_competences)

The Department for Business, Innovation and Skills Consultation on Implementation of the WEEE Recast Directive 2012/19/EU and Proposed Changes to the UK WEEE System; Available at: <https://www.gov.uk/government/consultations/waste-electrical-and-electronic-equipment-weee-implementing-the-recast-directive-and-uk-system-changes>

Review of Defra's funding review for WRAP in England. Available at: <https://www.gov.uk/government/consultations/opportunity-to-comment-on-defras-funding-review-for-wrap>

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