

NORTH LONDON WASTE AUTHORITY

REPORT TITLE:

NORTH LONDON WASTE PLAN DOCUMENT UPDATE

REPORT OF:

HEAD OF WASTE STRATEGY AND CONTRACTS

FOR SUBMISSION TO:

AUTHORITY MEETING

DATE:

25th September 2009

SUMMARY OF REPORT:

This report updates Members on progress made since the meeting on 11th February 2009, regarding the Joint Waste Development Plan Document for North London, the 'North London Waste Plan', (NLWP). The report covers progress on developing the Preferred Options report for the NLWP and outlines the next steps in the development of the NLWP.

RECOMMENDATIONS

The Authority is recommended to:

- (i) note the contents of this report;
- (ii) note that a response to the consultation on the Preferred Options report on the North London Waste Plan will be required from the Authority and that this will be brought to a future Authority meeting for consideration if consultation timings allow this; and
- (iii) should insufficient time be available to bring a draft response to a full Authority meeting, delegate authority to the Head of Waste Strategy and Contracts in consultation with the Chair and Vice Chairs to submit a response to the North London Waste Plan Preferred Options report consultation.

**Signed by Head of Waste Strategy
and Contracts**

Date: 16th September 2009

1.0 BACKGROUND TO THE NORTH LONDON WASTE PLAN

- 1.1 In North London, the constituent borough councils are working together as planning authorities to prepare a Joint Waste Development Plan Document for the area entitled the 'North London Waste Plan', (NLWP). The plan will create the shared land-use planning framework for sites for all wastes (municipal, commercial and industrial, construction, demolition and excavation and hazardous) in North London up to 2021, (previously 2020). The NLWP will consider how this waste can be managed using a mix of technologies and will safeguard sufficient sites across the seven boroughs to enable this to happen. The plan will also enable the seven boroughs to collectively meet the waste apportionment targets contained within the London Plan, the Mayor of London's spatial strategy for the capital. (These targets outline how much waste each borough is required to manage, taking account of a range of factors, including both the amount of waste that the borough generates, as well as the borough's capacity to manage waste, in terms of available industrial land, density of roads for transporting it etc.) The North London Waste Plan will, once adopted, provide a framework of identified sites suitable for waste facilities and for meeting North London's future needs for managing all waste streams and types. The North London Waste Plan will also become part of each of the constituent boroughs' own Local Development Frameworks.
- 1.2 In preparing the NLWP the boroughs deal with the NLWP separately and independently in their capacity as planning authorities, as opposed to their role as municipal waste collection authorities or as constituent borough councils of the North London Waste Authority. The involvement of the Authority in the NLWP is as a key stakeholder, and the Authority responds accordingly and separately in its own right to any consultations issued about the NLWP. The North London Joint Waste Strategy is also an important consideration for the NLWP development process but the planning authorities must take other considerations into account in coming to their conclusions, particularly as the municipal waste stream covered by the North London Joint Waste Strategy may be only a quarter of the total waste stream to be provided for by the NLWP.
- 1.3 The Barnet Cabinet report which recently considered the draft 'Preferred Options' report for the NLWP additionally noted that the NLWP has taken into account the North London Waste Authority's 'reference project' submitted to DEFRA in its Outline Business Case for PFI Credits.
- 1.4 Members of the Authority are provided with a six monthly update on the NLWP. The last update was provided in February 2009. At the June 2009 Authority meeting it was also resolved that Councillor Belam be appointed as a Member observer to the North London Waste Plan Planning Members' Group for the forthcoming year and that Councillor Harper be appointed as a substitute observer for the same period.

2.0 PROGRESS ON THE WORK PROGRAMME

Overview and Timetable

- 2.1 Since the last full Authority report on this matter, work has progressed on preparing the next stage of the NLWP – the Preferred Options report. This stage of the Plan identifies preferred site options for waste facilities in North London and introduces policies with which developers must comply. The up-to-date timetable below outlines the stages in the plan preparation process.

North London Waste Plan Timetable

1. Preparatory work on Issues and Options – 2007 (completed)
 2. Consultation on Issues and Options – Jan/March 2008 (completed)
 3. Consultation on Preferred Options – October/November 2009
 4. Publication of Submission Version – November 2010
 5. Submission of Plan to Secretary of State – March 2011
 6. Examination in public by planning inspector – June 2011
(Inspector's report published – September 2011)
 7. Adoption of Plan – December 2011
- 2.2 The Preferred Options report for the Plan is currently going through the relevant approval process within each borough, prior to its release for public consultation (stage 3 above) later in the autumn. At the time of writing this report, the NLWP Planning Members' Group, a non-executive body which consists of the senior planning policy Member from each borough, has commended the draft Preferred Options report to the Boroughs for their formal consideration. At the time of writing it has been approved by the London Boroughs of Barnet (1st September), Haringey (8th September), Camden (9th September) but not yet by the other four borough councils. The draft Preferred Options report is being considered by Waltham Forest on 15th September, Islington on 17th September, and Hackney on 8th October. It is believed the Enfield Local Development Framework Cabinet Sub-Committee may consider the report on 28th September as it has previously considered NLWP matters and this is the date of its next meeting.
- 2.3 The Barnet Cabinet report notes that waste plans have 'proved problematic' on a national scale and only 10 Minerals and Waste Plan have been found sound. A much larger number have been withdrawn. Therefore, as part of the Planning Inspectorate's Local Development Framework support programme the NLWP Preferred Options Report is also currently subject to a 'critical friend' assessment by a planning inspector. (This stage is not shown in the timetable above). The inspector will identify the key risks faced by the NLWP's proposed way forward and how these can be addressed before the next stage, known as publication (stage 4 above) where the scope for further change to the Plan is limited.

Basis of this report

- 2.4 The Authority has not formally received a copy of the draft Preferred Options report for the North London Waste Plan and will not have a copy of the consultation draft until it is published for public consultation. It is at this point that the Authority will be able to respond. The report which follows is therefore based upon the draft Preferred Options report which is progressing through borough approvals processes and which is available on constituent borough websites along with the associated officer reports. The following reports have therefore been used to prepare this Authority paper: the reports prepared and published for the Barnet Cabinet meeting on 1st September, the Haringey Cabinet meeting on 8th September, the Camden Executive meeting on 9th September, the Waltham Forest Cabinet meeting on 15th September and Islington Executive meeting on 17th September. These were the only sources of information on the NLWP Preferred Options report available at the time of writing.
- 2.5 Additionally, because the NLWP Preferred Options report is still at draft stage, and not yet subject to public consultation, the Authority report which follows simply outlines some of the key aspects of the Preferred Options report which are relevant to the Authority. It additionally seeks delegated authority, should it be required, to submit a response to the consultation on the Preferred Options report if timescales preclude a response coming to a full Authority meeting for review and approval.

Draft Preferred Options Report – Summary

- 2.6 The vision of the NLWP is outlined in the draft Preferred Options Report (Section 2) as follows:
“The North London Waste Plan aims to help North London become more self-sufficient in managing the waste it produces. We will do this through the intensification of existing waste management facilities, the re-orientation of existing waste transfer stations into waste management facilities and the identification of a small number of additional sites for new waste facilities. In dealing with waste North London boroughs will seek to maximise the opportunities for green jobs and decentralised energy and ensure that well designed, high quality waste facilities are developed.”
- 2.7 In addition to setting out the vision of the NLWP, the Preferred Options report for the NLWP also sets out a series of aims and objectives for the Plan whilst noting the outcome of the consultation process on the ‘Issues and Options’ stage of the Plan development process. These consultation responses, in addition to the outcomes of a Sustainability Appraisal, a Strategic Flood Risk Assessment, an Equalities Impact Assessment and a Habitats Regulations Assessment have all been taken into account in preparing the Preferred Options Report. It is anticipated that the consultation draft of the Preferred Options report will be accompanied by a Sites Technical Report¹ that will include more detailed information on the sites assessment process.

¹ The Sites Assessment Report listed as Appendix 5 in the draft Preferred Options Report should have been removed as the matter is being dealt with as above.

Site Identification

2.8 A key aspect of the draft Preferred Options report is that it identifies preferred site options for waste facilities in North London, as well as existing transfer and treatment sites. Following on from the Issues and Options consultation, potential new sites have been assessed and scored using a range of criteria including potential for energy generation, proximity to main roads, rail and waterways, proximity to open land, proximity to residents and access to the site. The Preferred Options report notes that only the highest scoring sites have been identified within the Plan as they represent the most suitable sites for waste management use according to the environmental, sustainability, social and economic criteria against which the sites were assessed.

Use of the NLWP

2.9 The draft Preferred Options report notes that the NLWP should be used by potential developers to find appropriate sites for their waste management facilities. It should also be viewed and used in conjunction with the relevant boroughs' local development frameworks as well as the London Plan.

2.10 Under the Mayor of London Order (2008) certain types of waste development need to be referred to the Mayor of London. The Mayor has powers either to return the application to the borough as planning authority for decision, or to direct the borough to refuse an application or to act as a local planning authority and take over the consideration of the planning application instead of the borough. The relevant waste categories where the Mayor can exercise these powers are:

- Waste development with a capacity of more than 50,000 tonnes per annum of waste or 5,000 tonnes per annum of hazardous waste or any waste development occupying more than 1 hectare.
- Waste development which does not accord with one or more provisions of the local development plan and either; occupies more than 0.5 hectares; or has capacity for more than 20,000 tonnes per annum of waste or 2,000 tonnes of hazardous waste.

2.11 Notwithstanding the above, the borough in which a proposed facility is to be located will generally make the decision on any planning application.

2.12 Policy NLWP1 of the draft Preferred Options report notes that in assessing proposals for the development of waste management facilities, the North London Boroughs will require that the following sequential test has been applied:

1. Developers should first consider the list of existing waste treatment or disposal sites.
2. Developers should then consider the list of existing waste transfer sites, even if their proposal is for treatment.
3. Developers should only consider the list of potential waste sites as a last resort
4. As an absolute last resort, developers may propose a site that is not on any of the above lists, but this will only be considered when the developer can demonstrate that:
 - None of the sites in the above lists are suitable for the proposed development;

- Existing waste management sites and sites permitted for waste management use will not meet the apportionment required by the London Plan;
- There are demonstrable sustainability benefits from bringing the site into waste use.
- The proposed site is suitable for waste facilities.

Meeting the needs of the North London Waste Authority (NLWA)

2.13 The NLWP is required to consider the needs of the NLWA and the draft Preferred Options report states that the NLWA has identified that to deliver its preferred waste treatment strategy it requires:

- Three main sites with a total area of around 18 hectares,
- An additional four small sites (for household waste recycling centres) with a total area or around 1.5 hectares.

2.14 The Plan itself identifies a requirement for 28.4 hectares of additional land for waste facilities to meet the apportionment targets set within the London Plan in 2021, (or 44.5 hectares of additional land for self sufficiency in 2021 in terms of managing municipal solid waste and commercial and industrial waste). The Plan calculation methodology has concluded that 14.3 hectares of the 28.4 will be available from existing transfer sites, which means that 14.1 hectares of new land is required in order to meet the apportionment.

2.15 As stated in the draft Preferred Options report (paragraph 4.1.4.4)

‘This does not match exactly with the Authority’s identified land requirements because most of the transfer land is in sites of less than 2ha which are not suitable for development as major waste management facilities for municipal waste. Therefore the Plan needs to identify some large sites that are potentially suitable for the Authority.’

The draft Preferred Options report also notes that:

‘Therefore, in order to meet the apportionment and the needs of the North London Waste Disposal Authority while providing a flexible land use planning framework it will be necessary to identify a total of at least 22 ha of land on new sites in the final adopted version of the Plan. The exact number of hectares identified in the final Plan will actually depend on the number and sizes of the specific sites identified and therefore it is not possible, at this stage, to say exactly how many hectares the Plan will allocate.’

2.16 Schedule C of the draft Preferred Options Report showing additional ‘potential waste management sites’ provides a total area of 25.7 hectares. Although the sizes of these sites are not listed in Schedule C to the draft Preferred Options report, the Barnet, Haringey and Waltham Forest Cabinet reports and the Islington Executive report detail them as below. It is useful to note that paragraph 4.14.4 of the draft Preferred Options report additionally states that:

'The preferred option can meet the site requirements of the North London Waste Authority who, as explained in 4.7.1 are after three large sites and a number of smaller sites....In terms of specific sites identified in Schedule C, two of the sites that the North London Waste Authority are considering as part of their Outline Business Case have come out well in our assessment and are identified as in the list in Schedule C. The third site they are considering is not deliverable as it is identified in the emerging Enfield Core Strategy as a strategic site for mixed development. Instead we have identified two further large new waste sites that could meet the needs of the North London Waste Authority or other waste developers.'

2.17 Short List of Possible Waste Management Sites (Schedule C of the Preferred Options Report)

Size	Site Area	Borough	Description
LARGE	3.70	Barnet	Site on Edgware Road and Geron Way
LARGE	3.53	Enfield	Martinbridge IE
LARGE	6.21	Haringey	Friern Barnet STW (Pinkham Way)
LARGE	4.98	Waltham Forest	Rigg Approach
SMALL	0.53	Barnet	Victory Park
SMALL	0.90	Barnet	Network Rail land at Aerodrome Road
SMALL	0.63	Enfield	Makanji House, Kynoch Road
SMALL	0.82	Enfield	Building premises, Kynoch Road
SMALL	1.95	Enfield	Nobel Road
SMALL	2.40	Haringey	Marsh Lane

Source: The North London Waste Plan – Preferred Options reports, London Boroughs of Barnet, Haringey, Waltham Forest and Islington; 1st, 8th, 15th and 17th September 2009 – see report end for full references.

3.0 IMPLICATIONS FOR THE AUTHORITY OF THE PREFERRED OPTIONS REPORT

3.1 The extent to which the Preferred Options report may affect the procurement process is discussed separately in the OBC scrutiny update report elsewhere on this agenda.

4.0 COMMUNICATION, CONSULTATION AND COMMUNITY INVOLVEMENT

4.1 Community engagement and consultation is an integral part of the plan making process and CAG Consultants has been appointed by the NLWP team, working alongside Mouchel, to carry out this task.

4.2 The public consultation on the Preferred Options Report includes a series of public consultation events taking place during October and November. The dates and locations of these consultation events are listed below:

Consultation meeting dates (all are drop-in sessions from 2pm – 8pm)

14th October	Green Living Centre, 222 Upper Street, Islington N1 1XR
19th October	The Score Centre, 100 Oliver Road, Leyton E10 5JY
20th October	Ocean, 270 Mare Street, Hackney E8 1HE
22nd October	Hendon Town Hall, The Burroughs, NW4 4BG
2nd November	Haringey Civic Centre, High Road, Wood Green N22 8LE
3rd November	Camden Centre, Bidborough Street, Kings Cross WC1H 9AU
10th November	The Artzone, 54-56 Market Square, Edmonton Green Shopping Centre, N9 0TZ

4.3 The final North London Waste Plan will also be examined in public by a planning inspector in 2011.

5.0 RECOMMENDATIONS

5.1 The Authority is recommended to:

- (i) note the contents of this report;
- (ii) note that a response to the consultation on the Preferred Options report on the North London Waste Plan will be required from the Authority and that this will be brought to a future Authority meeting for consideration if consultation timings allow this; and
- (iii) should insufficient time be available to bring a draft response to a full Authority meeting, delegate authority to the Head of Waste Strategy and Contracts in consultation with the Chair and Vice Chairs to submit a response to the North London Waste Plan Preferred Options report consultation.

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 to add.

7.0 COMMENTS OF THE LEGAL ADVISER

7.1 The Legal Adviser has been consulted in the preparation of this report and his comments are incorporated within the body of the report.

Local Government Act 1972 – Access to information

- Documents used:**
- Local Development Framework – North London Waste Plan – Preferred Options, Report of Cabinet Member for Planning and Environmental Protection, London Borough of Barnet, Cabinet Meeting 1st September 2009, Agenda Item 8
 - North London Waste Plan – Preferred Options (CENV/2009/33), Report of the Director of Culture and Environment, London Borough of Camden, Executive Meeting 9th September 2009, Agenda Item 8
 - North London Waste Plan – Preferred Options, Report of the Director of Urban Environment – To be introduced by the Cabinet Member for Enforcement and Safer Communities, London Borough of Haringey, Cabinet Meeting 8th September 2009, Agenda Item 63
 - North London Joint Waste Plan Consultation, Report of the Executive member for the Communities, Skills and Business, London Borough of Islington, Executive Meeting 17th September 2009, Agenda Item E2
 - Waltham Forest Local Development Framework – North London Waste Plan: Preferred Options Report, Report of the Executive Director/Head of Service, London Borough of Waltham Forest, Cabinet Meeting 15th September 2009, Agenda Item 10
 - North London Waste Development Plan Document, Preferred Options, Mouchel, 24th July 2009 (as appended to all the above)
 - Issues and Options Report, North London Joint Waste Development Plan Document, Mouchel, January 2008, available for download at http://www.nlwp.net/downloads/nlwp_issues_and_options_report.pdf
 - The London Plan Spatial Development Strategy for Greater London (Consolidated with alterations since 2004), Greater London Authority, February 2008
 - The Town and Country Planning (Mayor of London) Order 2008, from http://www.gos.gov.uk/497417/docs/200511/Mayor_of_London_Order_2008_1.pdf

All available at <http://www.nlwp.net>:

Sustainability Appraisal of the North London Waste Plan, Issues and Options Sustainability Commentary, Mouchel, December 2007

Equalities Impact Assessment Stage 1: Screening, (for the North London Waste Plan), Mouchel, December 2007

Issues and Options Technical Report, North London Joint Waste Development Plan Document, Mouchel, December 2007

Habitat Directive Assessment Screening, (for the North London Waste Plan), Mouchel, December 2007

Launch Consultation, Summary of responses, (for the North London Waste Plan), CAG Consultants, December 2007

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Report Ends