

**NORTH LONDON WASTE AUTHORITY**

**REPORT TITLE:**

CONSULTATIONS AND POLICY UPDATE

**REPORT OF:**

HEAD OF OPERATIONS

**FOR SUBMISSION TO:**

AUTHORITY MEETING

**DATE:**

8 February 2018

**SUMMARY OF REPORT:**

This report provides the regular update on consultations and policy issues that have the potential to impact on Authority operations or activities. The report provides an outline of a draft new London Plan, (NLP) the spatial strategy for the capital, which is currently being consulted upon. Officers note that a response is likely to be largely supportive and the report seeks delegated authority in consultation with the Chair and Vice Chairs to respond. In addition, the report notes a response submitted to Environment Agency charging proposals that are due to be implemented from 1 April and other policy matters.

**RECOMMENDATIONS:**

The Authority is recommended to:

- (i) delegate authority to the Head of Operations to submit a response to the draft new London Plan (NLP) in consultation with the Chair and Vice Chairs;
- (ii) note a response submitted to the Environment Agency consultation on charging proposals from 2018; and
- (iii) note the other contents of this report.

**SIGNED:** \_\_\_\_\_ **Head of Operations**

**DATE:** 29 January 2018

## **1. PURPOSE AND STRUCTURE OF REPORT**

1.1 The Consultations and Policy Update report is a regular report which provides an update for Members on consultations and policy issues that are relevant to the Authority such that the proposals have the potential to affect the Authority's operations and/or costs. The report additionally seeks approval for responses where appropriate.

1.2 The report is structured as follows:

### Delegation of authority (section 2)

- To respond to the Greater London Authority's consultation on the draft new London Plan (NLP);

### Consultation for noting (section 3):

- The response submitted by officers under existing delegation to the Environment Agency's Charge proposals from 2018 ; and

### Other developments for noting (section 4)

## **2. MATTERS FOR DELEGATION**

### **2.1 Consultation on a new London Plan (NLP)**

#### Background

2.1.1 Under the legislation establishing the Greater London Authority (GLA), the Mayor of London is required to publish a Spatial Development Strategy (SDS) and to keep it under review. The SDS is known as the London Plan. As the overall strategic plan for London, it typically sets out an integrated economic, environmental, transport and social framework for the development of London over the next 20-25 years.

2.1.2 In December 2017 the Mayor of London issued a consultation on a new London Plan (NLP) seeking responses by 2 March 2018. The general objectives of the NLP, and the process for drawing it up, altering it and replacing it, are set out in the Greater London Authority Act 1999 (as amended) and supporting detailed regulations. The consultation draft NLP states that the draft NLP has been developed in line with these requirements. Following this period of consultation, it is anticipated that an Examination in Public (EIP) will be carried out by an independent panel in autumn 2018.

2.1.3 The London Plan forms part of the strategic planning framework for all London Local Planning Authorities and therefore must be taken into account when planning decisions are taken in any part of London. Planning applications should be determined in accordance with it, unless there are sound planning reasons (other material considerations) which indicate otherwise. Because the Authority already has a Development Consent Order (DCO) for the North London Heat and Power Project, this isn't expected to affect the Authority's plans for the Edmonton EcoPark.

2.1.4 The NLP provides the strategic, London-wide policy context for borough local development plan documents; all local development plan documents and Neighbourhood Plans have to be 'in general conformity' with the London Plan.

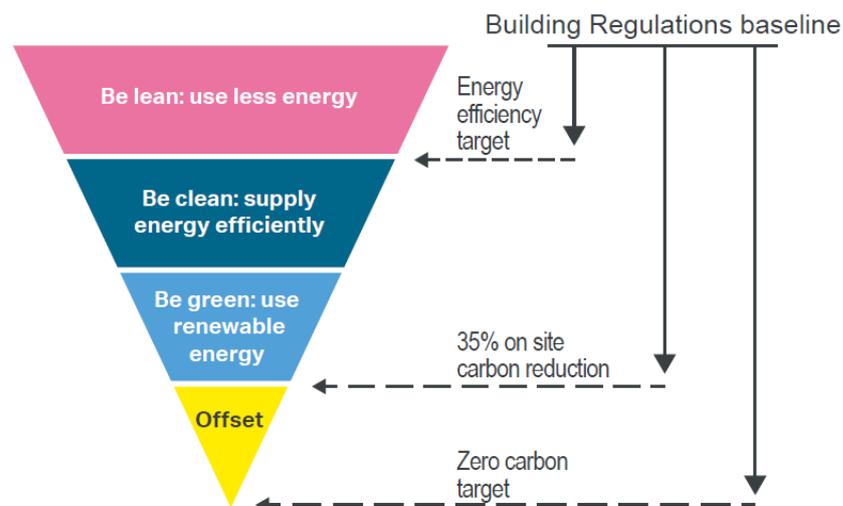
### Proposals

2.1.5 The NLP will run from 2019 to 2041. In that time the population of the capital is anticipated to grow from 8.9 million today, to 10.8 million in 2041. The NLP will be a replacement Plan – superseding all previous plans or alterations of the same.

2.1.6 The NLP will remain relevant to NLWA because it sets the framework for planning decisions and helps to establish planning priorities when there are competing demands for land use. The population projections in the NLP are also particularly relevant because they both set the framework for waste arisings and provide a framework for borough projections for waste services (*inter alia*). In addition, the NLP establishes (Chapter one) the importance the circular economy in increasing efficiency and resilience. The NLP states that creating a low carbon circular economy, in which the greatest possible value is extracted from resources before they become waste, is not only socially and environmentally responsible, but will save money and limit the likelihood of environmental threats affecting London's future.

2.1.7 The NLP sets out policies in relation to air quality and establishes the objective for London to become a zero carbon city by 2050. Priorities are established for energy and the NLP states that the energy hierarchy should inform the design, construction and operation of new buildings. The priority is to minimise energy demand and then address how energy will be supplied and renewable technologies incorporated.

**Fig. 1 The energy hierarchy and associated targets in the new London NLP**



Source: Greater London Authority

- 2.1.8 A zero-carbon target for major residential developments has been in place for London since October 2016. This target will be extended to include major non-residential developments on final publication of the NLP (expected in 2019).
- 2.1.9 In relation to energy-from-waste, Policy SI3 – ‘Energy Infrastructure’ is supportive of energy-from-waste. The policy states that energy masterplans should be developed for large-scale development locations which establish the most effective energy supply option. Energy masterplans should identify amongst other things “possible opportunities to utilise energy from waste.” In addition, the NLP states that major development proposals within Heat Network Priority Areas should have a communal heating system and where a heat network is planned but not yet in existence the development should be designed for connection at a later date.
- 2.1.10 In relation to waste, Policy SI7 sets out the proposals for reducing waste and supporting the circular economy as follows:
- A) Waste reduction, increases in material re-use and recycling, and reductions in waste going for disposal will be achieved by:
- 1) promoting a more circular economy that improves resource efficiency and innovation to keep products and materials at their highest use for as long as possible
  - 2) encouraging waste minimisation and waste avoidance through the reuse of materials and using fewer resources in the production and distribution of products
  - 3) ensuring that there is zero biodegradable or recyclable waste to landfill by 2026
  - 4) meeting or exceeding the recycling targets for each of the following waste streams and generating low-carbon energy in London from suitable remaining waste:
    - a) municipal waste<sup>1</sup> – 65 per cent by 2030
    - b) construction, demolition and excavation waste – 95 per cent by 2020
  - 5) designing developments with adequate and easily accessible storage space that supports the separate collection of dry recyclables (at least card, paper, mixed plastics, metals, glass) and food.
- B) Referable applications should promote circular economy outcomes and aim to be net zero-waste. A Circular Economy Statement should be submitted (by the applicant), to demonstrate:
- 1) how all materials arising from demolition and remediation works will be re-used and/or recycled
  - 2) how the proposal’s design and construction will enable building materials, components and products to be disassembled and re-used at the end of their useful life
  - 3) opportunities for managing as much waste as possible on site

---

<sup>1</sup> Based on the EU definition of municipal waste being household waste and other waste similar in composition to household waste. This includes local authority collected waste and waste collected by the private sector.

- 4) adequate and easily accessible storage space to support recycling and re-use
- 5) how much waste the proposal is expected to generate, and how and where the waste will be handled.

2.1.11 As the London NLP consultation is open for a response until March it is recommended that officers consider the document in greater detail and in liaison with borough technical and planning colleagues, and then draft a response from the Authority.

2.1.12 Given the overview by officers to date, the draft response is likely to be supportive of the principles behind the main policies within the draft NLP. More time would be helpful to look at the projections within the document in more detail, most notably to consider the population and waste projections up to 2041, to enable a response to be put forward incorporating any key points. Officers will want to ensure there are no adverse impacts on current and future services and assets, and that financial and environmental consequences of change in the management of wastes are always understood and agreed by relevant parties. It is therefore recommended that authority is delegated to the Head of Operations to submit a response in consultation with the Chair and Vice Chairs.

### **3. CONSULTATION RESPONSE FOR NOTING**

#### **3.1 Environment Agency Charge proposals from 2018**

3.1.1 From 30 November 2017 until 26 January the Environment Agency was consulting on its scheme of charges for environmental permits and a range of other approvals with the aim of bringing a new charging regime into effect from 1 April 2018. The topic was largely technical, and officers have submitted a response under delegated authority.

3.1.2 The aims of the review included to simplify the current charging regime, which at present incorporates over 3,000 different subsistence and application charges, down to 250 permit categories and some 275 different application charges. Another aim was to enable full cost recovery through the charging scheme.

3.1.3 When calculating the costs of services and setting charges the Environment Agency is required to follow HM Treasury's Managing Public Money (MPM) and Classification of Receipts guidance when calculating the costs of services and setting charges.

3.1.4 Officers submitted a short response to respond to consultations because time did not allow it to be brought to a full Authority meeting.

- 3.1.5 The [response](#) which is available in the consultations section of the Authority's corporate website [nlwa.gov.uk](http://nlwa.gov.uk) provides comment on a limited number of the proposals, as the majority are supported or are not applicable to NLWA. The key proposal which will affect the Authority, if implemented, is a proposal to waive baseline subsistence charges for the period during which neither construction nor operation has commenced on a new facility, to reflect the fact that the Environment Agency has not yet started regulatory scrutiny of the site. The proposed exception is incinerators and co-incinerators where the Environment Agency will charge a fixed pre-construction charge and full subsistence charges as soon as construction begins. As this proposal if implemented may affect the North London Heat and Power Project, officers have commented on this proposal. The response states that the Agency has not provided a justification for why incinerators and co-incinerators should be treated differently to other activities.

#### **4. OTHER DEVELOPMENTS**

##### **National and International Policy Development**

- 4.1 On 11 January the Government published its 25 Year Plan to improve the environment – "A Green Future: Our 25 Year Plan to Improve the Environment". A summary of the key points in plan is attached as Appendix 1, and future steps are noted in the Forward Plan elsewhere on this agenda.
- 4.2 Five days later the first Europe-wide strategy on plastics was adopted under which all plastic packaging on the EU market will be recyclable by 2030, the consumption of single use plastics will be reduced and the intentions use of micro-plastics will be restricted.

##### **Local policy in relation to waste from charity shops**

- 4.3 As agreed at the last Authority meeting the Head of Operations has approved a policy on charity shop wastes in consultation with the Chair and after discussion at the last Members Recycling Working Group, which is available on the Authority's website. Financial provision for this has been made in the proposed budget for 2018/19 elsewhere on this agenda.

#### **5. RECOMMENDATIONS**

The Authority is recommended to:

- (i) delegate authority to the Head of Operations to submit a response to the draft new London Plan (NLP) in consultation with the Chair and Vice Chairs;
- (ii) note a response submitted to the Environment Agency Charge proposals from 2018; and
- (iii) note the other contents of this report.

## **6. COMMENTS OF THE LEGAL ADVISER**

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

## **7. COMMENTS OF THE FINANCIAL ADVISER**

- 7.1 The Financial Adviser has been consulted in the preparation of this report and comments have been taken into account.

### **Local Government Act 1972 - Access to Information Documents used:**

The London Plan, The Spatial Development Strategy for Greater London, Draft for Public Consultation, December 2017 available at: <https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan>

Environment Agency Charge proposals from 2018, Environment Agency, 30 November 2017, available at: <https://www.gov.uk/government/consultations/environment-agency-charge-proposals-from-april-2018>

A Green Future: Our 25 Year Plan to Improve the Environment, HM Government, 11 January 2018, available at: <https://www.gov.uk/government/publications/25-year-environment-plan>

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, A European Strategy for Plastics in a Circular Economy, available at: <http://ec.europa.eu/environment/circular-economy/pdf/plastics-strategy.pdf>

### **Contact Officers:**

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

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

Tel: 020 8489 5730  
Fax: 020 8365 0254  
E-mail: [post@nlwa.gov.uk](mailto:post@nlwa.gov.uk)

## **APPENDIX 1**

### **Key points in the 25 Year Plan to Improve the Environment**

The aim of the Plan is to improve the UK's air and water quality and protect plants, trees and wildlife species so it is a wide-ranging document of which waste is one part. The series of goals for improving the environment within the Plan include those set out below which are the ones of most relevance to NLWA:

#### **Clean air**

Which will be achieved by:

- meeting legally binding targets to reduce emissions of five damaging air pollutants; this should halve the effects of air pollution on health by 2030
- ending the sale of new conventional petrol and diesel cars and vans by 2040
- maintaining the continuous improvement in industrial emissions by building on existing good practice and the successful regulatory framework

#### **Mitigating and adapting to climate change**

The Plan states that the Government will take all possible action to mitigate climate change, while adapting to reduce its impact. This will be achieved by:

- continuing to cut greenhouse gas emissions including from land use, land use change, the agriculture and waste sectors and the use of fluorinated gases
- making sure that all policies, programmes and investment decisions take into account the possible extent of climate change this century
- implementing a sustainable and effective second National Adaptation Programme

#### **Minimising waste**

Waste minimisation will be achieved by reusing materials as much as possible and managing materials at the end of their life to minimise the impact on the environment. This will be achieved by:

- working towards the ambition of zero avoidable waste by 2050
- working to a target of eliminating avoidable plastic waste by end of 2042
- meeting all existing waste targets – including those on landfill, reuse and recycling – and developing ambitious new future targets and milestones
- seeking to eliminate waste crime and illegal waste sites over the lifetime of the Plan, prioritising those of highest risk. Delivering a substantial reduction in litter and littering behaviour.
- significantly reducing and where possible preventing all kinds of marine plastic pollution – in particular material that came originally from land

Other targets are included under the following headings of 'Clean and plentiful water'; 'Thriving plants and wildlife'; 'Reducing the risks of harm from environmental hazards'; 'Using resources from nature more sustainably and efficiently'; 'Enhancing beauty, heritage and engagement with the natural environment', 'Managing exposure to chemicals' and 'Enhancing biosecurity'.

The government wants to see an effective governance structure to ensure delivery of the outcomes in the Plan on which there will be a consultation in early 2018. A set of metrics will also be developed to assess progress towards the 25 year goals and there will be an annual progress report published too.

The 25 Year Plan to Improve the Environment notes that it sits alongside two other important government strategies, namely the Industrial Strategy and the Clean Growth Strategy, both of which the Authority responded to. The Government has also announced that it will be publishing a Resources and Waste Strategy later in 2018, which will be of more direct relevance to the Authority.