

NORTH LONDON WASTE AUTHORITY

REPORT TITLE:

**JOINT WASTE MANAGEMENT STRATEGY
DEVELOPMENT UPDATE**

REPORT OF:

HEAD OF WASTE STRATEGY AND CONTRACTS

FOR SUBMISSION TO:

AUTHORITY MEETING.

DATE:

27th APRIL 2005

SUMMARY OF REPORT:

This report notes the principal outstanding matter with regards to all Partners approving the North London Joint Waste Strategy, and recommends Authority approval to revise the policy statement on the levy apportionment.

It updates Members on progress with a Joint Waste Development Plan Document and provides updated information on the Authority's projects funded by the London Recycling Fund.

Finally it recommends a framework for future work on the development of a Materials Recycling Facility by the Authority.

RECOMMENDATION

The Authority is recommended to:

- (i) confirm that it agrees to amend the NLJWA Policy Statement on the levy apportionment to a form that has unanimous agreement of the Constituent Boroughs and delegates authority to the Head of Waste Strategy & Contracts in consultation with the Chair to implement such a change and confirm it to the London Mayor, provided the Financial Adviser has received unanimous notification at least three weeks before the budget is set for the year in which the change is to occur;
- (ii) permit the Head of Waste Strategy & Contracts to agree to a broader input specification to the LRF-funded composting facility, provided that the gate fee remains equal to or less than the forecast recycling credit level for 2006/07; and
- (iii) confirm that the Authority needs to take a strategic lead on the delivery of a North London MRF, and that the Head of Waste Strategy & Contracts should therefore commence commissioning such a facility on the basis of letters of intent to use the facility from relevant Boroughs (as opposed to formal commitments from Boroughs to deliver specific tonnages of relevant wastes), subject to the conditions set out in para 4.5.

Signed by: Head of Waste Strategy & Contracts

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Date:.....

1. NORTH LONDON JOINT WASTE STRATEGY

- 1.1 The Authority gave its approval to the "Mayor's Draft" North London Joint Waste Strategy (NLJWS) at its special meeting on Monday 27th September 2004. This was sent to the London Mayor on 30th September.
- 1.2 A schedule of progress made towards approving the draft North London Joint Waste Strategy is attached as Appendix 1. Resolutions have been passed by seven of the eight Partners; the eighth, Barnet had at one point intended to formally consider the document in January 2005, but is now reserving its position, due to its continuing concern about the apportionment of the levy.
- 1.3 The London Mayor has not commented formally on the NLJWS because of this outstanding disagreement between Partners, and the fact that the NLJWS is therefore not yet a fully agreed document for the whole of North London. Barnet's letter of clarification, and the GLA's response are attached as Appendices 2 and 3 for information.
- 1.4 The current NLJWS Policy Statement 4.B3, approved by seven Partners is:

The Partner Authorities support a move to a tonnage based levy system provided the transitional financial impact on Partner Authorities is minimised.
- 1.5 Further officer-level discussions have taken place between Partners to assess whether this statement might be strengthened to give a commitment to progressive movement to a tonnage-based levy from 2006/07, with a fully tonnage-based apportionment by 2010/11.
- 1.6 Whilst the Authority has no direct financial interest in the manner in which its principal costs are apportioned amongst the Boroughs (in the sense that it will raise the same total levy whatever the apportionment method), the Authority does have an interest in promoting waste minimisation, which a tonnage-based apportionment would encourage amongst Boroughs, and the Authority has in the past advocated such a change to the default mechanism (on the basis that voluntary agreement appeared unlikely).
- 1.7 Finally, it is important that the Authority and the Boroughs recognise that further work will be necessary on the detail of the new scheme (particularly the inclusion of exclusion of CA wastes) and the redundancy of recycling credits, with the consequent need for Boroughs to ring-fence levy savings to contribute to waste management service budgets in a way similar to the current recycling credit regime.
- 1.8 It is recommended that the Authority confirms that it agrees to amend this Policy Statement to a form that has unanimous agreement from the Constituent Boroughs, and delegates authority to the Head of Waste Strategy & Contracts, in consultation with the Chair, to implement such a change and confirm it to the Mayor of London.

- 1.9 An update on the progress with this matter will be given to the Authority at its next meeting, and if no agreement has been reached between all Partners by this time it may be necessary to authorise the Head of Waste Strategy & Contracts to formally notify the London Mayor that we have not been able to reach agreement and to indicate how we intend to proceed subsequently.
- 1.10 Members will also recall the duty within the Waste & Emissions Trading Act 2003 for all waste authorities in two-tier areas to have a joint waste strategy by April 2005, and Government's recent advice that to satisfy this duty it would be sufficient to set out our strategy process.
- 1.11 Members will therefore be pleased to note that the Authority was made exempt from this duty due to its exceedance of its 2003/04 statutory recycling and composting performance standard, as confirmed by DEFRA on 16th February 2005 (attached as Appendix 4), so no further action was required by the Authority on this procedural point.
- 1.12 It is understood however that Constituent Boroughs (other than Camden which was also exempt) have written to DEFRA advising of our collective progress as required.

2 JOINT WASTE DEVELOPMENT PLAN DOCUMENT

- 2.1 The implementation of the NLJWS will require land-use planning matters across North London to be co-ordinated. During 2004 the waste planners of North London have been brought together, and are working on this matter.
- 2.2 The planners felt that they could not commence this work without first knowing the scope and implications in some detail. Consequently they bid (successfully) for £50,000 from DEFRA's WIP fund, and commissioned a piece of work from consultants to assist them. The essential scope of the work was to give advice on the potential detailed scope of a Joint Waste Development Plan Document (JWDPD), the timescales over which it might be developed, the key decisions and the amount of officer time likely to be needed along with a contract specification for the actual work of assisting waste planners employ consultants to take the matter forward.
- 2.3 The consultant's report is not yet finalised, but should be before the Authority meeting. Provided this is the case, a summary will be presented to Members.
- 2.4 In essence however, the report will cover the linkages of a JWDPD to Borough Local Development Schemes, Core Strategies, Statements of Community Involvement Local Development Frameworks and any relevant Local Development Documents contained therein, along with the questions of financial and officer resources mentioned above.

3 LONDON RECYCLING FUND PROJECTS

- 3.1 The Authority has been successful in attracting considerable funding from the London Recycling Fund in recent years both directly and by supporting and coordinating borough consortia.
- 3.2 There are now two on-going projects involving the North London Waste Authority as lead bidder. These are the "Building Partnerships" project delivered by the London Community Recycling Network, and the "North London Integrated Compost Project" in partnership with London Community Recycling Network, five London Boroughs and LondonWaste Ltd.

Building Partnerships.

- 3.3 This project commenced on 01 July 2004 and is intended to support new posts in the London Community Recycling Network. It is intended to enable capacity building with a specific focus on the North London community sector although projects will be supported across London. It aims to divert more waste from landfill thereby supporting the Boroughs and the Authority to meet statutory targets. The project supports all local authorities to build partnerships with the community sector's involvement in implementing the North London Joint Waste Strategy once approved.
- 3.4 The London Recycling Fund awarded a grant of £83,454 comprising a revenue grant of £66,242 (2004/05) and £17,212 for (2005/06) to the Authority to be spent with the London Community Recycling Network over a twelve-month period between July 2004 and June 2005. This funding is intended to support a Project Manager, a Project Worker and a Project Administrator. These workers are targeted to divert 10,000 tonnes from landfill at a cost of £200 per tonne.
- 3.5 The funding has supported a number of projects across London. These include:
- i) an on-going programme of training events on "Social Enterprise Procurement";
 - ii) match funding for three seminars aimed at Local Authorities entitled "Contracting with Social Enterprises", "The Hazardous Waste Regulations" and "Commingled vs. Source Separated Recycling";
 - iii) refurbishment of the Croydon Appliance Re-use Centre (ARC);
 - iv) establishing an Appliance Reuse Centre in West London;
 - v) application for match funding by Ozone Friends "Waltham White Goods Re-use and Recycling Project" in Waltham Forest;
 - vi) a successful application for match funding of £25,000 from the Western Riverside Environmental Fund (WREF) and £298,369 from the Community Recycling and Economic Development Programme (CRED) in support of the Aardvark Recycling Project in Stockwell estates; and
 - vii) support for Recycling Works Haringey in its application to CRED for funding worth £261,862.

North London Integrated Compost Project

- 3.6 The North London Integrated Composting Project is a combined project involving the London Community Recycling Network, Barnet, Hackney, Haringey, Islington the Authority and LondonWaste Ltd. The project provides support for home composting through the LCRN "Master Composter" scheme, collection infrastructure (collection vehicles and containers) for the Boroughs and an in-vessel composting facility provided by the Authority in partnership with LondonWaste Ltd.
- 3.7 This is the largest single project funded to date by the London Recycling Fund and as such is a high profile project. The LRF has awarded a total amount of £4 million to be spent on the project in a combination of capital and revenue sums.
- 3.8 A total funding amount of £3,223,460 was awarded for 2004/05 comprising a capital grant of £2,920,000 and a revenue grant of £303,460. This funding has been divided as follows
- i) LCRN - £1,000 capital and £57,971 revenue to produce promotional materials and train Master Composters to promote home composting and create a community-composting fund to be used as match funding to attract other grants. Thirdly the funding will be used to support local authorities in attracting funding from the Waste Resources Action Programme (WRAP) to support home composting;
 - ii) Barnet - £375,000 capital and £116,888 revenue towards the purchase and operation of three vehicles to collect compostable waste;
 - iii) Hackney - £125,000 capital to purchase a vehicle and containers to facilitate collection;
 - iv) Haringey - £600,000 towards the cost of five collection vehicles;
 - v) Islington - £119,000 capital and £128,601 towards the purchase of collection containers, a vehicle and operating costs; and
 - vi) NLWA - £1.7 million towards the construction costs of a 30,000 tonne per annum in-vessel composting facility.
- 3.9 Construction work on the in-vessel facility is progressing well and the facility is expected to be fully operational in July 2005.
- 3.10 The remaining funding of £776,540 is to be spent in 2005-06 on supporting the projects already started in 2004-05.
- 3.11 The spending profile was closely followed and in 2004/05 the grant was fully utilised, which is vital as otherwise unspent monies will be reclaimed by the Fund. It is anticipated that once completed the project will leave North London a legacy of increased home and community composting (keeping biodegradable waste out of the municipal stream), and enhanced collection and processing infrastructure to maintain higher levels of composting (contributing to statutory targets and reduced landfill allowance usage) for years to come.

- 3.12 More recently, however, a similar in-vessel composting facility has been built in West London that is able to accept a wider range of compostable materials than has been agreed for the North London facility. Discussions have therefore started between Authority officers, Borough officers and LondonWaste Ltd to assess the various pros and cons of making such a change for the North London facility.
- 3.13 In outline the advantages are that a wider range of acceptable materials will mean more tonnage can be collected with the same infrastructure, which will raise Borough recycling rates. It may also mean that a clearer message can be sent out to residents about what to separate for composting as there will be fewer excluded materials.
- 3.14 The disadvantages are that the gate fee to the facility will have to rise as it will no longer be able to produce the same high quality and marketable compost, and will instead have to rely probably on lower grade agricultural uses or act as daily cover at landfill sites. There may also be greater odour control costs at the composting facility.
- 3.15 Members will recall that the overall financial structure is that the Authority has negotiated a gate fee with LondonWaste Ltd in order to provide a new strategic facility for North London. In order that Boroughs are not financially worse off than if they had procured a composting service and claimed a recycling credit from the Authority, it has been agreed previously that the Authority will make a payment to relevant Boroughs equivalent to the difference between the gate fee that the Authority has paid to LondonWaste Ltd and the recycling credit that the Authority would have paid to the Borough. Consequently any variation to the gate fee is immediately cost-neutral to the Authority, provided it does not rise beyond the 2005/06 recycling credit level (forecast as £61.45 per tonne when the Authority set its budget in February 2005), and would be cost neutral from 2006/07 onwards if the gate fee rose no higher than the recycling credit level for 2006/07 (forecast at £65.54 per tonne).
- 3.16 These discussions between the various partners have not yet been concluded and it is not yet absolutely certain that the gate fee will be contained within the 2005/06 recycling credit level. It is therefore recommended that the Authority permits the Head of Waste Strategy & Contracts to agree to a broader input specification to the LRF-funded composting facility, provided that the gate fee remains equal to or less than the forecast recycling credit level for 2006/07.

4 A MATERIALS RECYCLING FACILITY FOR NORTH LONDON

- 4.1 Within the North London Joint Waste Strategy it has been demonstrated that three strategic recycling sorting and/or bulking facilities of 100,000 tonnes p.a. capacity each are required. The first is required urgently-

- 4.2 It is also the case that where dry recyclable wastes are being collected co-mingled by Camden, Enfield, Haringey and Islington currently (in all or part of their Boroughs), these are being transported far out of North London for sorting into their various fractions before being then transported to relevant reprocessor. The provision of a local facility would therefore reduce environmental impacts and increase strategic security of a suitable sorting service. It must be planned to also bring either net cost neutrality relative to prevailing alternatives, or ideally net cost reductions.
- 4.3 Local experience with the development of the in-vessel composting facility has shown that co-ordinating all party agreements between Boroughs, the Authority and the contractor can be a long and difficult process. Yet we know that for a materials recycling facility to be procured and built quickly, and for it to be affordable within the remaining term of the main waste disposal contract, we must act promptly now.
- 4.4 Opportunities for external funding typically nowadays provide insufficient time for a project to be developed from a blank sheet of paper to a full bid within the timescales allowed by funding bodies. It is currently possible that a further tranche of capital money will be available from the London Recycling Fund as they have recently found that their timescales for the last funding opportunity were indeed too short for any bidder to achieve.
- 4.5 In order to take this matter forward at the pace that is required it is recommended that the Authority should confirm that it needs to take a strategic lead on the delivery of a North London MRF as the relevant Partner to procure this in accordance with NLJWS Policy Statement 7.D1:

“The Partner Authorities will work together, through the auspices of the North London Waste Authority, to deliver the recycling and composting facilities required in the period of the current waste disposal contract.”

and that the Head of Waste Strategy & Contracts should therefore commence commissioning such a facility through the main waste disposal contract. This matter should proceed on the basis of letters of intent to use the facility from relevant Boroughs (as opposed to formal binding commitments from Boroughs to deliver specific tonnages of relevant wastes that will take a very long time to formally negotiate and agree), subject to:

- 4.5.1 the MRF being of modular design, construction and operation (to minimise expenditure on plant and labour before it is needed);
- 4.5.2 every effort being made to design the facility so that the MRF bulking bays can receive pre-sorted recyclable wastes if a Borough chooses to deliver them so (in accordance with their on-going work on deciding the local splits between kerbside and central sorting, due this September);
- 4.5.3 continuing dialogue between Boroughs, the Authority and LondonWaste Ltd on the range of materials to be received (noting this should be at least as wide as currently collected co-mingled by North London Boroughs – i.e. newspapers, magazines, cardboard, cans, plastic bottles, and glass bottles and jars); and

- 4.5.4 receipt by the Authority of a fully developed and costed proposal for consideration and approval before it makes any irrevocable commitment to commission such a MRF.
- 4.6 Any further delay in commencing work on this project may jeopardise the affordability and delivery of the facility within the main waste disposal contract and the likelihood of the Authority being able to benefit from external funding opportunities.
- 4.7 There are no financial risks to the Authority of leading the project at this stage. Any risks associated with the Authority entering into a formal agreement with LondonWaste Ltd as envisaged will be reported to the Authority with the costed proposal at 4.5.4 above.

5 RECOMMENDATIONS

- 5.1 The Authority is recommended to:
- (i) approve the revised policy statement set out at para. 1.6 on the levy apportionment;
 - (ii) permit the Head of Waste Strategy & Contracts to agree to a broader input specification to the LRF-funded composting facility provided that either the gate fee remains equal too or less than the forecast recycling credit level for 2005/06 or all boroughs delivering waste to the facility agree to compensate the Authority for its additional costs until the recycling credit level equals or exceeds the gate fee to the facility; and
 - (iii) confirm that the Authority needs to take a strategic lead on the delivery of a North London MRF, and that the Head of Waste Strategy & Contracts should therefore commence commissioning such a facility on the basis of letters of intent from relevant Boroughs (as opposed to formal commitments from Boroughs to deliver specific tonnages of relevant wastes), subject to the conditions set out in para 4.5.

6 COMMENTS OF THE FINANCE OFFICER

- 6.1 Section 1 of the report deals with the proposed change to the NLJWS Policy Statement 4.B3. The report indicates that the Authority does not have a direct financial interest in the manner in which the levy is apportioned between its constituent councils. The report also recognises that by agreeing a form of words that will strengthen the commitment to progressively move to a tonnage-based levy from 2006/07 that further work will be required by all Partner authorities in order to give effect to the change. In particular, given the proposed change, the constituent councils will be required to satisfy the authority, at the budget and levy meeting each February, that they have reached unanimous agreement on the method of apportioning the levy for the following financial year so that the Authority can notify each constituent council of its share of the levy by the due date. This means that each council will have to pass a resolution agreeing the apportionment in the same terms prior to the Authority's meeting in February.
- 6.2 Section 3 of the report comments on progress of the London Recycling Fund Projects in the north London area. The Authority's own project to provide an in-vessel composting facility in partnership with LondonWaste Ltd is progressing well, however, the proposed modification of the facility to enable a wider range of compostable materials to be accepted will come with an additional treatment cost. The Authority's 2005/06 budget assumes that the treatment cost will not exceed a gate fee of £61.45 per tonne; equivalent to the 2005/06 forecast recycling credit payment (see paragraph 3.15 for further scheme details). Although discussions to date between the various partners suggest that it may be possible to contain the additional gate fee within the figure of £61.45 this is not certain. Accordingly, the Head of Waste Strategy and Contracts is seeking approval to a degree a flexibility in his negotiations to broaden the input specification by imposing a maximum gate fee of up to £65.54 per tonne, i.e. a maximum increase of £4.09 per tonne over the current budget provision. Assuming the facility is operational for 9 months this could add up to £92,000 to the Authority's costs in 2005/06. The additional cost can be funded from the Authority's 2005/06 contingency provision. Providing the revised gate fee can be contained within a figure of £64.45 per tonne (£61.45 plus £3 increase in landfill tax) any increase would be a one-off cost for 2005/06 only, if this is not possible there would be a small additional cost of up to £33,000 in 2006/07. Thereafter, there would be no additional cost to the Authority.
- 6.3 The proposal to commence commissioning of a materials recycling facility with LondonWaste Ltd does not commit the Authority to the cost of the project but simply provides the necessary authorisation for a project to be developed. In due course the Authority will need to be provided with a fully developed and costed proposal before any irrevocable commitment can be made to commission a MRF.

7 COMMENTS OF THE LEGAL ADVISER

- 7.1 The Legal Adviser has been consulted on this report and has no further comments to add.

Local Government Act 1972 – Access to information

Minutes of Constituent Borough meetings, and of the Special Meeting of the Authority on 27th September 2004

Letters used as Appendices.

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APPENDIX 1

JOINT WASTE STRATEGY APPROVALS AS AT 11th APRIL 2005

BARNET:

Position reserved, subject to satisfactory agreement being reached with all other Partners on the apportionment of the levy.

CAMDEN:

EXECUTIVE (ENVIRONMENT) SUB-GROUP: 21 SEPT 2004

It is recommended that the Executive (Environment) Sub Group

- note the report
- adopt the North London Joint Municipal Waste Strategy on behalf of the London Borough of Camden

AGREED

ENFIELD:

5.2 REFERENCE FROM ENVIRONMENT, PARKS AND AMENITIES SCRUTINY PANEL – DRAFT NORTH LONDON JOINT WASTE STRATEGY 2004-2020

Councillor Tony Dey (Chairman of the Environment, Parks and Amenities Scrutiny Panel) introduced the report of the Environment, Parks and Amenities Scrutiny Panel (No.129) setting out the recommendations of the Scrutiny Panel following its review of the draft North London Joint Waste Strategy 2004-2020.

NOTED:

1. the comments of Councillor John Boast with regard to the decision-making processes within the North London Waste Authority (NLWA) in conjunction with the partner Local Authorities. Councillor John Boast and Councillor Bill Price were the Council's representatives on the NLWA. They had emphasised to the NLWA that they did not have executive decision-making powers on behalf of Enfield Council and that this role was that of Councillor Terence Neville (Cabinet Member for Environment and Street Scene);
2. the further work which was required to revise and update the North London Joint Waste Strategy;
3. that Bob Stranks, Assistant Director Street Scene, Waste and Parks was working closely with the NLWA.

Alternative Options Considered: None given the specific reference from Cabinet received by the Environment, Parks and Amenities Scrutiny Panel.

DECISION: The Cabinet supported the following recommendations of the Scrutiny Panel:

1. that the draft North London Joint Waste Strategy 2004-2020 be supported in principle;
2. that the Council writes to the other Partner Authorities setting out its concern regarding the strategy including the need to update the strategy to take into account recent legislative developments;
3. that the Council takes action with the aim of securing agreement among other partner authorities with a view to conducting an immediate review of the strategy, and
4. that the Council writes to the other Partner Authorities with the aim of securing a more sustainable and formal basis for inter-authority collaboration.

Reason: The joint North London Waste Strategy had been written to establish long-term strategy in respect of significant services. The significant recent legislative changes and proposals mean that the strategy required review.
(Non-key)

HACKNEY:

The following was agreed by Council on 24th November 2004:

Adopt the North London Joint Waste Strategy 2004-2020 and to delegate authority to the Director of Environment in consultation with the Lead Member to agree minor alterations as a result of comments received from other partners and the London Mayor.

HARINGEY:

The following was agreed by Council on 15th November 2004

RESOLVED:

1. That reports 06 & 07/2004 - 05 of the Executive be received and adopted.
2. That the North London Joint Waste Strategy be adopted and that the Mayor for London be informed accordingly
3. That the Director of Environmental Services in consultation with the Executive Member for Environment be authorised to make any changes necessary to the Strategy in response to comments received from the Mayor for London

ISLINGTON:

Strategy considered and approved on 9th September.

NORTH LONDON JOINT WASTE STRATEGY 2004-2020 (Item E1)

RESOLVED:

- (a) That the North London Joint Waste Strategy for 2004 –2020, appended to the report by the Executive Member for Sustainability, be formally adopted.
- (b) That the Director of Environment and Conservation be authorised to approve any final amendments to the strategy, following final consideration by partner authorities.

Reason for decision

By working in partnership with other authorities and local communities to provide services and new facilities, north London can achieve the challenging targets set by Government.

Other options considered

None.

WALTHAM FOREST:

Adopted by Cabinet on 21st September 2004

THE NORTH LONDON WASTE STRATEGY

The London Boroughs of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest and the North London Waste Authority have worked in partnership to develop a North London Joint Waste Strategy. Members noted in particular the steps being taken to increase the amount of material recycled.

Reason For Decision

The strategy aims to deliver more sustainable waste management arrangements for North London.

CABINET DECISION

Cabinet agreed to adopt 'The North London Joint Waste Strategy 2003 – 2020'.

NORTH LONDON WASTE AUTHORITY:

The Authority considered the 'Mayor's Draft' North London Joint Waste Strategy at a Special Meeting on 27th September 2004.

RESOLVED –

- i) THAT the North London Joint Waste Strategy as attached at Appendix 4 be approved;
- ii) THAT it be noted that the strategy would be submitted to the Mayor on the basis that the draft strategy had been recommended in Seminars attended by representatives of all eight Authorities and that it had been formally approved by named North London Boroughs and that the Mayor would be informed when approval was given by all remaining North London Boroughs;
- iii) THAT authority be delegated to the Head of Waste Strategy and Contracts in consultation with the Chair to approve a statement if there remained any disagreements with other Partner Authorities on the revised wording for the final draft strategy; and

THAT it be noted that if the Mayor seeks any changes to the strategy, a Cabinet Member Seminar might be required to address these and recommend any changes to the seven North London Boroughs and to the North London Waste Authority.

APPENDIX 2

Head of Environmental Services
The London Borough of Barnet,
Building 4, North London Business Park
Oakleigh Rd South,
London N11 1NP

Mr K Livingstone
Greater London Authority
City Hall
The Queen's Walk
London SE1 2AA

contact: Nicola Buck
tel: 020 8359 7404
e-mail: nicola.buck@barnet.gov.uk
fax: 0870 889 6793
date: 17 December 2004
our reference: NB/352
your reference:

Dear Mr Livingstone

Re: North London Joint Waste Strategy

The North London Joint Waste Strategy is for the north London area which includes the boroughs of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest and the waste disposal authority, the North London Waste Authority. This strategy was submitted to the Greater London Authority on the 30 September 2004.

As set out in your Municipal Waste Management Strategy 4V.5 the joint strategies should set out a programme agreed by both the collection and disposal authorities. Policy 44 also seeks for two-tier waste authorities to have a joint strategy.

Barnet Council has been involved in the development of the strategy and formally considered the draft strategy when it was out for public consultation. The strategy was then revised as a result of comments made in the public consultation.

Barnet Council considers that it can not agree to the strategy that was submitted to the Greater London Authority for two reasons:

- The wording related to a move towards a tonnage based levy is too weak, action 4B3. Barnet considers that the use of a tonnage based levy system is a key incentive for improving recycling performance, therefore the wording in this action should be made stronger and needs to include an early commitment to a date by which it is to happen. Barnet realises that recent consultation papers have included the issue indicating that there could be a change in the legislation in the future, however Barnet considers this to be a key issue that should be included from the start of the 20 year strategy and one that would be fully in line with your own Proposal 12.

- Action 7A2 of the strategy is that 'Each Partner authority will notify all other Partners what mixture of kerbside sorting and co-mingled collection for dry recyclables that it will use for the period of the Strategy no later than September 2005'. Including this action in the strategy allows in effect the discussion to continue for another year without a decision necessarily being made. Barnet Council realises that with several differing opinions that this may be a pragmatic approach but believes that the collection methodology should have been decided from the start of the strategy.

I hope that you will consider Barnet's two concerns in your appraisal of the strategy. Barnet will reconsider the strategy once any formal comments from the Greater London Authority have been received.

Yours sincerely

A handwritten signature in black ink, appearing to read "Steve Presland". The signature is written in a cursive, slightly slanted style.

Steve Presland
Head of Environmental Services

CC:
London Boroughs of Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest
NLWA

APPENDIX 3

Mr S Presland
Head of Environmental Services
The London Borough of Barnet
Building 4, North London Business Park
Oakleigh Road South
London N11 1NP

Our ref: AR 17/02/05

Your ref:

Date: 17/02/2005

Dear Mr Presland

Re: North London Joint Waste Strategy

Thank you for your letter of 17 December 2004 addressed to the Mayor, please accept my response on his behalf.

Your letter sets out the London Borough of Barnet's concerns with the current draft of the North London Joint Waste Strategy and cites these concerns, as the reasons the London Borough of Barnet cannot agree to the strategy. The strategy was sent to the Mayor on the understanding that it was an agreed joint strategy, which your letter now suggests is not the case. As such the GLA is unable to consider this current submission of the North London Joint Waste Strategy as the final submission to the Mayor. It is suggested that you re-enter into discussions with NLWA and the constituent boroughs with an aim to resolve these issues. The strategy can then be submitted to the Mayor.

The Greater London Authority's role in this instance is to review an agreed Joint Waste Strategy within the strategic context of London, not to arbitrate disagreements on local issues. As such the GLA will not be able to make formal comments on the strategy until either all parties agree to the strategy or those who feel they cannot agree, formally opt out.

I hope this issue can be resolved agreeably and look forward to receiving the final submission.

Yours sincerely,

Andrew Richmond
Senior Policy Officer (Waste Liaison and Contracts)
Greater London Authority

Cc: NLWA, LB Camden, LB Islington, LB Hackney, LB Haringey, LB Waltham Forest, LB Enfield



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Mr Andrew Lappage
North London Waste Authority

16 February 2005

Dear Mr Lappage,

Joint Municipal Waste Management Strategies

The Waste and Emissions Trading Act 2003, which received Royal Assent on 13 November 2003, introduced by section 32 a statutory duty on waste authorities in two-tier areas in England to have in place by 13 April 2005 a joint municipal waste management strategy.

Following consultation, the Government has published guidance on the application of this duty. We have also published a letter clarifying what is expected from local authorities that are required to have in place a strategy by April 2005. Both of these documents are enclosed and are also available at: <http://www.defra.gov.uk/environment/waste/localauth/index.htm>

In line with the Government's commitment to freedoms and flexibilities, the duty to have in place a joint strategy may be disapplied from certain categories of authority under the Joint Municipal Waste Management Strategies (Disapplication of Duties) (England) Regulations 2004 ('the 2004 Regulations'), made under section 33 of the Waste and Emissions Trading Act 2003.

By this letter the Secretary of State gives North London Waste Authority notice, in accordance with regulation 2(b) of the 2004 Regulations, that, because it has met the performance standards specified for waste authorities for the most recent financial year for which standards were set by an order made under section 4(1) of the Local Government Act 1999, the duty to have in place a joint strategy does not apply to you. For the purposes of the 2004 Regulations the effective date of this notice is 13 April 2005.

A copy of the 2004 Regulations can be found on the website of Her Majesty's Stationery Office at: <http://www.legislation.hmsso.gov.uk/si/si2004/20043242.htm>. The criteria for exemption are also set out in the guidance on the application of the duty. This guidance

also covers the duration of any disapplication, and the arrangements for contributing to a strategy once a disapplication has come to an end.

While your authority is not required to have in place a joint strategy we still encourage you to work with neighbouring authorities to develop one as long term strategic planning is vital in securing both the infrastructure and service developments necessary to deliver more sustainable waste management. We would also welcome a brief statement on the progress of any strategy development, to help us build a picture of strategic capacity at the local level and inform further support.

To assist local authorities we are currently consulting on both new policy and practice guidance on the preparation of strategies. Recognising the importance of aligning municipal waste management strategies with the spatial planning system, the new guidance has been developed in parallel with the Office of the Deputy Prime Minister's consultation on draft Planning Policy Statement 10: Planning for Sustainable Waste Management (PPS10). Copies of the consultation papers are available at:

<http://www.defra.gov.uk/corporate/consult/wasteman-strat/index.htm>.

Responses please send them via email to: LAWPP@defra.gsi.gov.uk.



Lindsay Cornish
Head of Waste Strategy

Report Ends