

NORTH LONDON WASTE AUTHORITY

REPORT TITLE:
STRATEGIC ENVIRONMENTAL ASSESSMENT AND ADOPTION OF THE NORTH LONDON JOINT WASTE STRATEGY

REPORT OF:
HEAD OF WASTE STRATEGY AND CONTRACTS

FOR SUBMISSION TO: AUTHORITY MEETING	DATE: 25th June 2008
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SUMMARY OF REPORT:
This report updates members on the Strategic Environmental Assessment (SEA) of the North London Joint Waste Strategy (NLJWS) and public consultation on the revised draft strategy and the SEA Environmental Report. This report outlines the key changes to the NLJWS resulting from the required public consultation and makes recommendations for approval of the final SEA Environmental Report and adoption of the North London Joint Waste Strategy.

RECOMMENDATIONS

The Authority is recommended to:

- i) approve and formally adopt the SEA Environmental Report and the North London Joint Waste Strategy 2008, subject to any changes that arise from other partners' final consideration of the same and the final amendments from the Authority's consultants to the SEA Environmental Report;
- ii) delegate authority to the Head of Waste Strategy and Contracts in consultation with the Chair to make any further amendments arising therefrom to the SEA Environmental Report and the North London Joint Waste Strategy, June 2008 prior to such approval and adoption at i) above being complete;
- iii) note that a paper setting out how consultation responses and other partners' final views were incorporated into SEA Environmental Report and the North London Joint Waste Strategy 2008 will be brought to the September 2008 Authority meeting.

Signed by Head of Waste Strategy and Contracts

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Date:

1.0 REASON FOR URGENCY

- 1.1 This report could not be prepared in time for the ordinary despatch date because the statutory period of public consultation on the Draft SEA Environmental Report and SEA Draft North London Joint Waste Strategy did not close until 17th June 2008.
- 1.2 This report cannot be held over until the next meeting of the Authority in September 2008 because a final adopted version of the North London Joint Waste Strategy needs to accompany the Authority's Outline Business Case application for PFI credits.

2.0 BACKGROUND

- 2.1 The 'Mayor's Draft' North London Joint Waste Strategy (NLJWS), September 2004, provides the framework for progress towards reducing, reusing and recovering a greater proportion of the municipal waste which is generated in the North London Waste Authority area and reducing the amount which is sent for disposal to landfill. This report provides a review of the recent Strategic Environmental Assessment or 'SEA' of the strategy and associated public consultation on the SEA Environmental Report and proposed revised NLJWS resulting and seeks Member approval for adopting the updated waste strategy for the area and accompanying SEA Environmental Report.

3.0 STRATEGY ADOPTION AND STRATEGIC ENVIRONMENTAL ASSESSMENT

- 3.1 The draft NLJWS was prepared by the eight partners (the seven North London constituent borough councils and the North London Waste Authority) in 2004 setting out the partners' plans for managing waste between 2004 and 2020. It concluded in 2004 that the partners should implement serious waste prevention measures, that a target should be set to recycle or compost 45% of household waste and that we should divert from landfill (initially through the Edmonton energy-from-waste facility and later through other new facilities) as much waste as necessary to avoid fines arising from the Landfill Directive; and importantly it concluded that this should be carried out in partnership in order to secure optimum economies of scale and to minimise impacts on local residents.
- 3.2 The draft NLJWS approach is in line with national and Europe wide approaches to municipal waste management strategies, which are based upon the 'waste hierarchy', putting waste avoidance at the 'top' of the hierarchy as the 'best' thing to do and landfill disposal at the 'bottom' of the hierarchy as the worst solution for managing waste.

Details of the SEA Process and Strategy Update

- 3.3 The NLJWS has recently needed updating and finalisation and because the strategy had not been formally adopted it was also necessary to undertake a Strategic Environmental Assessment or 'SEA' of the strategy before doing so.
- 3.4 This was because although the NLJWS had been produced in 2004, it was not approved for formal submission to the London Mayor by all partners until April 2006. The London Mayor's formal comments were then received in December 2006, but as the deadline date for final implementation of the requirements of the Strategic Environmental Assessment (SEA) Directive in the UK had passed, the NLJWS has had to be the subject of an SEA before it can be finally adopted by the eight partners.
- 3.5 This change in legislation meant that it was necessary to carry out a new, separate strategic environmental assessment of the NLJWS in addition to the original 'Best Practical Environmental Option' assessment which had been undertaken in 2003/04 when the strategy was first prepared. A SEA is now mandatory for certain plans and programmes prepared by local authorities, of which a joint municipal waste management strategy, such as the NLJWS, is one. A SEA assesses the potential environmental impact of implementing a strategy and provides recommendations for amending the strategy involved so that the environmental impact can be reduced.
- 3.6 A SEA follows a number of stages following the **initial screening stage**:
- The first stage is to prepare a **scoping report**, which must be sent to a number of statutory consultees.
 - Following this stage a **SEA Environmental Report** must be produced and issued for public consultation, along with the **Draft Strategy** on which the SEA is being undertaken.
 - Following consideration of the comments received via the public consultation process, a **Revised Strategy** must be produced.
 - Then, both the **Final Strategy and accompanying Environmental Report** must be **adopted**.
- 3.7 A SEA budget was approved by the Authority for 2007/08 and the first stage scoping report was issued for consultation with the statutory consultees, (English Heritage, Natural England and the Environment Agency) between 10th September and 15th October 2007. The comments received from the statutory consultees and from the London Mayor who was also consulted at the same time, were incorporated into a revised scoping report and are outlined on the Authority's website at www.nlwa.gov.uk.
- 3.8 Following amendments to the scoping report, a SEA Environmental Report, has been produced by the North London Waste Authority's technical consultants ENTEC. The production of the Environmental Report follows a prescribed process, outlined in government guidance¹ and covers a standard range of environmental issues outlined in the European legislation.

¹ A Practical Guide to the Strategic Environmental Assessment Directive (available at <http://www.communities.gov.uk>)

3.9 Whilst the North London Joint Waste Strategy SEA process has followed the above guidance and legislation, it has also differed slightly from the norm:

- i) Firstly it differed, because the strategy being assessed was already in existence and had been approved by all partners prior to the SEA commencing; normally the SEA is conducted alongside the development of the strategy being assessed so that the development of both go hand in hand.
- ii) A second difference with the NLJWS SEA is that the scope of the North London SEA is slightly wider than the norm. This is to make the assessment more consistent with the more broadly scoped, sustainability appraisals (SAs) undertaken by the Mayor of London on his waste strategies and also with the SA process being undertaken by the constituent borough councils as planning authorities developing the waste planning strategy for the area, the North London Waste Plan. Additionally because the NLJWS itself includes an objective to maximise all opportunities for local economic regeneration, then it made sense to incorporate some social and economic assessment indicators into the review in order to assess the NLJWS's likely achievement of this goal.

3.10 The SEA Environmental Report outlines the key environmental impacts of the NLJWS and suggests measures for mitigating these impacts. Resultant changes were made to the 2004 draft of the NLJWS to take account of the recommendations included in the Environmental Report and the 'SEA Draft' NLJWS was finalised in May 2008 ready for the next stage of the process – public consultation. Additional updates to the strategy have also been incorporated into the SEA Draft to take account of legislative developments and other changes since 2004.

3.11 Both the SEA Draft North London Joint Waste Strategy and the SEA Environmental Report were approved for release for public consultation by all eight partners, and public consultation on the SEA Draft NLJWS and the Environmental Report commenced on 6th May for the statutory SEA six week period running until 17th June 2008.

3.12 The non-technical summary of the SEA Environmental Report that was prepared to assist the consultation is attached as Appendix 1.

4 SEA AND CHANGES RESULTING IN THE 'SEA DRAFT' NLJWS

4.1 As outlined above, a SEA process is prescribed in government guidance and follows a specific series of assessments. The following section summarises the key findings of the SEA of the NLJWS and the resulting changes that were made to the NLJWS leading to the 'SEA Draft' dated May 2008. **Table 2 at the end of this Section 4 sets out the changes that were made in a more brief form.** Paragraphs 4.2 to 4.38 describe the changes in greater detail.

A) Links to Relevant Plans and Programmes

- 4.2 The SEA Regulations, 2004, require an analysis of the strategy's relationship with other plans and programmes and an assessment to show how these other plans or programmes have been taken into account in developing the strategy being assessed.
- 4.3 The Revised SEA Scoping Report which is included as Appendix A to the SEA Environmental Report lists all the plans and programmes that were considered to be relevant to the NLJWS² and lists how the objectives or requirements included in these other plans and programmes either already are or might be incorporated into the NLJWS.

Changes recommended to the NLJWS as a result

- 4.4 The SEA Environmental Report notes that there were no issues of conflict identified between the objectives contained within the NLJWS and the other plans and programmes that were considered to be relevant. However, it was noted that the publication by the Government of Planning Policy Statement 10: Planning for Sustainable Waste Management, 2005 and Waste Strategy for England 2007 could result in some issues because both were published after the publication of the 2004 draft of the NLJWS. Accordingly the NLJWS was updated and in particular the recycling and composting targets included in the NLJWS were updated to bring them in line with the new national waste strategy objectives.

B) Baseline Characteristics of the Area

- 4.5 An essential part of the SEA process is to identify the current state of the environment in the area being considered and then to assess the likely evolution of the environment in the absence of the strategy. It is only once this has been done that the potential impact of the strategy can be fully assessed and its success or otherwise monitored.
- 4.6 Section 6 of the Revised SEA Scoping Report which is included as Appendix A to the Environmental Report, summarises the state of the environment in North London on a number of aspects ranging from ecology and biodiversity to the built and historic environment. A summary table in section 6 of the Revised SEA Scoping Report outlines the strengths and challenges faced by North London on each of the issues, for example, the quality of local rivers is generally good, but water consumption is high and consequently water is scarce. So from an environmental perspective, implementation of the NLJWS should not exacerbate water shortages and should seek to conserve water and maintain local river quality.

² The original SEA Scoping Report invited comment from the statutory consultees on other plans or programmes that might be considered relevant to the NLJWS and the list of relevant plans and programmes was amended as a result.

Changes recommended to the NLJWS as a result

- 4.7 The assessment of baseline characteristics of the area does not get incorporated into the NLJWS, but it is an assessment which informs the later stages of the SEA process and in particular the development of SEA objectives against which the progress of the NLJWS as it is implemented will be measured. No changes were therefore proposed or made to the NLJWS as a result of this part of the assessment.

C) Limitations of Data and Assumptions Made

- 4.8 It is important in any assessment to identify the limitations of any data and any resultant assumptions that are made. Section 3.5 of the SEA Environmental Report provides an outline of both.

Changes recommended to the NLJWS as a result

- 4.9 The limitations to data and the assumptions that had to be made in the SEA process are not incorporated into the NLJWS and are listed for noting in the Environmental Report only. No changes were therefore proposed or made to the NLJWS as a result of this part of the assessment.

D) Developing SEA Objectives and Appraisal Criteria

- 4.10 Although the SEA Directive does not specifically require the development of a series of SEA objectives it does require that the draft strategy should be assessed on a number of topics such as assessing its potential impact on biodiversity, soil, air and water for example. By developing a series of SEA objectives and then a series of appraisal criteria and monitoring indicators, this provides a valuable way of determining the environmental effects of the strategy being assessed.
- 4.11 Table 3.3 of the Environmental Report details the 20 SEA objectives that were developed for the NLJWS assessment. These range from social objectives such as 'to maximise the accessibility and equality of services' to more specifically environmental objectives such as 'to maximise reuse, recycling and recovery rates by viewing waste as a resource.' The objectives were developed by reviewing the other relevant plans and programmes outlined above, by reviewing the baseline environmental information and issues facing North London and also by taking account of the statutory consultees' comments at the scoping stage. Table 3.3 of the SEA Environmental Report meets the assessment requirements of the SEA Regulations and the SEA Directive.

Changes recommended to the NLJWS as a result

- 4.12 The development of the SEA objectives themselves does not change the strategy being considered but the SEA objectives are used to develop a 'SEA Framework', a table of objectives and appraisal criteria, against which the strategy and the options and policies within it can be assessed, Table 3.3. For example, if one of the SEA objectives is 'to maximise the health and well-being of the population' one of the appraisal criteria that might be used to assess the strategy against this objective could be 'are the new facilities proposed by the NLJWS going to create odour and dust problems?'. The results of the SEA Framework assessment are covered in more detail below.

E) Assessing the NLJWS Objectives against the SEA Objectives

- 4.13 The government guidance on SEAs states that it is important to test the objectives of the strategy being considered against the SEA objectives outlined above, to ensure that the objectives of the strategy are in line with the environmental objectives of the SEA. The guidance also notes that it is important to test the SEA objectives against each other to ensure that they are compatible with each other.
- 4.14 Appendix B to the SEA Environmental Report assesses the eight objectives that were included in the 2004 draft of the NLJWS against the 20 SEA objectives that were developed for North London. The same appendix also includes a table comparing each SEA objective against each other to make sure they are compatible.

Changes recommended to the NLJWS as a result

- 4.15 The assessment concluded that the objectives of the NLJWS were compatible with the SEA environmental objectives, meaning that the NLJWS objectives are consistent with protecting the North London environment, enhancing natural habitats, addressing the causes of climate change etc. The assessment also concluded that SEA objectives were compatible with each other. No amendments were therefore considered necessary to the NLJWS objectives as a result of this process and accordingly the objectives in the SEA Draft NLJWS are the same as the objectives included in the 'September 2004' Draft of the NLJWS.

F) Options Assessment

- 4.16 The SEA Directive requires that the SEA Report outlines the nature of the different options considered in developing the NLJWS and then assesses these options against the SEA framework. It also requires that details of any other methodologies used to assess the different options are also provided in the SEA Environmental Report.
- 4.17 When the draft NLJWS was first produced in 2004, four different options for managing waste in North London were put forward and assessed and one of the options, the Partnership scenario, was identified as the most preferable.

- 4.18 Because four options had already been produced for the NLJWS it was not considered appropriate to develop a range of new options, but rather that the original four options would be updated and assessed again, alongside a fifth new option, representing the reference project used to develop a procurement strategy for the Authority which had been approved in December 2006. Like the other four scenarios being assessed in the strategy, the Procurement Scenario is a theoretical mix of possible waste facilities that could be used to deliver the objectives contained within the NLJWS. The theoretical mix of facilities is developed so that comparisons and costs can be produced. Table 1 below shows the different characteristics of the five options assessed. Note that in all five options it was assumed that the collection method for dry recyclables would be a mix of 'commingled' (i.e. materials collected mixed together and then sorted at a materials recovery facility or MRF) and 'source separated' (i.e. materials sorted at the kerbside into multi-compartment vehicles and then taken to a bulking facility) systems. It was also assumed that all scenarios would meet the new Waste Strategy for England 2007 household waste recycling and composting target of 50% by 2020.
- 4.19 The options assessment was carried out using a number of different approaches which are outlined in Chapter 6 of the SEA Draft NLJWS:
- i) An environmental assessment of the options using the SEA framework outlined above and the professional judgement of the Authority's technical consultants (Entec) and taking account of technical guidance, for example Defra's 2004 Review of Environmental and Health Effects of Waste Management. The detailed results of the environmental assessment of the five options for managing waste are outlined in Appendix D to the SEA Environmental Report. In the form of a table the assessment reviews each of the five waste management options or scenarios as they are referred to in the strategy against each of the 20 SEA objectives. The assessment also provides some commentary and explanation and also takes account of the environmental assessment using WRATE – which is outlined below.
 - ii) An environmental assessment of the five options using the Environment Agency's new life cycle assessment tool, WRATE (Waste and Resources Assessment Tool for the Environment). The WRATE assessment was carried out by AEA/Ramboll, also technical consultants for the North London Waste Authority. (AEA had previously carried out the 'best practicable environmental option' assessment of the 2004 strategy). A summary of the results of the WRATE assessment modelling is included in Appendix C to the SEA Environmental Report.
 - iii) An economic assessment of the possible costs of each option using the AEA's WASTEFLOW model which models the flows of waste between processes and facilities and estimates the costs of providing the service.

Table 1: Features of the Five Scenarios Assessed by the SEA process

Element	Option 1 Minimum Compliance Scenario	Option 2 Borough-led Scenario	Option 3 Partnership Scenario	Option 4 Mayor's Aspirational Scenario	Option 5 Procurement Scenario
Recycling and Composting Standards	Waste Strategy 2007 40% by 2010, 45% by 2015, 50% by 2020 from kerbside collection	Waste Strategy 2007 40% by 2010, 45% by 2015, 50% by 2020 from kerbside collection	Waste Strategy 2007 40% by 2010, 45% by 2015, 50% by 2020 from kerbside collection	40% by 2010, 50% by 2015 and 55% by 2020 from kerbside collection Recycling/composting through the MBT performance increases the level to 60%.	Waste Strategy 2007 40% by 2010, 45% by 2015 and 50% by 2020 from kerbside collection
Recycling and Composting Collection Method	Mix of kerbside sorting and commingled collections	Mix of kerbside sorting and commingled collections	Mix of kerbside sorting and commingled collections	Mix of kerbside sorting and commingled collections	Mix of kerbside sorting and commingled collections
Recycling and Composting Processing Method	Sorting and bulking materials before delivery to reprocessors In-vessel and open windrow composting facilities	Sorting and bulking materials before delivery to reprocessors In-vessel and open windrow composting facilities	Sorting and bulking materials before delivery to reprocessors In-vessel and open windrow composting facilities	Sorting and bulking materials before delivery to reprocessors In-vessel and open windrow composting facilities	Sorting and bulking materials before delivery to reprocessors In-vessel and open windrow composting facilities
Energy Recovery Treatment Technology	New Energy from Waste (EfW) plant (450,000 tonnes per year) replaces existing Edmonton EfW plant in 2015)	Edmonton EfW plant closes and is replaced in 2015 by 2 gasification plants taking a total of 250,000 tonnes per year; 2 Mechanical and Biological Treatment (MBT) Plants with Refuse Derived Fuel (RDF) facilities capacity to take 385,000 tonnes per year; 2 MBT's with Anaerobic Digesters (AD) to take 270,000 tonnes per year.	New EfW plant (450,000 tonnes per year) replaces existing Edmonton EfW plant in 2015, plus a 250,000 tonnes per year MBT with AD Plant	New EfW plant (270,000 tonnes), representing North London's per capita share of London's current energy from waste capacity, replaces Edmonton EfW plant in 2015 plus 200,000 tonnes per year MBT with AD plant.	New EfW plant (540,000 tonnes per year) replaces Edmonton EfW in 2015 plus a 250,000 tonnes per year MBT with RDF plant.

Changes recommended to the NLJWS as a result

- 4.20 The options assessment concluded rather than the previous Partnership Scenario, that it was now better for North London to select the Procurement Scenario as the best environmental and economic way of managing its waste until 2020. The Procurement Scenario is a further development of the Partnership Scenario. Chapter 6 of the NLWJS was completely rewritten as a result of the new assessment and this is the major change to the NLJWS resulting from the SEA.
- 4.21 One of the consultation questions for residents was to ask whether residents agree with the assessment of the five options assessed.

G) Assessing the Implementation Actions in the NLJWS

- 4.22 Section E above outlines the results of the environmental assessment that was carried out on the NLJWS *objectives*, but it was also necessary as part of the SEA process to assess the potential environmental impact of the 84 *implementation actions* contained within the NLJWS.
- 4.23 In order to make the process more manageable, because assessing 84 strategy implementation actions against 20 different SEA objectives would lead to an extremely long and detailed SEA Environmental Report, it was agreed to group the implementation actions together into 14 groups and then to assess each group in turn. This approach would also ensure that the implementation actions which were most likely to have significant environmental effects were appraised.
- 4.24 Some implementation actions were also not assessed at all however, because they were actions relating to administrative or procedural issues and would therefore have no environmental impact, e.g. implementation action 8.G1 which states that the Partner Authorities will establish a strategy implementation board with responsibility for implementing, monitoring and reviewing the NLJWS.
- 4.25 Appendix E of the SEA Environmental Report shows how the implementation actions were grouped together for assessment and identifies which of the strategy implementation actions were not assessed. Because some of the implementation actions had also been updated as a result of the strategy review ENTEC assessed the revised implementation actions in addition to grouping the actions for review.
- 4.26 Appendix F of the SEA Environmental Report provides the detail of the implementation action assessment. Each group of implementation actions is assessed in terms of whether its environmental impact will be short, medium or long term and comments are also made about the likelihood of the effect and its geographic impact.

Changes recommended to the NLJWS as a result

- 4.27 The outcome of the assessment showed that the implementation actions were broadly compatible with the SEA objectives and accordingly it was recommended that no further changes be made to the implementation actions as a result of the SEA process. Although the assessment concluded that there were some uncertainties regarding the environmental impact of different implementation actions, largely because there was uncertainty as to the location of new waste facilities, it was concluded that the generally positive performance of the strategy against the SEA objectives reflected the fact that the earlier 2004 draft of the NLJWS had already considered environmental impact in its development.

H) Proposed Mitigation Measures

4.28 The SEA Directive requires the SEA Environmental Report to include measures to prevent, reduce or offset any significant adverse effects on the environment of implementing the plan or programme. Potential mitigation measures are recommended in the SEA Environmental Report and are outlined in table 5.2 of the report. In addition to the recommended changes outlined in table 5.2, the Environmental Report also notes that the 2004 draft of the strategy refers in places to principles and concepts which are no longer part of government guidance. Specifically this includes the 'proximity principle' and 'best practicable environmental option'. The Environmental Report recommends that the strategy is amended to be consistent with Waste Strategy 2007 and Planning Policy Statement 10: Planning for Sustainable Waste Management and so that accordingly these terms are deleted. This section of the Environmental Report (5.1.7) also notes what measures should be taken in terms of developing facilities to minimise their impact on the environment.

Changes recommended to the NLJWS as a result

- 4.29 The Environmental Report recommends that the environmental impacts of providing new recycling, composting and recovery facilities/services could be made more certain by providing more detail in the NLJWS of how they would be managed. Changes to the strategy to accommodate these recommendations have been made in the SEA Draft NLJWS section 4.2.4
- 4.30 There are uncertainties relating to the sustainable design and construction of facilities. The SEA Environmental Report recommends that this could be reduced by clearly stating a commitment to achieving a high standard of design and construction for example use of the Building Research Establishment Environmental Assessment Method (BREEAM) standard. Changes to the strategy to accommodate these recommendations are proposed at SEA Draft NLJWS section 4.2.4.
- 4.31 The SEA Environmental Report also recommends that the strategy could make a clearer commitment to the use of previously developed land for new treatment facilities and the co-location of facilities to reduce land take. Changes to the strategy to accommodate these recommendations are proposed at SEA Draft NLJWS section 4.2.4.
- 4.32 The SEA Environmental Report notes that the strategy as written will result in uncertain effects on equality and that the strategy actions and text could explain more clearly how the strategy will ensure that the needs of the most disadvantaged and hard to reach groups within the community will be addressed. Changes to the strategy to accommodate these recommendations are proposed at SEA Draft NLJWS section 4.2.1.
- 4.33 Finally, changes to the NLJWS have also been made to ensure that the terminology used is consistent with current waste strategy and planning documents.

I) Uncertainties and Risks

- 4.34 In carrying out the assessment the SEA also identified some uncertainties and risks, which were largely because the strategy does not deal in detail with the type and location of facilities that will be delivered. It is noted that locational issues will be covered by the North London Waste Plan and planning controls but also that some of the potential effects on the environment will be dependent on the types of facilities which are finally selected.

Changes recommended to the NLJWS as a result

- 4.35 No changes to the NLJWS were recommended as a result of this identification of risks and uncertainties.

J) Proposals for Monitoring

- 4.36 The final section of the SEA Environmental Report outlines proposals for monitoring the environmental impact of implementing the NLJWS. The monitoring indicators are based upon the SEA objectives and appraisal criteria which were discussed in section D above. Section 6 of the Environmental Report identifies a series of possible indicators which could be used to monitor the impact of the strategy and provides a template table, based upon the government guidance, which can be used to record the monitoring data.

Changes recommended to the NLJWS as a result

- 4.38 No changes to the NLJWS were recommended as a result of identifying the range of environmental monitoring indicators, but it is proposed that these indicators should be used to monitor the environmental impact of the strategy on an ongoing basis.

Table 2 Summary of Changes to the NLJWS resulting from the SEA Environmental Report

Aspect of the SEA	Recommendations for Changing the 2004 Draft NLJWS	Resultant Changes Made to the NLJWS
A) Links to Relevant Plans and Programmes	Planning Policy Statement 10: Planning for Sustainable Waste Management, 2005 and the publication of Waste Strategy for England 2007 were produced since 2004	References to previous planning policies and Waste Strategy 2000 deleted from the strategy and new references made
B) Baseline Characteristics of the Area	These characteristics are defined in the Environmental Report and do not get incorporated into the NLJWS. No changes were therefore proposed or made to the NLJWS	None
C) Limitations of Data and Assumptions Made	These are listed for noting in the Environmental Report only. No changes to the NLJWS proposed	None
D) Developing SEA Objectives and Appraisal Criteria	The development of the SEA objectives themselves does not change the strategy being considered but the SEA objectives are used to develop a 'SEA Framework', a table of objectives and appraisal criteria, against which the strategy and the options and policies within it can be assessed.	None
E) Assessing the NLJWS Objectives against the SEA Objectives	The assessment concluded that the objectives of the NLJWS were compatible with the SEA environmental objectives and therefore no changes were required	None

F) Options Assessment	The options assessment concluded that it was now better for North London to select the Procurement Scenario as the best environmental and economic way of managing its waste until 2020.	Chapter 6 of the NLWJS was completely rewritten as a result of the new assessment and this is the major change to the NLJWS resulting from the SEA.
G) Assessing the Implementation Actions in the NLJWS	The outcome of the assessment showed that the implementation actions in the NLJWS were broadly compatible with the SEA objectives so that the implementation actions did not need to be changed	None
H) Proposed Mitigation Measures	A number of changes to the NLJWS were proposed to ensure that the strategy took account of sustainable design and construction in developing new facilities, that the needs of hard to reach groups will be addressed and that the use of previously developed land will be favoured. Assessing the environmental impact of individual new facilities was also included in the revised strategy	Changes made to sections 4.2.1 and 4.2.4 of the NLJWS.
I) Uncertainties and Risks	These were identified and listed in the Environmental Report, but not in the NLJWS itself	None
J) Proposals for Monitoring	Section 6 of the Environmental Report identifies a series of possible indicators which could be used to monitor the environmental impact of the strategy. These are not to be included in the strategy itself	None

5.0 PUBLIC CONSULTATION PROCESS

5.1 There are two stages of consultation in a SEA:

The first is at the scoping stage when the statutory consultees, English Heritage, Natural England and the Environment Agency must be consulted on the scope of the assessment

The second is after the Environmental Report has been produced at which stage the public or any other stakeholders likely to be affected by the strategy must be consulted for their views on the Environmental Report and the resultant draft strategy.

5.2 The changes resulting from the scoping report consultation process were incorporated into a revised scoping report which has been used to develop the SEA. The GLA and the general public were also consulted along with the statutory consultees at the scoping stage, although comments were only received from the GLA. Table 3.1 of the SEA Environmental Report explains how the different consultees were approached.

5.3 The following section outlines the second stage of the consultation process which commenced on 6th May 2008:

- i. In week one of the consultation period, a press release was issued about the consultation and sent to all relevant local publications. Releases were customised for each borough.
- ii. Email notification of the consultation was sent to 173 individuals and organisations either directly from the North London Waste Authority or via other organisations such as the Association of London Cleansing Officers. The London Community Recycling Network also received a copy of the email and included details of the consultation in their email update to members and others, so the total number of individuals receiving direct notification was larger than the above. The list included members of the North London Waste Plan Sustainability Appraisal Panel, local universities, residents who had previously asked to be notified about the process and all local Friends of the Earth Groups. The statutory consultees who were contacted at the scoping stage of the SEA were also contacted again.
- iii. Some boroughs also carried out additional notification, e.g. Haringey contacted the Panel for Haringey's recent Waste and Recycling Scrutiny Review and members of Haringey's 'Better Place Partnership' and Waltham Forest notified all councillors in the borough.
- iv. A series of adverts was placed in relevant local publications three weeks into the six week consultation process.
- v. On borough technical officer advice a second series of adverts was also placed in relevant local publications in the fourth week of the consultation process.
- vi. A final press release was issued in the penultimate week of the consultation period.
- vii. Printed copies of the consultation questionnaire and the non-technical summary of the SEA Environmental Report were made available in all borough libraries.
- viii. A copy of all the documents was made available for download on the North London Waste Authority website.

5.4 Press coverage from the press releases was positive with coverage received in publications covering all seven boroughs. Coverage was received from both the initial release and the subsequent copy.

5.5 Residents were invited to respond to the consultation using a consultation questionnaire (attached as Appendix 2), although free format responses were also accepted. Written and email responses were invited.

6.0 RESULTS OF THE CONSULTATION PROCESS

6.1 By the deadline of the consultation process, seventeen responses had been received to the consultation process, eighteen if the responses from GLA officers and Mayor of London are separately accounted for; they have been accounted for separately within the analysis. There was one additional respondent who wanted to respond but felt unable to comment due to the complexity of the documents. This point is noted for future consultations and was also made by at least one of the other respondents. One late response was also received.

6.2 The responses were received from a mix of individual residents and organisations.

6.3 Although the response is poor, together the respondents recommended a total of 63 separate changes to the North London Joint Waste Strategy and 20 separate changes to the SEA Environmental Report, plus 4 additional comments from the late respondent. These changes are now considered in turn, chapter by chapter.

Comments on Chapter One of the NLJWS

6.4 Three sets of comments were received regarding the aims and objectives of the NLJWS contained in Chapter One. The comments related to a wish to see inclusion of the 'proximity principle' and sustainable transport included in the NLJWS and one comment related to a concern about a potential energy-from-waste contract containing minimum tonnages and therefore a desire to see a 'no minimum tonnage' requirement in any contract.

Changes recommended to the NLJWS as a result

6.5 No changes to the NLJWS are recommended as a result of these comments. The detailed rationale for the same is included in Appendix 3.

Comments on Chapter Two of the NLJWS

6.6 One comment was received on Chapter Two. This related to the per annum growth rate used in the modelling work for the NLJWS which is a 3% per annum growth rate until 2010/11 and 2.5% per annum thereafter. The recommendation was for the growth rate to be reduced to 2% per annum throughout the Strategy period, to bring the work in line with the spatial strategy for the capital, the London Plan.

Changes recommended to the NLJWS as a result

- 6.7 The London Plan figure had not been agreed at the time the Partners commissioned the modelling work, and we proceeded on the basis that we were updating on previously agreed rates. However, we recognise that waste growth rates can change both up and down. An updated sensitivity analysis has therefore been carried out and is included in Chapter 2 showing the impact of a 2% per annum waste growth rate in line with London Plan projections and the accompanying text accordingly altered. If the growth rate of North London does indeed materialise as 2% per annum throughout the strategy period, then by 2020 the Partners would be handling some 1.261 million tonnes of municipal waste compared to the 1.376 million which has been modelled, i.e. 0.115 million tonnes less than that which has been modelled.

Comments on Chapter Three of the NLJWS

- 6.8 Two minor changes were proposed to Chapter Three by one respondent. The changes requested were grammatical and related to a specific reference used.

Changes recommended to the NLJWS as a result

- 6.9 The changes have been incorporated into chapter three.

Comments on Chapter Four of the NLJWS

- 6.10 Thirteen comments and requests for changes were proposed for Chapter Four by respondents. These are set out in detail in Appendix 3 and include a request for the waste hierarchy diagram included to be altered and a request for merging two of the implementation actions in the NLJWS which appeared to duplicate each other.
- 6.11 However, the most significant changes requested were from the Mayor of London and his officers who commented that although the WRATE assessment of the five scenario options outlined in the NLJWS (and the SEA Environmental Report) does provide some indicative data it is not sufficiently robust enough to identify a preferred option. The Mayor of London therefore recommended that we remove the preference for one of the scenarios to enable the NLJWS to be in line with the NLWA's intended procurement process. An example of where the NLJWS currently takes this approach was outlined as being in the last paragraph of 4.2.2.
- 6.12 In addition GLA officers requested that the NLJWS should make a commitment to exceeding recycling or composting levels in municipal waste of 35% by 2010 and 45% by 2015 which accorded with a Member response expressing concern at the change in the NLJWS from the 2004 Draft to the SEA Draft in relation to the 2010 recycling and composting target which had increased from 35% to 40% between the two drafts of the NLJWS.

Changes recommended to the NLJWS as a result

- 6.13 In relation to the **significant change requests** the NLJWS now states that the preferred strategy for the Partners is for a technology neutral procurement process. No statements are now included in the NLJWS expressing a preference for any of the particular scenarios which were modelled.
- 6.14 In relation to the request for making a commitment to exceeding recycling and composting levels of 35% and 45% respectively in 2010 and 2015 and the Member response on this issue, Implementation Action **4.L2** has been changed to 'achieve 35%' from the previous 'achieve 40%' by 2010 to make the household element of the municipal waste agree with the GLA officers' suggestion and the Member comment. Implementation Action **8.C1** is changed also, so that the non-household element of the municipal waste agrees with the GLA suggestion too. The change to 4.L2 recognises that it is not realistic to expect an increase of over ten percentage points in recycling and composting levels in North London within less than two years.
- 6.15 The other changes requested have all been made, with the exception of three which are considered unnecessary.

Comments on Chapter Five of the NLJWS

- 6.16 Only one comment was received on Chapter 5 relating to the inclusion of the 2016 Batteries Directive target.

Changes recommended to the NLJWS as a result

- 6.17 This reference has been added.

Comments on Chapter Six of the NLJWS

- 6.18 Seven comments were received on Chapter 6. Three of the comments were re-iterations of comments already made against earlier chapters above. However, four new additional comments were received. Two comments were on the same issue and raised concerns that the SEA Draft Implementation Action 6.B relating to advanced thermal treatment technologies the respondents thought would block the use of an existing local facility (the LondonWaste Ltd. energy-from-waste incinerator at Edmonton). These comments were received from LondonWaste Ltd. and SITA.
- 6.19 An additional comment was received from GLA officers specifically that the strategy (and modelling) assume that a new incinerator, as modelled in the Procurement Scenario would be located on the same site as the current facility whereas, should the land not be available after 2014, a new site may need to be found. They suggested this should have been made clear in the public consultation.
- 6.20 The other new comment was from DEFRA via their response to the Authority's expression of interest for PFI credits and related to a general concern to see carbon efficiency/CHP; achievement of WSE2007 targets for household waste recycling, household residual waste reduction and municipal

waste recovery; consideration of anaerobic digestion; and agreed general conformity with the London Mayor's municipal waste management strategy and London Plan.

Changes recommended to the NLJWS as a result

6.21 No changes have been made in relation to the above mentioned new comments and the changes resulting from the previous three had already been incorporated. In relation to the comments from DEFRA, the NLJWS incorporates the above issues and will be in general conformity with the London Mayor.

Comments on Chapter Seven of the NLJWS

6.22 Five comments were received on Chapter seven. The major comment was from the London Mayor, relating to the point already made above in paragraph 6.11 and recommending that a new paragraph be inserted to say that 'It is the Partners' preferred strategy that the implementation of the residual waste treatment element of the North London Joint Waste Strategy will be determined through a technology neutral procurement process, evaluating each proposal on its own merit, in order to deliver against the Strategy's objectives and implementation actions, particularly actions 4.M2 and 6.B.'

Changes recommended to the NLJWS as a result

6.23 All the changes recommended have been incorporated with the exception of the following from the Mayor of London's officers requesting that Implementation Action 4.H1 be updated to commit to providing kerbside services to a minimum of 95% of households on the basis of the definition of 'kerbside' used in BVPI 191. This has not been altered because the term 'relevant households' already included in this Implementation Action encompasses the GLA's concerns, and it is therefore unnecessary to change this action.

Other comments on Chapters Six and Seven of the NLJWS

6.24 The other comments received on Chapters Six and Seven related to the 'preferred' scenario originally outlined in the SEA Draft of the NLJWS and were made specifically in response to the questionnaire question number 4.

Changes recommended to the NLJWS as a result

6.25 The changes requested had either already been made as a result of earlier comments received or were not accepted. Appendix 3 outlines the results in detail.

Comments on Chapter Eight of the NLJWS

6.26 Four comments were received on Chapter eight. One related to a request to lobby for commercial waste to be included in recycling targets, another to a commitment to buying recycled, the third to making an explicit link to the London Plan's regional self sufficiency targets and the fourth to a request for specific strategy review periods to be included in the document.

Changes recommended to the NLJWS as a result

6.27 Changes have not been incorporated as a result of three of the requests for change, but in relation to the request for strategy review periods to be explicitly included within the document the following words have been added to Implementation Action **8.G2**: "*Later reviews will coincide with contract review periods set within any new contracts.*"

Other general comments

6.28 Fourteen additional more general comments were made by respondents. These ranged considerably from specific requests such the suggestion that the Partners consider the inclusion of food waste disposers in the NLJWS on the basis that food waste disposers support many of the objectives (a comment which was made by the Association of Manufacturers of Domestic Appliances), to requests from residents for example for increased kerbside collections including plastic and cardboard.

Changes recommended to the NLJWS as a result

6.29 Only three of these comments have resulted in changes being made to the NLJWS, two of which relate to requests for additional definitions to be included within the glossary to the NLJWS and the third to the previously accepted change request from the Mayor of London regarding deletion of references to a preferred scenario out of the five assessed and a request for a technology neutral approach being adopted for future procurement purposes.

Changes requested to the SEA Environmental Report

6.30 Twenty comments and change requests were received in relation to the SEA Environmental Report and accompanying non-technical summary. These are outlined in Appendix 4.

6.31 It is recommended that nine of these do not result in amendments to the environmental report, although the other eleven may result in some changes. The Environmental Report cannot be finalised however, until the strategy is finalised. Therefore any further changes to the Environmental Report will be incorporated by the Authority's technical consultants ENTEC once the strategy has been adopted by all Partners and accordingly delegated authority is sought to approve the Environmental Report after any further amendments have been incorporated.

6.32 Four additional comments were received late from English Heritage specifically in relation to the environmental report. These have been incorporated into Appendix 4 and will also be considered.

7.0 CONSIDERATION OF CONSULTATION RESPONSES

- 7.1 The requests for changes from consultees have been reviewed by officers of the North London Waste Authority. Technical officers from the constituent borough councils also met with Authority officers *during* the consultation process (23rd May) to discuss the SEA and to anticipate what some of the responses might be and agree how the Partners should jointly respond to those requests. Where actual requests matched anticipated responses, the jointly agreed amendment to the NLJWS has been made, elsewhere the proposed changes are made by Authority officers.
- 7.2 A NLJWS Strategy Implementation Board meeting is to be held on 20th June 2008 to consider the proposed changes too. Although the Strategy Implementation Board does not have decision-making powers, this will act as a second, and joint, review mechanism of consultee responses involving both Members and officers from all eight Partners to the NLJWS. A verbal report on the Strategy Implementation Board meeting will be provided at the Authority meeting.

8.0 FINAL STAGE OF THE SEA PROCESS

- 8.1 As the NLJWS and accompanying Environmental Report require approval and adoption by all eight partners the other Partners to the NLJWS have told us that the NLJWS in the form enclosed in Appendix 5 and the Environmental Report will be presented as necessary by the 30th July 2008.
- 8.2 The SEA Directive requires that information in the Environmental Report and the responses to the consultation must be taken into account during the preparation of the strategy and before it is finally adopted, a process which has been undertaken and is described above. It is then necessary to produce a separate paper which outlines how the responses to the consultation process have been taken into account in finalising the strategy. This document will be prepared by the Authority's technical consultants, Entec, following agreement of the final changes to the NLJWS resulting from the consultation process and the subsequent views of all partners, and the production of the final SEA Environmental Report. The document will be presented to the September Authority meeting and will be made available on the Authority website.

9.0 RECOMMENDATIONS

- 9.1 The Authority is recommended to:
- i) approve and formally adopt the SEA Environmental Report and the North London Joint Waste Strategy 2008, subject to any changes that arise from other partners' final consideration of the same and the final amendments from the Authority's consultants to the SEA Environmental Report ;

- ii) delegate authority to the Head of Waste Strategy and Contracts in consultation with the Chair to make any further amendments arising therefrom to the SEA Environmental Report and the North London Joint Waste Strategy 2008 prior to such approval and adoption at i) above being complete;
- iii) note that a paper outlining how consultation responses were incorporated into the SEA Environmental Report and the North London Joint Waste Strategy 2008 will be brought to the September 2008 Authority meeting.

10.0 COMMENTS OF THE FINANCIAL ADVISER

10.1 The budget for the SEA process was set at £60,000 for financial year 2007/08. A sum of £23,000 was spent in financial year 2007/08. The remaining costs will be paid in 2008/09. It should be possible to contain the slippage within the approved 2008/09 budget for services provided by external consultants.

There will be additional costs against the environmental indicators arising from the SEA Environmental Report. These will be clarified once the Environmental Report has been finalised following all Partners consideration and approval.

The financial projections in the NLJWS have been prepared to allow comparison of the relative costs of different scenarios but, being based on what is now fairly old data, should not be taken as likely actual costs.

Furthermore because the NLJWS as revised following the SEA consultation says there is no preferred scenario robust forecasts will now be determined and assessed through the development of the Outline Business Case for PFI credits and through subsequent tender evaluation work.

11.0 COMMENTS OF THE LEGAL ADVISER

11.1 The Legal Adviser has reviewed the contents of this report and his comments are included within.

Local Government Act 1972 – Access to information

Documents used:

- North London Joint Waste Strategy, Mayor's Draft, September 2004
- North London Joint Waste Strategy, SEA Draft, May 2008
- North London Waste Authority Strategic Environmental Assessment of the North London Joint Waste Strategy Environmental Report, May 2008, ENTEC UK Limited

North London Waste Authority Strategic Environmental Assessment of the North London Joint Waste Strategy Appendices to the Environmental Report, May 2008, ENTEC UK Limited

North London Waste Authority Strategic Environmental Assessment of the North London Joint Waste Strategy, Non Technical Summary, May 2008, ENTEC UK Limited

Directive 2001/42/EC – the Strategic Environmental Assessment (or ‘SEA’) Directive

A Practical Guide to the Strategic Environmental Assessment Directive, September 2005, available at <http://www.communities.gov.uk>

Sustainability Appraisal of the North London Waste Plan, Issues and Options Sustainability Commentary, Mouchel, December 2007, see www.nlwp.net

Waste Strategy for England 2007, DEFRA

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**Appendix 1 – Non- Technical Summary of the Strategic Environmental
Assessment of the North London Joint Waste Strategy**