

NOTICE OF MEETING

EXTRAORDINARY FULL COUNCIL

From: The Mayor of Haringey Council - Councillor Gina Adamou
To: Councillors of Haringey Council

Dear Sir/Madam

A meeting of the Council of the London Borough of Haringey will be held at the Civic Centre High Road, Wood Green N22, and 8LE on Thursday 31st January at 7.00pm to transact the following business.

Agenda

In accordance with Part 4 - section A [4.2] of the Constitution, it being an extraordinary meeting of the Council no other business shall be considered other than those items stated on the Summons. Any tabled items will only relate to those shown on the Summons.

Quorum: 15

1. FILMING AT MEETINGS

Please note this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Although we ask members of the public recording, filming or reporting on the meeting not to include the public seating areas, members of the public attending the meeting should be aware that we cannot guarantee that they will not be filmed or recorded by others attending the meeting. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings.

The Chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual, or may lead to the breach of a legal obligation by the Council.

2. TO RECEIVE APOLOGIES FOR ABSENCE

3. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct

4. TO RECEIVE THE REPORT OF THE CHIEF EXECUTIVE (PAGES 1 - 16)

- **Update to Committee Memberships and Outside Body Appointments 2018/19**

5. TO CONSIDER REQUESTS TO RECEIVE DEPUTATIONS AND/OR PETITIONS AND, IF APPROVED, TO RECEIVE THEM

6. PRE-SUBMISSION CONSULTATION ON THE NORTH LONDON WASTE PLAN. (PAGES 17 - 404)

7. CHANGES TO 2019/20 COUNCIL TAX REDUCTION SCHEME (PAGES 405 - 740)

8. CHANGES TO COUNCIL TAX DISCOUNTS FOR UNOCCUPIED AND UNFURNISHED PROPERTIES AND VACANT PROPERTIES REQUIRING OR UNDERGOING MAJOR REPAIR OR STRUCTURAL ALTERATION (PAGES 741 - 746)

9. CHANGES TO COUNCIL TAX PREMIUM FOR LONG-TERM EMPTY DWELLINGS (PAGES 747 - 752)

Ayshe Simsek, Acting Democratic Services and Scrutiny Manager
Tel – 020 8489 2929
Fax – 020 8881 5218
Email: ayshe.simsek@haringey.gov.uk

Zina Etheridge
Chief Executive
River Park House, 225 High Road, Wood Green, N22 8HQ

Wednesday, 23 January 2019

This page is intentionally left blank

Report for: full Council – 31 January 2019

Title: **Update to Committee Memberships and Outside Body Appointments 2018/19**

Authorised by : Bernie Ryan, Assistant Director Corporate Governance & Monitoring Officer

Lead Officer: Ayshe Simsek, Acting Democratic Services and Scrutiny Manager
0208 489 2929 ayshe.simsek@haringey.gov.uk

Ward(s) affected: All

**Report for Key/
Non Key Decision:** Non Key Decision

1.Describe the issue under consideration

- 1.1 This report seeks approval to changes to committee memberships and outside bodies for the municipal year 2018/19 following the changes to Cabinet membership reported to the Chief Executive on the 31st of December 2018. The Council is required to ensure that appointments to which the political balance rules apply are made in accordance with those rules. This report also provides the membership of the Cabinet for the Council to note at appendix 2.
- 1.2 A schedule of Committees is attached at Appendix 1 to this report and includes the proposed changes to memberships of committees. This details the number of seats available on each Committee and the proportional split between the parties in accordance with the political balance of the authority.
- 1.3 The Health and Wellbeing Board Membership changes include the allocation of Chair to the Cabinet Member for Adults and Health. This remains in accordance with the Council's Constitution and section 194 of the Health and Social Care Act 2012.
- 1.4 The changes to outside body appointments are included at appendix 3. The appointments to the LGA Leaders Committee, a section 101 joint committee, and the London Councils Grants Committee require councillors to be members of the Cabinet.
- 1.5 The Council are also requested to approve a change in membership to a community body, Jacksons Lane, Management Committee set out in appendix 3.

2.Cabinet Member Introduction

N/A

3.Recommendations

3.1 Council is asked to:

3.1.1 Agree the updated membership of Committees detailed at Appendix 1.

3.1.2 Agree the changes to outside bodies outlined at Appendix 3.

3.1.3 To note the membership of the Cabinet as detailed at Appendix 2.

4. Background information

4.1 The Annual Meeting of the Council appoints Committees of the Council in accordance with Article 4.02 of the Constitution. The Council is required to comply with the provisions of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 in terms of political balance when appointing 'ordinary' committees – that is, committees appointed under section 101 and 102 of the Local Government Act 1972.

4.2 These rules provide that seats on 'ordinary' committees must be allocated in line with the following principles in order of precedence:

- (a) that not all the seats on a body are allocated to the same political group;
- (b) that the majority of the seats on the body are allocated to the political group which has the majority of the Council's membership;
- (c) that, subject to principles (a) and (b) above, the total number of seats of all the ordinary committees of the Council shall be allocated to each political group in the same proportion as their share of membership of the Council as a whole; and
- (d) that, subject to paragraphs (a) to (c) above, the number of seats on each individual body shall be allocated to each political group in the same proportion as to their size on the Council as a whole.

4.3 The political balance of the Council of 57 councillors is as follows:

Labour	42 councillors (73.7%)
Liberal Democrats	15 councillors (26.3%)

Where practicable the allocation of seats on ordinary committees should be in line with the proportion of seats on the Council held by the political groups. The rule about proportionate allocation of seats on bodies overall takes precedence over the rule about proportionate allocation on any individual body.

4.4 The number of seats currently available on ordinary committees is 47. Of this number 35 or 74.5% are allocated to the Labour Group and 12 or 25.5% to the Liberal Democrat Group.

4.5 In calculating the allocation of seats on ordinary committees, the following bodies are excluded because these bodies are excluded from the statutory rules on political balance:

- The Cabinet
- The disciplinary pool;
- Licensing Sub-Committees (Licensing Act 2003 and Gambling Committee);
- Other Committees where membership is determined on the basis of electoral ward represented; and
- The Health and Wellbeing Board.

The Cabinet

- 4.5.1 The Cabinet is appointed by the Leader and may only comprise councillors from the majority party. It must have between 2 and 9 members in addition to the Leader.

Licensing Sub-Committees (Licensing Act 2003 and Gambling Committee);

- 4.5.2 No changes are proposed to the membership of these committees.

The Health and Wellbeing Board

- 4.5.3 The membership of the Health and Wellbeing Board is prescribed at section 194 of the Health and Social Care Act 2012 and this Committee is therefore excluded from the political balance calculations. The proposed revisions to membership reflect changes made to the Cabinet and allocates the role of Chair to the Cabinet Member for Adults and Health.

Overview and Scrutiny Committee

- 4.6 No changes are proposed to the membership of this committee.
- 4.8 Changes to appointments can be made at any stage during the Municipal Year with the changes being reported to the Council as appropriate. For completeness, full Council is presented with the membership of all Committees at Appendix 1. This Appendix will supersede that agreed at the Annual Meeting in May 2018.
- 4.9 As set out in paragraph 1.2 of Part Three Section C of the Council's Constitution, the Leader selects the Members of the Council's Cabinet. These changes are presented to the full Council for information.

**5. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)
Finance and Procurement**

- 5.1 No comments.

Assistant Director Corporate Governance & Monitoring Officer

- 5.2 The report sets out those Council bodies to which the political balance rules apply. The 1989 Act requires political balance in the distribution of seats on committees to be undertaken "so far as is reasonably practicable" thus recognising that a mathematically precise split between political parties cannot always be achieved.
- 5.3 The rules in section 15 of the Local Government and Housing Act 1989 require that a party with a majority on full Council shall have a majority of seats on each non-executive body and this rule takes precedence over the rules requiring an exact political balance on those bodies individually and taken as a whole.
- 5.4 This report also details changes to appointments to three outside bodies. Both the LGA Leaders Committee and the London Councils Grants Committee require appointments to be made from the the Cabinet.

6. Use of Appendices

- 6.1 Appendix 1 – Appointment of Committees, etc for 2018/19

6.2 Appendix 2 – Cabinet Membership 2018/19

6.3 Appendix 3 - Changes to Outside Bodies

7. Local Government (Access to Information) Act 1985

7.1 Background documents:

- *Appointments to Cttees 2017/18*
- *Haringey Council's Constitution*
- London Councils Circular 6th March 2018

7.2 The background papers are located at River Park House, 225 High Road, Wood Green, London N22 8HQ.

7.3 To inspect them or to discuss this report further, please contact Ayshe Simsek on 0208 489 2929.

~~ANNUAL~~ Extraordinary COUNCIL MEETING

~~24 May 2018~~
31 January 2019

APPOINTMENT OF COMMITTEES ETC. FOR 2018/19

* Amendments are marked in **Bold** and ~~striketrough~~.

COMMITTEE & MEMBERSHIP	NO. OF MEMBERS	SUBORDINATE BODIES
Alexandra Palace & Park Board Cllr Stennett (Chair) Cllr Williams (Vice Chair) Cllr Carlin Cllr Dogan Cllr da Costa Cllr Hare	6 Members Proportional split: 4 Lab 2 Lib Dem Plus: 3 non-voting Members from Consultative Committee. 1 Observer (Chair of the APP Statutory Advisory Cttee) <i>Members of the Cabinet may not sit on the Board in accordance with the advice of the Charity Commission.</i>	Alexandra Palace Consultative Committee Same membership as appointed to the Board sits as members of Consultative Committee Plus up to 30 outside Representatives Chair appointed by Consultative Committee at first meeting
		Alexandra Palace & Park Panel 3 Members of the Panel, proportional split: 2 Lab 1 Lib Dem
		Alexandra Palace & Park Consultative Forum Chair to be Employee side in 2017/18 (TBC). 4 Members of the Forum, proportional split: 3 Lab 1 Lib Dem Plus 4 Trade Union Representatives
Corporate Committee Cllr Diakides (Chair) Cllr Carlin (Vice Chair) Cllr B Blake Cllr Culverwell Cllr Gunes Cllr Hakata *Cllr Chandwani *Cllr Brabazon Cllr Say Cllr Stone Cllr Barnes Cllr Morris Cllr Rossetti	12 Members Proportional split: 9 Lab 3 Lib Dem	

Health & Well Being Board Leader of the Council (Chair) Cabinet Member for Adults and Health (Chair)	<u>Non-voting reps:</u> LB Haringey: Director of Adult & Health Service Director of Children's Services Director of Public	
---	--	--



COMMITTEE & MEMBERSHIP	NO. OF MEMBERS	SUBORDINATE BODIES
<p>Cabinet Member for Children, Education and Families (nominated by Leader of the Council)</p> <p>Chair, Haringey Clinical Commissioning Group (Vice Chair)</p> <p>Lay Member, Haringey Clinical Commissioning Group</p> <p>Chair, Healthwatch Haringey</p>	<p>Health</p> <p>Haringey Clinical Commissioning Group: Vice Chair Chief Officer</p> <p>Voluntary Sector Rep: Bridge Renewal Trust Chief Executive</p> <p>Haringey Local Safeguarding Children Board Chair</p> <p>N.B. Any additional persons appointed to the HWB either by the local authority or the HWB will be on a non-voting basis.</p>	
<p>Overview and Scrutiny Committee</p> <p>Cllr das Neves (Chair)</p> <p>Cllr Demir</p> <p>Cllr Gordon</p> <p>Cllr Jogee</p> <p>Cllr Connor (Vice Chair)</p>	<p>5 Members</p> <p>Proportional split: 4 Lab 1 Lib Dem.</p> <p>Plus co-opted Education representatives.</p>	<p>Scrutiny Review Panels</p> <p>The Chair of each of the Scrutiny Review Panels shall be a member of the OSC, to be determined by the OSC at their first meeting. <i>The Mayor or Members of the Cabinet may not be Members</i></p> <p>The composition of each Scrutiny Review Panel shall be between 3 and 7 members, and be politically proportionate as far as possible (including the Chair).</p> <p>Each Scrutiny Review Panel shall be entitled to appoint up to three non-voting co-optees. If there is a Children and Young People's Scrutiny Review Panel, the membership shall include the statutory education representatives of OSC. The education representatives would also attend the Overview and Scrutiny Committee meetings where reports from a relevant Scrutiny Review Panel are considered.</p>
<p>Combined Pensions Committee and Board</p> <p>Cllr White (Chair)</p> <p>Cllr Bevan (Vice-Chair)</p> <p>Cllr Amin</p> <p>Vacant</p> <p>Cllr Moyeed</p> <p>Cllr Dennison</p> <p>Cllr Ross</p>	<p>6 Members and 4 voting co-opted members</p> <p>Proportional split: 4 Lab 2 Lib Dem.</p> <p><u>Co-optees:</u></p> <p>2 employer representatives, being 1 from LB Haringey and 1</p>	




COMMITTEE & MEMBERSHIP	NO. OF MEMBERS	SUBORDINATE BODIES
	from other scheduled and admitted employers 2 scheme member representatives, being 1 active and 1 pensioner & deferred members	
Regulatory Committee Cllr Carroll (Chair) Cllr Rice (Vice Chair) Cllr Basu Cllr Bevan Cllr James *Cllr B Blake Cllr Mitchell Cllr Peacock Cllr Say Cllr Tabois Cllr Williams Cllr Cawley-Harrison Cllr Hinchcliffe Cllr Ross	13 Members Proportional split: 10 Lab 3 Lib Dem <i>N.B. The Membership of the Licensing Sub-Committees and Planning Sub-Committee will be appointed by the Regulatory Committee at its first meeting after Annual Council.</i>	Licensing Sub Committee – A 3 Members, proportional split: 2 Lab 1 Lib Dem
		Licensing Sub Committee – B 3 Members, proportional split: 2 Lab 1 Lib Dem
		Planning Sub-Committee 11 Members, proportional split: 8 Lab 3 Lib Dem




Staffing and Remuneration Committee Cllr Davies (Chair) Cllr Culverwell (Vice Chair) Cllr Berryman Cllr Brabazon Cllr Dennison <i>In accordance with Section 12 of the Local Government Act 1989, the Council's interests should not be represented in negotiations on council employees' terms and conditions by Members who are Local Authority employees or Trade Union employees or officials either directly or</i>	5 Members Proportional split: 4 Lab 1 Lib Dem	Disciplinary and Dismissal Appeals Panels 3 Members from the pool 2 Lab & 1 LD All Councillors will be eligible to sit on these Panels, subject to having undertaken the necessary training Pool of Chairs (Labour) Cllr Amin Cllr Adamou Cllr Brabazon Cllr Jogee Cllr Rice Labour Group Cllr Adje Cllr Ahmet Cllr Basu Cllr Berryman Cllr Bevan Cllr Bull Cllr Diakides Cllr Mitchell Cllr Opoku Cllr Peacock Cllr Stennett Lib Dem Group
---	---	--




COMMITTEE & MEMBERSHIP	NO. OF MEMBERS	SUBORDINATE BODIES
<i>indirectly. If as a result the relevant Cabinet Member is ineligible, a substitute Member of the Cabinet should be appointed.</i>		Cllr Hare Cllr Morris
Standards Committee Cllr Opoku (Chair) Cllr Amin *Cllr Tabois Cllr Bull Cllr Chiriyankandath Cllr Cawley-Harrison	5 Members Proportional split: 4 Lab 1 Lib Dem	Standards Assessment Sub-Committee Standards Hearing Sub-Committee

CABINET MEMBERS from 2019

Position	Responsibilities
 <p>Leader of the Council Cllr Joseph Ejiofor</p>	Brexit Preparedness
	Communications
	Corporate Governance
	Corporate Policy and Strategy
	Council Performance
	External Partnerships
	Growth and Inward Investment
	London Plan & NPPF Consultation
	Planning Enforcement
	Planning Policy and Delivery
	S106 / CIL policy
	Strategic Transport
 <p>Deputy Leader of the Council and Cabinet Member for Housing and Estate Renewal Cllr Emina Ibrahim</p>	Broadwater Farm & Northumberland Park Resident Engagement
	Building Regulations
	Hackitt Review
	Health and Safety issues related to housing stock
	Homelessness and Rough Sleeping
	Housing Investment Programme
	Housing Strategy and Development
	Landlord Licensing and Enforcement
	Partnerships with Homes for Haringey and Social Landlords
	Private Rented Sector Engagement

 <p>Cabinet Member for Adults and Health</p> <p>Cllr Sarah James</p>	Adult Social Care
	Chair - Health and Wellbeing Board
	Health Devolution Pilots
	Mental Health and Wellbeing
	Public Health
	Safeguarding Adults
	Services For Adults with Disabilities and Additional Needs
 <p>Cabinet Member for Children, Education and Families</p> <p>Cllr Elin Weston</p>	Adoption and Fostering
	Early Years and Childcare
	Looked After Children and Care Leavers
	Safeguarding Children
	Schools and Education
	Services For Children with Disabilities and Additional Needs
	16-19 Education
 <p>Cabinet Member for Civic Services</p> <p>Cllr Kaushika Amin</p>	Culture (including Bruce Castle)
	Customer Services
	Customer Transformation Programme
	Fairness Commission
	Libraries
	Leisure
	Rollout of Support for Universal Credit

 <p>Cabinet Member for Communities, Safety and Engagement</p> <p>Cllr Mark Blake</p>	Chair – Community Safety Partnership
	Combatting Youth Offending and Re-Offending
	Community Buildings
	Community Safety
	Engagement with the Police
	Equalities – Oversight (including Black History Month)
	Prevent Programme
	Tackling Anti-Social behaviour
	Voluntary Sector
	Youth Services
 <p>Cabinet Member for Corporate Services and Insourcing</p> <p>Cllr Noah Tucker</p>	Corporate Programmes
	Corporate Property including Commercial Portfolio
	Council HR and Staff Wellbeing
	Emergency Planning
	Insourcing Policy and Delivery
	Shared Digital
	Shared Service Centre
 <p>Cabinet Member for Environment</p> <p>Cllr Kirsten Hearn</p>	Air Quality
	Carbon Management and Zero 50
	Highways
	Parking
	Parks and Open Spaces
	Recycling Waste and Street Cleaning
	Sustainability
	Transport Strategy Action Plan

 <p>Cabinet Member for Finance Cllr Patrick Berryman</p>	Budget and MTFS
	Capital Strategy
	Commercial Partnerships
	Council Finances
	Council Tax Reform Agenda
	Procurement
 <p>Cabinet Member for Strategic Regeneration Cllr Charles Adje</p>	Accommodation Strategy
	Adult Learning and Skills
	Business Engagement
	Social and Economic Regeneration
	Strategic Regeneration (Borough wide oversight)
	Tackling Unemployment and Worklessness
	Tottenham AAP (including High Road West)
	Town Centre Management (including High Streets)
 <p>Deputy Cabinet Member for Women and Equalities Cllr Makbule Gunes</p>	Wood Green AAP
	Cross portfolio responsibility for policy impact on women and legislatively defined groups
	Gender Equality Month (Inaugural March 2019)
	Promoting consultation engagement with women from all nations
	Violence Against Women & Girls (VAWG) strategy

Appendix 3 – Changes to Outside bodies

London Councils, Grants Committee [Association body]		1 voting member, up to 4 named deputies	
Cllr M Blake	Lab	Deputy	21 May 2019
Cllr Brabazon Cllr Amin	Lab		
Cllr Adje	Lab		
London Councils, Leaders' Committee		One voting member (Leader) and up to 2 Cabinet members	
Cllr Ejiofor	Lab	Deputy	21 May 2019
Cllr Ibrahim	Lab		
Cllr Ahmet Cllr Adje	Lab		
Jacksons Lane, Management Committee Community Body		2 reps attend each meeting, 1 from each party	
Jean Brown	Lab		21 May 2019
Cllr Jogee Cllr Culverwell	Lab		
Cllr Barnes	LD		
Cllr Dennison	LD		

This page is intentionally left blank

Report for: Full Council – 31 January 2019

Title: Pre-Submission Consultation on the North London Waste Plan.

Report

authorised by : Helen Fisher, Interim Director for Housing Planning and Regeneration

Lead Officer: Matthew Patterson, matthew.patterson@haringey.gov.uk

Ward(s) affected: All

Report for Key/

Non Key Decision: Key

1. Describe the issue under consideration

- 1.1 The seven North London Boroughs of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest (“the North London Boroughs”) are working together to produce the North London Waste Plan (‘NLWP’). The NLWP will cover the period 2017 to 2035 and, once adopted, it will form part of the statutory Development Plan for these areas.
- 1.2 The purpose of the NLWP is firstly to ensure there will be adequate provision of suitable land to accommodate waste management facilities of the right type, in the right place and at the right time up to 2035 to manage waste generated in North London; and secondly to provide policies against which planning applications for waste development will be assessed, alongside other relevant planning policies/guidance.

2 Cabinet Member Introduction

- 2.1 Every local authority has a statutory duty to have a plan that makes them self-sufficient in waste disposal. Haringey Council has decided to achieve this through a partnership with its 6 neighbouring boroughs.
- 2.2 We are again at an important stage in the production of the North London Waste Plan (NLWP) – Pre-submission publication. Since consultation on the Preferred Option draft was undertaken, borough officers and members from all seven authorities have been working collaboratively to resolve the complexities of planning for the management of north London’s waste alongside meeting our pressing need for additional housing and the regeneration of redundant or surplus industrial land.
- 2.3 The revised NLWP has properly engaged the county authorities that currently receive some of north London’s waste, fulfilling the Duty to Cooperate. It identifies sufficient designated employment areas suitable for the future provision of the waste facilities we need to manage the waste we generate in north London. The areas selected are the result of robust assessment and an acknowledgement that new facilities should not be concentrated in only one or

two boroughs. It also safeguards all existing waste facilities, ensuring that these continue to contribute towards managing north London's waste arisings.

- 2.4 Waste and recycling are issues that can raise passions. People are rarely keen to have their own waste processed or incinerated on their own doorsteps. This Council, along with our neighbouring boroughs, have to take a big picture view of how best to manage and dispose of the waste of just over 2 million Londoners.
- 2.5 This administration is comfortable that we are proposing a balanced plan, that takes on board conflicting agendas and priorities. As a result, the North London Waste Plan is a justified and robust waste policy document that Haringey Council should welcome and endorse.

3 Regulatory Committee and Cabinet Considerations

- 3.1 At the meeting of the Regulatory Committee on 18th October, a number of questions were raised by Councillors, many relating to concerns raised by way of deputation by the Pinkham Way Alliance regarding the inclusion of the Former Friern Barnet Sewage Works in the Plan. In response to these Officers clarified that a small part of this site is within Flood Zone 2, the majority was in Flood Zone 1. It was noted that the North London Waste Authority had not put forward any proposals regarding the type of facility that could be provided on this site at this time, and that if a site were to be delivered in Haringey, there would be an increase in employment, and of business rates paid to the Council. The Council would also look to secure a proportion of employment in the building and operation of the site for local people. On any site where removal of trees was proposed, they would be replanted elsewhere. The Council would always look to secure appropriate mitigation and improve biodiversity where possible.
- 3.2 After discussing the Plan, Councillor Ross proposed that the Regulatory Committee put to the Cabinet that Pinkham Way be removed from the list of identified sites. Councillor Cawley-Harrison seconded the proposal. The Chair moved a vote, and 6 members voted in favour of the recommendation and 5 against, it was therefore resolved that the report be recommended for consideration at Cabinet, with the request from the Regulatory Committee that Pinkham Way be removed from the list of identified sites. Paragraphs 6.33-6.42 of this report outlines Officers' comments and advice in regard to this request.
- 3.3 At its meeting on 22 January 2019, Cabinet considered the North London Waste Plan following a deputation from the Pinkham Way Alliance. Having considered the deputation and the questions from Cllr Da Costa, Cabinet recommended that the North London Waste Plan be forwarded on to Full Council for approval and it did not accept the Regulatory Committee's recommendation.

4 Recommendations

4.1 Full Council is asked to:

- i) approve the draft NLWP (set out in Annex 1) for publication, consultation and subsequent submission to the Secretary of State as being ready for examination; and
- ii) Agree that the Director of Housing Regeneration and Planning in consultation when appropriate with the Cabinet Member responsible for Planning, and in conjunction with the other north London boroughs, are authorised to submit appropriate changes to the NLWP in the run up to, and during, the public examination into the document, in response to objectors' submissions, requests from the Planning Inspector and any emerging evidence, guidance or legal advice.

5 Reasons for decision

- 5.1 To enable the NLWP to progress to adoption, and to ensure the North London Boroughs have an adopted plan to manage waste arising in the area and to deal with planning applications for waste facilities.

6 Background

- 6.1 In July 2015 Haringey council agreed that the draft NLWP should be published for consultation.
- 6.2 The draft NLWP ("the Draft Plan") consultation under Regulation 18 (preparation of local plan) of the Town and Country Planning (Local Planning)(England) Regulations 2012 took place over a nine week period during 30th July 2015 to 30th September 2015. The Draft Plan provided the first opportunity for stakeholders to make comments on the strategy for future waste management in North London, potential locations for new facilities across the area, and policies.
- 6.3 A total of 6,707 individuals were notified of the Draft Plan consultation and over 5,050 organisations and public bodies were notified. Notifications were sent to a total of 7,577 addresses to properties within a 150m radius of those sites and areas not designated as Strategic Industrial Land (SIL) or Locally Significant Industrial Sites (LSIS) in borough Local Plans.
- 6.4 Six public consultation days were held during the period 2nd September to 11th September 2015. Events took place in each North London Borough, with the exception of Camden and Islington for which a combined event was held in Camden. An additional meeting was held in Hackney about the Theydon Road area. Information about these events was included in the letter/email sent to individuals and organisations. Each consultation day included an afternoon workshop session which people were asked to register for in advance and an informal drop-in session in the evening.
- 6.5 A total of 213 representations were received. Additionally a petition with 1,067 signatures from the Pinkham Way Alliance was submitted objecting to the inclusion of the former Friern Barnet Sewage Works (Pinkham Way) site. An interim report on the draft NLWP consultation was published on the NLWP website.

Results of consultation

- 6.6 There was general support for the draft aim, objectives and spatial strategy of the plan. Some textual changes were suggested including a stronger commitment to achieving net self-sufficiency.
- 6.7 The preferred approach for the Plan including maximised recycling and net self-sufficiency in a number of waste streams was on the whole supported by those in the field of waste planning. More information on the management and export for each type of waste was requested, particularly Construction, Demolition & Excavation waste and hazardous waste. It was also suggested that this section include more information about how the NLWP is reducing exports to landfill.
- 6.8 Around 70% (148) of the comments received were objections to sites and areas. The methodology for identifying new sites and areas was broadly supported. However a number of proposed sites and areas which have been assessed as potentially suitable for waste uses through the NLWP assessment criteria were not considered suitable by local residents and community groups. The main issues raised by residents related to the potential negative impacts of a waste facility in the local area, including traffic/congestion, suitability of roads and access, effect on biodiversity, flood risk, proximity to sensitive receptors and residential areas, concern over noise, smell, pollution, vermin etc. A number of objections by landowners and tenants were also received. One such site was the Pinkham Way site in Haringey which included a petition against the sites inclusion as mentioned above.
- 6.9 There was broad support for the policy setting assessment criteria for waste management facilities although a number of changes were suggested to strengthen requirements or for clarification. Competing views were received from residents who want strict controls on development alongside ambitious objectives, and the waste industry who consider some of the requirements in the policy too onerous.
- 6.10 There was strong support for the policy safeguarding existing sites. It was suggested that this policy could include expansions to existing facilities. There was general support for improving coverage of Re-use & Recycling Centres across North London with some suggestions about how the policy could be improved. New policies were suggested about incorporating recycling facilities in new development, waste water and landfill/landraising.

How has the Draft Plan been changed?

- 6.11 The Boroughs have taken into account the consultation representations and the result of the further work in drawing up the proposed submission version of the plan. There was a delay in between Regulation 18 (preparation of a local plan) and Regulation 19 (publication of a local plan before submission to the Secretary of State) under the Town and Country Planning (Local Planning)(England) Regulations 2012 because of a pause in the work of bringing the plan forward following some concerns raised principally by Enfield Council.

- 6.12 In deciding which sites and areas to take forward, the North London Boroughs took into account a number of factors including national and regional policy, the aims of the NLWP and consultation responses on the Draft Plan. Further work was undertaken to gather and assess any additional information on the proposed sites and areas received during the consultation or as a result of new data being published, for example sites and areas affected by Crossrail 2, groundwater, historic assets and proximity of sensitive receptors. In addition borough transport officers have undertaken broad brush highways assessments of the sites and areas. The selection of new sites and areas has been based on using a number of criteria to assess them and categorising them in order of their suitability.
- 6.13 The revised approach to new sites is to focus on existing, well-established industrial land, and areas which performed well against the assessment criteria, while achieving a better geographical spread. Details of the site appraisals are appended to this report. Research into recent new waste developments and their site area and throughput has found evidence of greater throughput on smaller site areas. This research has helped to reduce the need for new land in North London. It has been possible to reduce the number of new sites/areas identified in the Draft Plan, while maintaining flexibility and maximising the opportunities for waste to be managed as near to its source as possible. The list of new areas set out below is put forward for inclusion in the proposed submission NLWP because it includes the most suitable land with the best geographic spread.
- 6.14 The policies of the plan have been amended in line with the revised approach of the plan. Policy 1, which deals with existing waste sites states that if a waste site is redeveloped, the re-provision of the facility will be required in line with the spatial principle of the NLWP to get a better distribution of waste sites. Policy 3, which deals with windfall sites, introduces a sequential test whereby developers must demonstrate that no existing sites, or sites in the identified areas of search are available or suitable before being able to develop on a site not identified in the plan. Any development on a windfall site needs to take into account future development opportunities such as those in Opportunity Areas or as the result of Crossrail 2, West Anglia Mainline and four tracking. In policy 5, which deals with assessment criteria for waste developments, there has been a strengthening of amenity considerations around compatibility with neighbouring uses and there is more detail on cumulative impacts of waste development and effect on regeneration. The provision of jobs and training is also highlighted.
- 6.15 Further work has been done to estimate how much and what type of waste is likely to be exported to each waste planning authority area from North London during the plan period. This is to give greater certainty to the waste planning authorities who have been taking in waste from North London. The boroughs have been engaging with these authorities under the duty to cooperate and identifying if there are any barriers to these movements continuing. This has been done through inter-regional meetings and direct correspondence.

The revised policy context

- 6.16 The boroughs have undertaken further work to ensure that the proposed submission plan takes account of changes to the London Plan and to the National Planning Policy Framework (NPPF) and is based on the most up to date evidence.

- 6.17 The boroughs have taken the time to consider the implications for waste planning of the development proposals in the NLWP area. Transport initiatives such as West Anglia Mainline, Four Tracking and Crossrail 2 run through the NLWP area and are intended to lever in further development around stations. The GLA has declared Opportunity Areas and Housing Zones, which have implications for existing and future waste management facilities. The draft London Plan introduces new targets for boroughs for managing waste and for housing.
- 6.18 In response, the boroughs have looked at widening the range of new land identified and achieving a better geographical spread across the boroughs, introducing a sequential approach to new waste management development and looking at opportunities for co-location in areas where other development is expected. The boroughs have undertaken a revised NLWP Data study to ensure the latest data is used and taking into account the revised apportionment of waste in the draft London Plan.

What is in the Draft Plan?

- 6.19 The chosen approach to future waste management in North London is to reduce waste exports by identifying land for facilities to manage the equivalent of all Local Authority Collected Waste (LACW), Commercial and Industrial (C&I), Construction and Demolition waste (C&D), including hazardous waste, generated in North London, while recognising that some imports and exports will continue (net self-sufficiency). The NLWP plans to move waste up the waste hierarchy by diverting as much waste as possible away from disposal to landfill by identifying land suitable for recycling and recovery facilities.

Existing sites

- 6.20 The plan builds on the waste management capacity of existing waste sites. Existing waste sites are safeguarded for waste use in the London Plan and also through the NLWP. A change to the plan since consultation is that appropriate expansion or intensification of existing waste sites is encouraged. Existing sites in each borough are listed in appendix 1 of the plan

Spatial principles

- 6.21 The NLWP is underpinned by the following spatial principles:
- A. Make use of existing sites
 - B. Seek a geographical spread of waste sites across North London, consistent with the principles of sustainable development
 - C. Encourage co-location of facilities and complementary activities
 - D. Provide opportunities for decentralised heat and energy networks
 - E. Protect local amenity
 - F. Support sustainable modes of transport

Targets

- 6.22 The recycling and recovery targets built into the NLWP are as follows:

Waste stream	Target	2016 baseline
Local Authority Collected Waste	50% recycling for LACW by 2020	32%
Commercial and Industrial	70% recycling by 2020, 75% recycling by 2031 with 15% energy recovery from 2020	44%
Construction and Demolition Waste	95% recycling by 2020	73%
Biodegradable or recyclable waste	Zero biodegradable or recyclable waste to landfill by 2026	Not known

Capacity gap

6.23 There is not enough capacity in North London to deal with the amount of waste projected. The capacity gap is identified by looking at the amount of different waste streams projected to need management at five yearly intervals and taking away the capacity that will exist at time for that waste stream. Based on assumptions regarding growth, achievement of recycling levels, net self-sufficiency in three waste streams in the Draft Plan, and the average size of facilities, the land take requirements for meeting net self-sufficiency for LACW, C&I and C&D is set out in the table below, with requirements for meeting London Plan apportionment set out in brackets:

Facility Type	Hectares				
	2018	2025	2030	2035	Total
Recovery (C&I/LACW)	1 (1)				1(1)
Recycling (C&I)	1(1)	1(1)		1	3(2)
Recycling (C&D)	0	0	2	0	2
Recycling (Hazardous)	2				2
Treatment HIC, CDE	1				1
TOTAL land required in North London	5 (2)	1 (1)	2 (0)	1 (0)	9 (3)

6.24 Most Local Authority Collected Waste is managed at the Edmonton EcoPark facility. The existing Edmonton facility will be replaced in 2025. The North London Waste Authority (NLWA) has received a Development Consent Order for a new Energy Recovery Facility with capacity of around 700,000 tonnes per annum to deal with all the residual waste under the control of the Authority from 2025 until at least 2050.

6.25 To meet higher recycling targets, there is a need for additional capacity for recycling for both LACW and C&I waste streams throughout the plan period. As many existing facilities can manage both waste streams, the need for recycling is combined.

6.26 The NLWP will identify sufficient land to manage the equivalent of all Construction and Demolition (C&D) waste arising in North London by 2035, while acknowledging that some exports will continue, particularly for Excavation waste. A total of 5 hectares of land will be required to facilitate this provision. Opportunities to re-use CD&E waste locally will be supported.

6.27 Another part of the capacity gap relates to hazardous waste. All the waste streams include some hazardous waste. Hazardous waste is managed in specialist facilities which have and depend on wide catchment areas for their economic feasibility. North London has a limited number of such facilities, mainly metal recycling and end of life vehicles, although other facilities are permitted and carry out management of hazardous waste as part of their regular operation. There remain gaps in provision. The areas identified in this plan have been assessed for their potential suitability for such facilities.

6.28 The North London Boroughs have estimated and consulted on future exports to landfill for each of the main recipients of North London's waste. A number of facilities in receipt of the Boroughs' waste sent for landfill are due to close during the NLWP plan period. The amount of waste affected by these closures has been identified. The Boroughs have established that there are both alternative sites and adequate void space in London, South East and East of England to take North London's estimated waste exports between 2017 and 2035.

New areas suitable for waste management

6.29 The NLWP no longer proposes any sites but identifies areas of search to meet future waste needs. The one site identified in the draft NLWP is a replacement site for the NLWA's facility in Hendon and is expected to receive planning permission shortly.

6.30 While a 'site' is an individual plot of land that will be safeguarded for waste use, an 'area' comprises a number of individual plots of land, for example, an industrial estate or employment area that is in principle suitable for waste use but where land is not specifically safeguarded for waste. The NLWP identifies a number of areas of search in which sites should become available within the plan period. It is considered that this amount of new land is sufficient to achieve a sound plan. The areas of search are not safeguarded and boroughs are not prevented from giving permission to non-waste uses in these areas. The area approach is more flexible for boroughs and developers. No areas of search are identified in Camden or Islington but waste development could still take place there under the windfall policy.

6.31 The following areas are identified:

Area Name	Area (ha)	Borough
Oakleigh Road	0.99	Barnet
Brunswick Industrial Park	3.9	Barnet
Mill Hill Industrial Estate	0.9	Barnet
Connaught Business Centre	0.9	Barnet
Eley's Estate	26.9	Enfield
Millfields LSIS	1.48	Hackney
Brantwood Road	16.9	Haringey
North East Tottenham	15.3	Haringey
Friern Barnet Sewage Works/ Pinkham Way	5.9	Haringey
Argall Avenue	26.41	Waltham Forest

- 6.32 An additional three areas are identified within the area of the London Legacy Development Corporation (LLDC) because they are the planning authority for small parts of Hackney and Waltham Forest. The boroughs cannot make planning allocations in their area but under the Memorandum of Understanding (MoU) that the boroughs have agreed with the LLDC, three areas have been identified as potentially suitable for waste use.

Area Name	Area (ha)	Borough
Bartrip Street	0.6	Hackney
Chapman Road (Palace Close)	0.33	Hackney
Temple Mill Lane	2.1	Waltham Forest

Friern Barnet Sewage Works/ Pinkham Way

- 6.33 It is mostly owned by the North London Waste Authority (“NLWA”). The site has a dual designation in the local plan as local employment land, recognising its former use as a sewage works and then landfill site, and as a Site of Importance for Nature Conservation (SINC), resulting from inactivity on the site over the past 20+ years. PW is also proposed to be designated as a site for waste planning purposes in the NLWP. The PWA have long campaigned against designation for potential waste management development of PW.
- 6.34 The Pinkham Way Alliance object to the site being allocated for potential waste use as they believe the site should not be classified as brownfield land / previously developed land, and that the employment designation is not justified. They assert the site should be classified as open space. The Regulatory Committee recommended to Cabinet that it considered the Draft Plan with the request that Pinkham Way be removed from the list of identified sites. However, Cabinet decided not to accept the Regulatory Committee’s recommendation for the following reasons and Full Council is therefore asked to approve the Draft Plan for consultation as appended to this report.
- 6.35 The site, whether or not considered brownfield land, is underused land in the urban area identified in the development plan as being an employment area. Its only protective designation is as a SINC and the implications of this for waste management use have been taken fully into account in the site selection process.
- 6.36 The Site is not designated as open space nor does it have any policy designation protecting its open character. The Site lies outside the designated Metropolitan Land. There is nothing to indicate that it has any function as an area for physical recreation whether of a formal or informal nature as the site is fenced off, contaminated and unsafe. This would tend to indicate that it is not “open space” in the sense used in section 8 of the NPPF. The emphasis in paragraphs 96 and 97 of the National Planning Policy Framework is on accessible open space for recreational purposes and this site is clearly not accessible.
- 6.37 The NLWP is not the place to seek to challenge the employment area designation of the area. That is settled by the strategic policies and the SA DPD. The only issue for the NLWP is whether the identification of the site for waste management purposes is sound. Whilst the policy designation of the site is

relevant, it has not been determinative in the selection of the site. The site is under-used urban land of some local nature conservation value worthy of designation as a SINC. Against this must be weighed the sub-regional need for additional waste management facilities. It is therefore concluded that this site is justified in being selected as an area of search where a waste facility could be acceptable, subject to mitigating any impacts upon biodiversity.

- 6.38 The type of waste use that is acceptable on the Pinkham Way site is restricted to recycling, composting and waste transfer as set out in table 11 of policy 2 of the Draft Plan (page 67). Use as an incinerator or is specifically ruled out.
- 6.39 The North London Waste Authority has indicated that it does not have any current plans for the Pinkham Way site however the need for the identification of areas for waste management uses is set out in the draft NLWP and the Pinkham Way site is still required. In particular, it may be required to manage north London's waste needs, later in the period covered by the North London Waste Plan. Any proposal would be smaller than previous proposed developments on the site. Whilst the whole of the Pinkham Way site is included in the area of search any planning application would need to be of a scale that protects the dual designation of the site as an employment area and as a SINC. There are a number of strong assessment criteria in NLWP policy 5 to enable the local planning authority to ensure that any waste development is well designed and its impacts are minimised.
- 6.40 It is considered appropriate for the Pinkham Way site to remain within the waste plan. The area has been assessed as suitable for waste management use provided that this is undertaken sensitively. It is needed as to ensure that adequate provision will be made to meet the need for waste management facilities and, therefore there is no justification for its removal from the plan.
- 6.41 It is a requirement under the NPPF and London Plan for boroughs to plan for waste management uses, not to produce a plan is not an option. If the Pinkham Way site was removed, all authorities would have to consider how to proceed. An alternative site would need to be found and it is considered that there is no alternative site. If Haringey were to withdraw from the joint plan it would need to produce its own plan and Officers consider that there are no alternative sites to put forward. Any plan that is progressed by Haringey alone would contain the same sites as currently proposed.
- 6.42 For the reasons set out in paragraphs 6.33 to 6.41 above, the plan has not been amended in line with Regulatory Committee's request.
- 6.43 On 11 December 2018 the Council received a letter of complaint from the PWA, which was copied to the Cabinet Members. A copy of the Council's response to the issues raised by the PWA in their letter of complaint is appended to this report at Appendix 5.

Policies

6.44 There are eight development management policies which cover the following areas:

- 1 Existing waste management sites
- 2 Locations for new waste management facilities
- 3 Windfall sites
- 4 Re-use and Recycling Centres
- 5 Assessment criteria for waste management facilities and related development
- 6 Energy recovery and decentralised energy
- 7 Waste water treatment works and sewage plant
- 8 Control of inert waste

Timetable

6.45 The NLWP is going to boroughs for formal approval between October and December 2018. Consultation on the proposed submission version will begin in January 2019 with submission to the Secretary of State in the summer 2019. Hearings in the autumn 2019 and adoption in 2020. If any of the Borough's do not approve the NLWP this timetable will have to be revised.

7 Alternative options considered

- 7.1 The Council could decide not to progress with the North London Plan. However as a Waste Authority the Council would still be obliged to produce a Waste Local Plan. This is a requirement stemming from Article 28 of the European Union (EU) Waste Framework Directive which states that all member states must prepare a Waste Management Plan. The National Waste Management Plan for England, supported by the National Planning Policy for Waste (NPPW), identify that the National Waste Management Plan will be supported by each WPA's Waste Local Plan and as such it is a statutory requirement to prepare this document.
- 7.2 Any Waste Plan must be prepared in line with the requirements of the Planning and Compulsory Purchase Act 2004, the Waste (England and Wales) Regulations 2011 and the Town and Country Planning (Local Planning) (England) Regulations 2012. Given the advanced stage of preparation of the NLWP, which has been a robust and sound process, and the delay in putting in place up to date waste management policies, a decision not to proceed with the NLWP would result in the Council needing to commence a Haringey only Waste Local Plan. This option has been rejected by officers as not being a reasonable alternative.

8 Contribution to strategic outcomes

- 8.1 Waste planning can accord with the delivery of the majority of corporate objectives, as it will help the Council to manage waste in line with objectives to reduce, reuse and recycle which contribute to a cleaner, greener Borough, and to drive growth and employment through directing new waste facilities to appropriate employment locations. It assists in the delivery of priority 3 of the Corporate Plan: A Clean, well maintained and safe borough where people are proud to live and work.

Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

Finance

- 8.2 The North London Boroughs Memorandum of Understanding (MoU) sets out the cost of the North London Waste Plan, and how it is shared equally among the seven boroughs who have all been involved in drawing up the budget.
- 8.3 The budget takes into account the cost of the consultants, the two members of staff employed by Camden as the lead borough for the various consultations and of the examination.
- 8.4 The estimated cost to each member borough is as shown in the table below:

	2018/19	2019/20	2020/21
Consultant additional	£54,185	£10,800	
Consultant original	£22,860	£87,535	
Programme Management	£120,540	£122,815	£39,342
Publicity	£26,478	£50,000	£20,250
Legal	£10,000	£44,000	£5,000
Examination		£135,000	
Total	£234,063	£450,150	£64,592
Per borough	£33,438	£64,307	£9,227

- 8.5 There is no specific budget set for this in the current year, but the cost will be paid from the consultancy budget, and compensated by additional planning income which has been included in the current budget forecast.
- 8.6 A specific budget for this will need to be set in the subsequent years, this will be paid for from planning income.

Procurement

- 8.7 There are no procurement implications.

Legal

- 8.8 The Assistant Director of Corporate Governance had reviewed and noted this report.
- 8.9 The Council agreed a revised Memorandum of Understanding (MoU) about joint working on the NLWP which has been agreed and signed by all the other boroughs. The MoU sets out how the boroughs will cooperate to carry out the work, it makes Camden the lead borough and deals with financial matters and dispute resolution.

- 8.10 Article 28 of the European Union (EU) Waste Framework Directive states that all member states must prepare a Waste Management Plan. The National Waste Management Plan for England, supported by the National Planning Policy for Waste (NPPW), identify that the National Waste Management Plan will be supported by each WPA's Waste Local Plan and as such it is a statutory requirement to prepare this document. The Waste (England and Wales) Regulations 2011 sets out the necessary requirements for Waste Local Plans to comply with Article 28.
- 8.11 The North London Boroughs will be consulting on the proposed submission NLWP under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). Those who make representations on the NLWP objecting to its proposals will be entitled to be heard at the independent examination held by an inspector appointed by the Secretary of State. The purpose of the independent examination is to determine whether the NLWP meets all the relevant legal requirements including the Duty to Cooperate and is sound. The North London Boroughs can ask the Inspector to recommend such modifications to the NLWP as are necessary to render it sound in the event that it is found to be unsound.
- 8.12 As a development plan document full Council has the responsibility for approving the Draft Plan prior to submission to the Secretary of State for the public examination. Following public examination, the Draft Plan must then be approved by Full Council before adoption.

Equality

- 8.13 The Council has a Public Sector Equality Duty under the Equality Act 2010 to have due regard to the need to:
- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
 - Advance equality of opportunity between people who share those protected characteristics and people who do not
 - Foster good relations between people who share those characteristics and people who do not.
- 8.14 The three parts of the duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.
- 8.15 An Equality Impact Assessment has been carried out on the NLWP and is publically available at www.nlwp.net

9 Use of Appendices

- Appendix 1: North London Waste Plan Pre-Submission Document
- Appendix 2: Sustainability Appraisal and Appendices
- Appendix 3: Site Assessment Sheets for Haringey Sites
- Appendix 4: Equalities Impact Assessment
- Appendix 5: Response to the PWA

-Appendix 6: Responses to Regulation 18 Consultation

The full evidence base is published at:

<http://www.nlwp.net/document-centre/>

- 10 Local Government (Access to Information) Act 1985**
None



North London Waste Plan

Proposed submission

(Regulation 19)

October 2018

Contents

1.	Introduction and Background.....	5
	What is the North London Waste Plan?	5
	How does the North London Waste Plan fit with other plans and strategies?	7
	What is involved in preparing the North London Waste Plan?	10
	What stage is the NLWP at?	11
	What happens next?	12
2.	Setting the Scene.....	13
	Geographical Extent.....	13
	Population Characteristics	13
	Health	15
	Socio-Economic	15
	Environment.....	16
	Transport.....	17
	Land Use.....	18
	Climate Change	18
3.	Aims and Objectives	20
	Aim of the North London Waste Plan	20
	Strategic Objectives	21
4.	Spatial Framework.....	23
	A. Make use of existing sites.....	23
	B. Seek a geographical spread of waste sites across North London, consistent with the principles of sustainable development.	24
	C. Encourage co-location of facilities and complementary activities	27
	D. Provide opportunities for decentralised heat and energy networks	29
	E. Protect local amenity.....	29
	F. Support sustainable modes of transport.....	30
5.	Current waste management in North London	31
	Waste generated in North London	31
	Existing facilities.....	32
	Cross Boundary Movements (exports and imports).....	39

6	Future Waste Management Requirements.....	43
	Context.....	43
	Targets for waste managed within North London.....	43
	Options for managing North London’s waste.....	43
	Chosen Approach	44
	Meeting the Capacity Gap	44
7.	Provision for North London’s Waste to 2035.....	48
8.	Sites and Areas	55
	Context.....	55
	Expansion of existing Waste Management Facilities.....	55
	Site and Area Search Criteria	58
	Site and Area Search and Selection Process (Methodology)	59
	Draft Plan Consultation.....	61
9	Policies.....	64
	Policy 1: Existing waste management sites	64
	Policy 2: Locations for new waste management facilities	67
	Policy 3: Windfall Sites	70
	Policy 4 – Re-use & Recycling Centres	73
	Policy 5: Assessment Criteria for waste management facilities and related development.....	74
	Policy 6: Energy Recovery and Decentralised Energy	82
	Policy 7: Waste Water Treatment Works and Sewage Plant.....	84
	Policy 8: Control of Inert Waste	85
10.	Monitoring and Implementation.....	88
	Monitoring the Plan	88
	Proposed monitoring framework	88
	Implementing the Plan.....	65
	Appendix 1: Schedule 1: Existing safeguarded waste sites in North London.....	70
	Figure 1: North London Plan Area	6
	Figure 2: Documents making up the Development Plan for North London Boroughs	8
	Figure 3: Hierarchy of Planning Guidance Policies and Strategies	9

Figure 4: Main geographical and planning features of North London	14
Figure 5: Waste Hierarchy.....	20
Figure 6: Key diagram	26
Figure 7: Current Re-use and Recycling Centres (RRC) in North London	28
Figure 8: Waste arisings in North London 2016	32
Figure 9: Existing Waste Sites	35
Figure 10: Waste exported from North London 2011-2016.....	40
Figure 11: Distributions of Waste Exports from North London.....	40
Figure 12: Predicted Landfill Exports as a % total Waste Stream.....	50
Figure 13: Location of proposed new areas	63

1. Introduction and Background

What is the North London Waste Plan?

1.1. The seven North London Boroughs of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest are working together to produce the North London Waste Plan (the 'NLWP'). The NLWP also covers part of the area of the London Legacy Development Corporation (LLDC), a Mayoral Development Corporation, which is the planning authority for a small part of Hackney and Waltham Forest¹. Figure 1 shows the North London Waste Plan area.

1.2. The NLWP has two main purposes:

- to ensure there will be adequate provision of suitable land to accommodate waste management facilities of the right type, in the right place and at the right time up to 2035 to manage waste generated in North London; and
- to provide policies against which planning applications for waste development will be assessed, alongside other relevant planning policies/guidance.

1.3. The key elements of the NLWP are:

The Aim and Objectives: These are overarching principles which have steered the development of the NLWP.

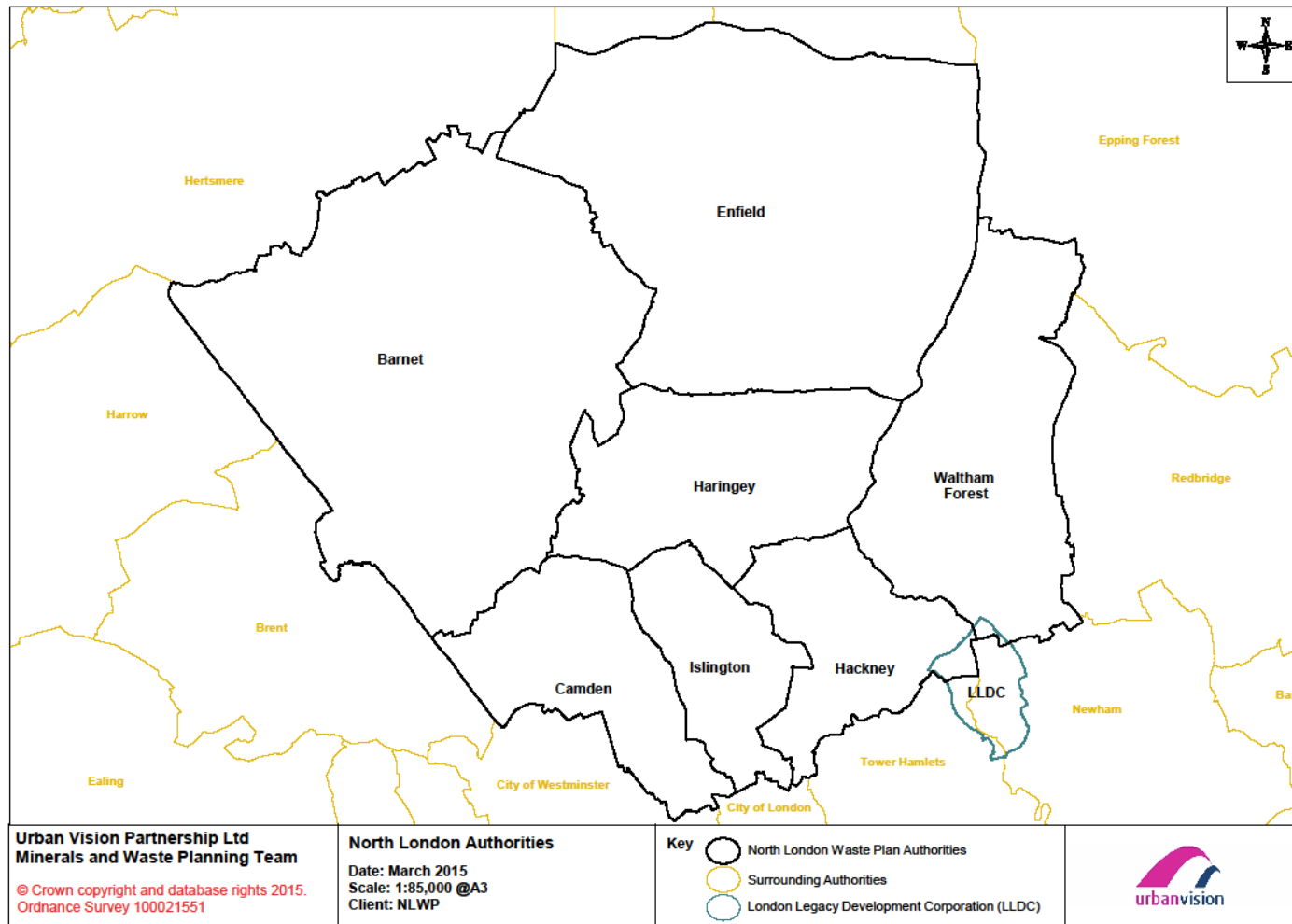
The Spatial Framework: This sets out the physical and planning components that influence the Plan and identifies opportunities and constraints for waste planning in North London.

The Provision for North London's Waste to 2035: This sets out the preferred option for how the waste management needs for North London will be met for each waste stream over the Plan period.

The Policies: These are policies through which the aims and objectives, waste management strategy and Spatial Framework will be delivered. The policies provide the waste planning framework against which applications for waste development will be assessed across the Plan area.

¹ The relationship of the NLWP to the LLDC is discussed further in para 1.15 below

Figure 1: North London Plan Area



1.4. The NLWP plans for all principal waste streams including:

- **Local Authority Collected Waste (LACW):** Waste collected by a Local Authority, including household and trade waste;
- **Commercial and Industrial (C&I):** Waste produced by businesses and industry;
- **Construction, Demolition & Excavation (CD&E):** Waste generated as a result of delivering infrastructure projects, building, renovation and the maintenance of structures;
- **Hazardous:** A sub category of all waste streams where the material produced is hazardous and requires specialist treatment;
- **Agricultural waste:** Waste produced by farming and forestry activity;
- **Waste Water / Sewage Sludge:** Waste produced from washing, cleaning and hygienic activities to create waste water and sewage effluents; and
- **Low level radioactive waste (LLW):** Waste associated with the undertaking of x-rays and laboratory testing using low level radioactive substances.

How does the North London Waste Plan fit with other plans and strategies?

- 1.5. The seven North London Boroughs, as Waste Planning Authorities (WPA) are required to prepare a Waste Local Plan. This requirement comes from Article 28 of the European Union (EU) Waste Framework Directive, the National Waste Management Plan for England and the National Planning Policy for Waste (NPPW).
- 1.6. The NLWP is prepared in line with the requirements of the Planning and Compulsory Purchase Act 2004, the Waste (England and Wales) Regulations 2011 and the Town and Country Planning (Local Planning) (England) Regulations 2012, The National Planning Policy Framework (NPPF) and supporting Planning Practice Guidance (PPG) direct how Local Plans should be prepared and the National Planning Policy for Waste (NPPW) provides detailed requirements specific to waste plan preparation and content.
- 1.7. Once adopted, the NLWP will form part of the 'Development Plan' for each of the North London Boroughs which comprises the London Plan² and borough Local Plans (see Figure 2). The NLWP must be in general conformity with the London Plan and consistent with other documents in borough Local Plans. The NLWP should be read alongside other relevant policies within the wider Development Plan. The Mayor published a draft London Plan for consultation in December 2017. The Examination in public is expected to begin in January 2019 with adoption scheduled for 2020. The London Plan sets the strategic framework for the NLWP

² At time of writing this is The London Plan March 2016

- 1.8. The London Plan projects how much LACW and C&I waste is likely to be generated in the capital over the next 20 years and apportions an amount of these two waste streams to each borough. The North London Boroughs have pooled their apportionments and will meet this collectively through existing sites and land allocated in the NLWP.
- 1.9. Each of the seven boroughs has a strategic waste policy as part of their Local Plan. The boroughs' strategic waste policies defer to the NLWP to provide a more detailed planning framework for waste development across the seven boroughs. Each borough's Local Plan may also include site allocation documents, development management policies and area action plans, as well as supplementary planning documents.

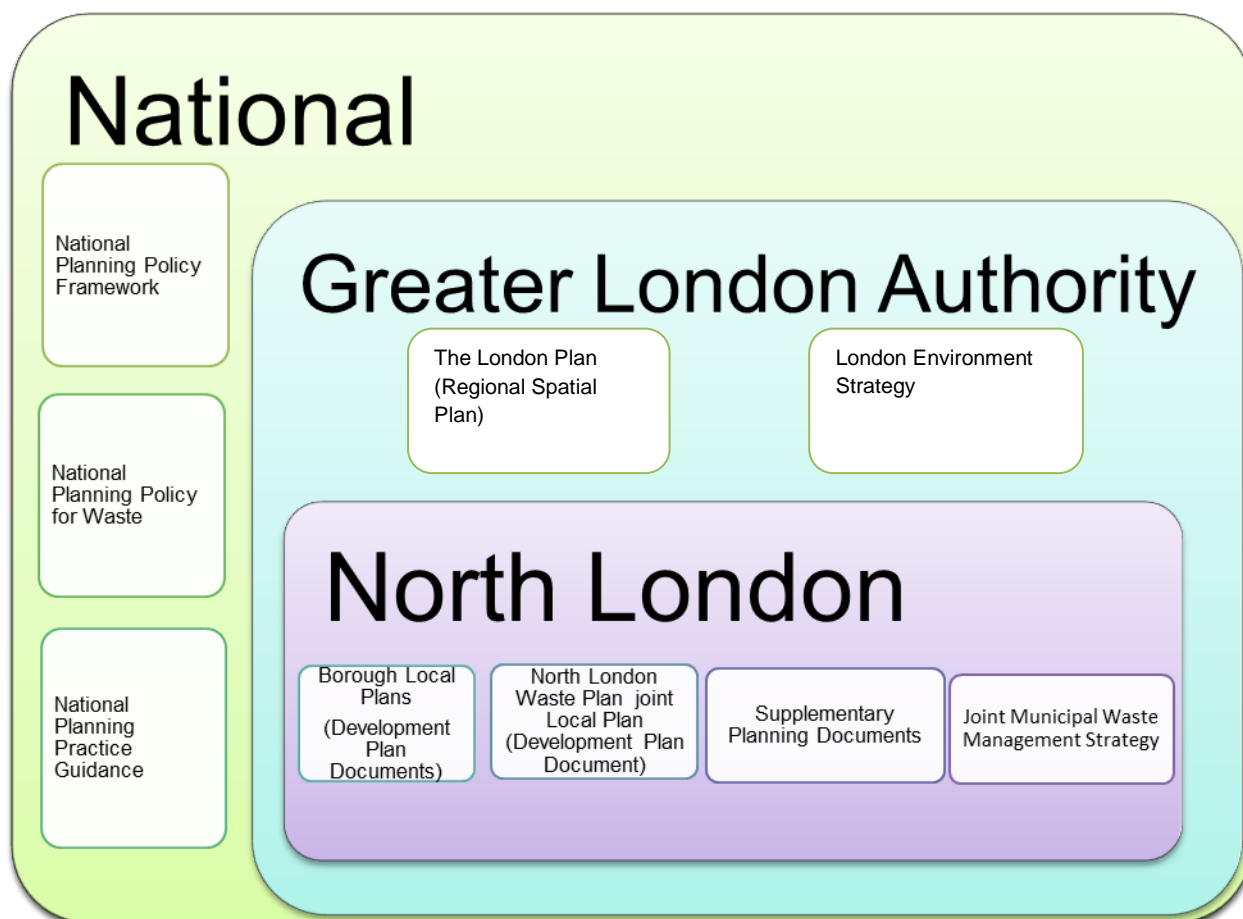
Figure 2: Documents making up the Development Plan for North London Boroughs



- 1.10. In addition to the national and regional planning policies, there are also waste strategies which impact on the development of the NLWP. The Mayor's London Environment Strategy (2018) contains recycling targets for Local Authority Collected Waste (LACW) and Commercial & Industrial (C&I) waste which inform policies within the London Plan.
- 1.11. The North London Waste Authority's (NLWA) has produced the Joint Municipal Waste Management Strategy (JMWMS) (2009). The NLWA, as the Waste Disposal Authority for the NLWP area, is a key stakeholder. The NLWA is responsible for

managing the waste collected by the North London boroughs, in particular household waste but also waste deposited at Reuse and Recycling Centres and some waste that the boroughs collect from local businesses; collectively this is known as Local Authority Collected Waste (LACW). The NLWP is required to ensure there is adequate provision for the disposal and recovery of this waste stream.

Figure 3: Hierarchy of Planning Guidance Policies and Strategies



1.12. Once adopted the NLWP will form part of the overarching planning framework used for the determination of planning applications relating to proposed or existing waste facilities in North London. These applications will be submitted to the Boroughs in which the facility is located. Developers will need to consider the documents highlighted in Figure 3 in making a planning application related to an existing or proposed waste facility:

- National planning policy and guidance;
- The London Plan and Supplementary Planning Guidance;
- The North London Waste Plan;
- Borough Local Plan documents

What is involved in preparing the North London Waste Plan?

- 1.13. As mentioned above, the NLWP must be prepared in line with European, national, regional and local policies and guidance. Before the NLWP can be adopted by each of the Boroughs it must be examined by an independent Inspector. The Inspector will determine whether the Plan has been prepared in accordance with the duty to co-operate, legal and procedural requirements and whether it is 'sound'.
- 1.14. The duty to co-operate, introduced by the Localism Act 2011, and requires local planning authorities and other public bodies to engage constructively, actively and on an ongoing basis to develop strategic policies. Meeting the requirements of the duty to co-operate is a key part of the plan making process for the NLWP and the North London Boroughs are working closely with other waste planning authorities that are critical for the delivery of an effective waste strategy for North London, in addition to prescribed public bodies such as the Environment Agency and the Mayor.
- 1.15. As previously highlighted, the North London Boroughs are working closely with the London Legacy Development Corporation (LLDC). The LLDC is a Mayoral Development Corporation with responsibility for securing the regeneration of an area of London focused on the former Olympic Park. The LLDC is the local planning authority, which includes waste planning, for small parts of Hackney and Waltham Forest (and other boroughs not part of the NLWP group). However, while all the Boroughs have an apportionment of waste from the Mayor under the London Plan for which they must plan and find land, the LLDC is not allocated a share of the borough apportionment. The NLWP is required therefore to plan for the quantity of waste generated across the seven boroughs including the parts of Hackney and Waltham Forest that lie within the LLDC area. In carrying out their responsibilities under the NPPW, the North London Boroughs are engaging with other planning authorities outside London which import waste from North London including the LLDC area. The NLWP cannot directly allocate sites/areas within the LLDC area as this is the responsibility of the LLDC as the local planning authority.
- 1.16. An agreement for the working relationship between the North London Boroughs and the LLDC has been drawn up. This agreement, or Memorandum of Understanding, identifies the Sites and Areas suitable for waste within the Hackney and Waltham Forest parts of the LLDC area. The LLDC's Local Plan also identifies sites and areas that are potentially suitable for waste related uses. For waste development proposals in the parts of Hackney and Waltham Forest which fall within the LLDC area, the LLDC Local Plan policies will apply. Policy IN2 of the LLDC Local Plan requires planning decisions to take full account of the policies within the adopted waste plans of the Boroughs.

Supporting Documents

- 1.17. The NLWP is accompanied by evidence base documents including a Data Study, Options appraisal, Sites and Areas report and Duty to Co-operate report. There are supporting assessments such as a Sustainability Appraisal (SA) (incorporating the requirements of the SEA Directive), Habitats Regulation Assessment (HRA), a Sequential Test Report)and Equalities Impact Assessment (EqIA). These assessments form a key element of the development of the Plan and help to ensure that the social, environmental and economic impacts of the policies developed in the Plan are assessed and taken into account in the decision making process. There are also reports on the outcomes of all consultations on the NLWP. The supporting documents can be viewed -on the NLWP website.

What stage is the NLWP at?

- 1.18. This is the Proposed Submission Plan (Regulation 19). It has been prepared following consideration of responses received to the consultation on the draft NLWP (Regulation 18) which took place from 30th July to 30th September 2015. The consultation provided an opportunity for stakeholders and communities to comment on the Draft Plan and proposed policies. A report on the outcomes of this consultation and separate reports of the previous consultation at the outset of plan preparation are also available to view on the NLWP website.
- 1.19. The Proposed Submission Plan is the version of the NLWP that the Boroughs intend to submit to the Secretary of State for examination. It is being published to allow the opportunity for stakeholders and communities to submit representations on the soundness and legal and procedural compliance of the Proposed Submission Plan.
- 1.20. At the heart of national policy (the NPPF) is the presumption in favour of sustainable development and policies in the NLWP must reflect this presumption. The NLWP must meet the soundness tests as set out in paragraph 182 of the NPPF. These require the NLWP to be:
- Positively prepared (meet objectively assessed development needs of the area);
 - Justified (set out the most appropriate strategy based upon the evidence);
 - Effective (deliverable and address cross boundary issues);
 - Consistent with national policy.

What happens next?

- 1.21. Representations made during consultation on the Proposed Submission Plan will be considered and any proposed changes will be submitted to the Inspector for examination along with supporting documents.
- 1.22. Once the Plan is submitted, an independent Inspector will be appointed (on behalf of the Secretary of State) to examine whether the NLWP meets the required legal and soundness tests, including duty to co-operate and procedural requirements. The indicative timetable for the Plan is as follows:

Table 1: NLWP Timetable

Consultation on Proposed Submission Plan (Regulation 19)	January – February 2019
Submission (Regulation 22)	June 2019
Public hearings	September 2019
Inspector's report	January 2020
Adoption	June 2020

2. Setting the Scene

2.1 Waste management has an important role in achieving sustainable development. There are a number of ways to define ‘sustainable development’. The most well-known definition is ‘*development which meets the needs of the present without compromising the ability of future generations to meet their own needs*’³. The UK Sustainable Development Strategy *Securing the Future* set out five ‘guiding principles’ of sustainable development:

- living within the planet’s environmental limits;
- ensuring a strong, healthy and just society;
- achieving a sustainable economy;
- promoting good governance; and
- using sound science responsibly.

2.2 The National Planning Policy Framework (NPPF) references these definitions and goes on to set out three objectives to sustainable development: economic, social and environmental. The North London Waste Plan (NLWP) will help achieve sustainable waste management by providing a sound basis for the provision of waste management infrastructure, contributing to the conservation of resources by improving the efficiency of processing and making better use of the wastes created within North London.

Geographical Extent

2.3 The North London Boroughs cover a large swathe of London from the inner city into the Green Belt of outer London. The geographical extent takes in both the inner London Boroughs of Camden, Hackney and Islington, and the outer London Boroughs of Barnet, Enfield, Haringey and Waltham Forest (see Figure 4). The land within the North London Boroughs spans an area of 293 square kilometres. The geographical characteristics of North London are a key element in both the Spatial Framework (see section 4) and the sites/areas assessment criteria (see section 8).

Population Characteristics

2.4 The North London area is one of the most densely populated areas in the UK. Recent statistics⁴ show that the population has risen from 1.6 million in 2002 to an estimated 2.0 million in 2017 and that the population continues to grow at a rate

³ Brundtland Commission, 1987 (Resolution 42/187 of the United Nations General Assembly)

⁴ Office for National Statistics

Page 44



above the national average. This population growth will also increase the amount of waste North London will need to manage in the future, even though the amount of waste generated per person may not increase (see section 6).

- 2.5 The highest density is in the inner boroughs of Islington (the most densely populated local authority in the UK according to the 2011 Census), Hackney and Camden, closely followed by Haringey. Waltham Forest, Barnet and Enfield are less densely populated, however these Boroughs are still substantially more densely populated than the rest of the country. Density of population and the built environment has an influence on the amount of waste generated but also on competition for land and the availability of sites suitable for new waste facilities (see section 7).
- 2.6 While the outer Boroughs are characterised by traditional detached, semi-detached and terraced housing, overall across the Plan area, there is a higher proportion of flats and similar multi-tenant properties. This is particularly the case in the inner Boroughs which, consequently, have fewer gardens (and green waste) than the outer Boroughs. The differing ability of types of housing stock to incorporate waste collection infrastructure (for example recycling bins) impacts on recycling rates in North London (see section 6).

Health

- 2.7 There are varying levels of life expectancy across North London. The outer boroughs of Barnet and Enfield report life expectancies higher than the national average, however significant inequalities exist within the boroughs. In contrast, the other Boroughs report male life expectancy lower than the average for England, while the same is true of females in Islington and Waltham Forest. Impact on human health has been a key consideration in the development of the NLWP and is discussed in more detail in the Sustainability Appraisal (SA) which supports the NLWP.

Socio-Economic

- 2.8 The average gross weekly earnings within each of the North London Boroughs is higher than the average for England. All of the Boroughs have a higher proportion of their working population employed than the national average. This is mirrored by the high cost of living in all Boroughs. Four Boroughs (Hackney, Haringey, Islington and Waltham Forest) contain wards amongst the 20 most deprived areas in England pointing to varying degrees of polarisation. All boroughs contain varying levels of deprivation within them. Maximising economic benefits by utilising waste as a resource is an objective of this plan. There are opportunities for job creation through the development of new waste facilities at both the construction and end user stages. New technologies can also help to create ‘green collar’⁵ jobs in new

⁵ Jobs in environmental sectors

waste management facilities as well as in sectors that receive recycled or reprocessed material, turning it into new products, thereby creating wealth from waste. Economic growth in North London is predicted to result in greater amounts of waste being generated. This is due to more people in jobs, although the amount of waste created per person is expected to stay the same.

Environment

- 2.9 The North London Waste Plan area includes important green space with many parks and larger areas such as Hampstead Heath, the Lee Valley Regional Park and part of Epping Forest. There are extensive areas of Green Belt in the outer areas and areas of agricultural land in Barnet and Enfield.
- 2.10 Enfield has identified Areas of Special Character where the Council will seek to preserve and enhance the essential character of the area, including landscape features such as woodlands, streams, designed parklands and enclosed farmland.
- 2.11 The Lee Valley contains an internationally important wetland habitat (Ramsar site and Special Protection Area (SPA)) as the reservoirs and old gravel pits support internationally important numbers of wintering birds as well as other nationally important species. In addition, the adjacent Epping Forest Special Area of Conservation (SAC), part of which lies in Waltham Forest, is important for a range of rare species, including mosses. There are six Sites of Special Scientific Interest (SSSI), 21 Local Nature Reserves and 307 Sites of Importance for Nature Conservation (SINC). The concentration of industrial land in the Lee Valley poses challenges for development to take into account key biodiversity issues set out in Borough Biodiversity Action Plans.
- 2.12 Throughout North London there are many areas and sites of historic interest including 172 conservation areas, over 14,000 listed buildings, registered landscapes, scheduled monuments, archaeological priority areas and as yet unknown archaeological remains. Protection for heritage assets is included in Local Plan policies and the sites/areas assessment criteria (see section 7) and policy 5.
- 2.13 The heavily developed and built up nature of North London coupled with differential values between competing land uses, and protected areas such as Green Belt presents a significant challenge in planning for waste. Expected development over the plan period will increase these pressures. For development which is perceived as likely to create more environmental risk and harm to the amenity of the local area, through factors such as noise, dust and increased traffic, the planning constraints near areas protected for their environmental value are greater.
- 2.14 Protection of groundwater is vital to prevent pollution of supplies of drinking water, while secondary aquifers are important in providing base flows to rivers. The Environment Agency has designated areas of source protection zones in a number of

locations, particularly in the Lee Valley as well as implementing groundwater protection measures around boreholes in the area.

- 2.15 Historically much of the employment land in North London has been in industrial use. Inevitably the restructuring from an industrial-based to a service based economy has affected land use priorities, creating a situation where the type of employment land available has changed, particularly in the inner boroughs where offices predominate. Such areas are now under pressure to help deliver high housing and employment targets. The previous use of these areas raises the risk of contamination and the need for remedial measures regardless of how the land will be used in the future.
- 2.16 Air quality within North London is uniformly poor as a result of high levels of nitrogen dioxide and dust (NO₂ and PM₁₀ respectively) that are mainly, but not exclusively, due to road traffic. As a result, all of the councils have declared Air Quality Management Areas (AQMA) covering each Borough.
- 2.17 The NLWP includes strategies and policies to protect environmental assets and amenity.

Transport

- 2.18 North London benefits from good access to the strategic road network such as the M1 and M11 and the M25. The local road network is dominated by important radial routes to the centre of London and also includes the key orbital North Circular Road (A406) which bisects the Plan area from east to west. Parts of this network experience high levels of congestion at off-peak as well as peak hours, despite the fact that part of the area lies within the London Mayor's congestion charging zone.
- 2.19 Three main train lines terminate at Euston, St Pancras and Kings Cross, all in Camden. The North London Line (NLL) is a commuter and nationally important freight route providing movement of material across the area. There is a planning application to replace the railhead at Hendon in Barnet that currently transports waste out of London by a new facility just to its north. Proposals for the West London Orbital line will improve rail access to the west of the area.
- 2.20 In March 2016, the National Infrastructure Commission recommended that Crossrail 2, a proposed new rail line serving six of the NLWP constituent Boroughs, should be taken forward as a priority. Transport for London and Network Rail are currently developing the scheme. Whilst the final scheme and timetable is not yet known, there is a potential for Crossrail 2 to impact upon existing or future waste management sites during the NLWP period. This is discussed further in Section 8.

- 2.21 In addition the Grand Union Canal and the Lee Navigation run through the area and provide sufficient draught to allow light cargo movements to and from industrial and other facilities close to a number of wharves along each waterway.
- 2.22 Opportunities for using sustainable modes of transport are a key element of the Spatial Framework.

Land Use

- 2.23 Across North London as a whole the predominant land use is housing. There are also concentrated areas of commercial activity and town centres. Parts of Camden, Hackney and Islington fall into the Central Activities Zone which covers London's geographic, economic, administrative, and cultural core spanning ten boroughs in total. The Upper Lee Valley on the east of the NLWP area includes a concentrated area of industrial activity. Each borough contains areas of industrial or employment land that are designated for this purpose. The London Plan designates Strategic Industrial Locations (SILs) and provides the strategic direction for the identification of Locally Significant Industrial Sites (LSISs) and other industrial/employment designations in Local Plans.
- 2.24 There are a number of drivers for change in land use in London, in particular the need to boost housing numbers and make best and most efficient use of land around public transport modes. These pressures are likely to increase as a result of planned investment such as Crossrail 2, Stratford to Angel Road (STAR) Scheme and four-tracking on the West Anglia Mainline.
- 2.25 To deliver this change, the London Plan has identified Opportunity Areas and Housing Action Zones in parts of North London including parts of the Lee Valley and there may be future Opportunity Areas identified during the NLWP plan period. The Opportunity Areas overlap with land which contains existing facilities and also the areas identified in this Plan for new waste facilities. Therefore, alongside the opportunities for intensification and new homes, there will also be a need for Boroughs to consider existing waste operations and areas for new waste facilities, in light of NLWP Policies 1: and 2.
- 2.26 Some boroughs are beginning to review their Green Belt boundaries as a result of the review of Local Plans.

Climate Change

- 2.27 The North London Boroughs are all focused on the challenges posed by climate change. Borough strategies are driven by the requirements to mitigate and adapt to all effects of climate change. The NLWP aims to deliver effective waste and resource management which makes a positive and lasting contribution to sustainable development and to combating climate change.

- 2.28 All Boroughs have lower CO₂ emissions per capita than the national average, with the exception of Camden where levels are elevated by the concentration of commercial and other non-domestic activities. However all Boroughs have significantly lower per capita CO₂ emissions from road transport when compared to the national average. This is particularly apparent in Camden, Hackney, Haringey, Islington and Waltham Forest. Per capita CO₂ emissions from the domestic sector are below the national average.
- 2.29 The NLWP seeks to reduce the reliance on disposal to landfill sites outside London as this contributes to CO₂ emissions from transport. While it is recognised that waste management facilities will continue to generate CO₂ emissions, new waste facilities generating energy need to meet the Mayor's Carbon Intensity Floor. The priority of the NLWP will be to implement policies and direct new development to sites which deliver a better overall environmental outcome.
- 2.30 The NLWP site and area assessments take into account those parts of all Boroughs that are under threat from surface water (and potentially sewer) flooding because of the extensive urbanised areas.
- 2.31 The site and area assessments also take into account the greater occurrence of urban flood events over the last sixty years and the risk that climate change will lead to a greater threat from flooding in the future. On the east side of the area a number of tributaries flow into the River Lee while parts of Barnet drain into the River Brent to the west.

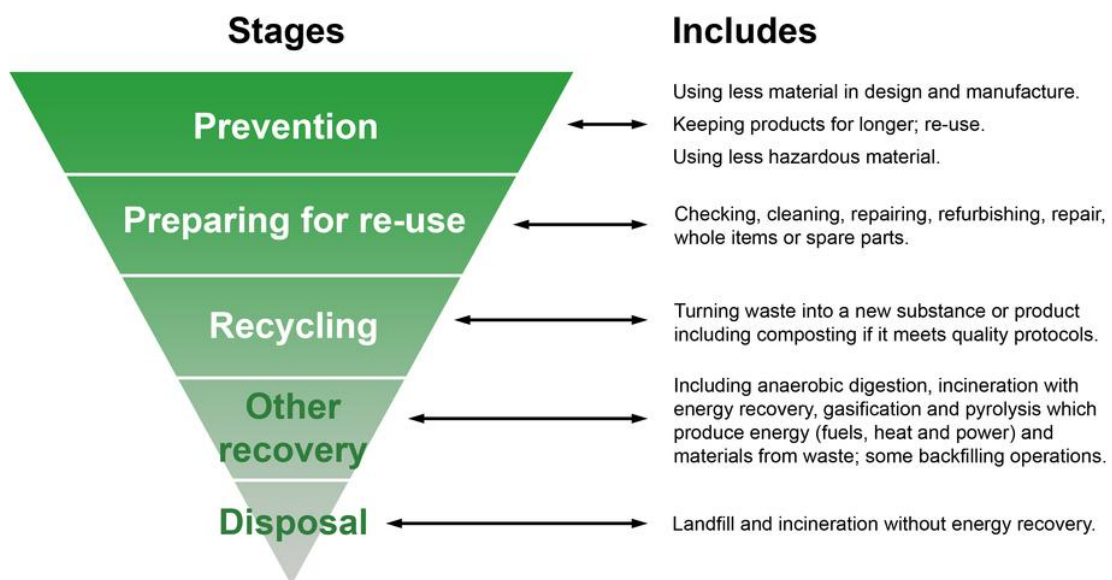
3. Aims and Objectives

Aim of the North London Waste Plan

- 3.1. Each of the seven Borough Local Plans contains a vision for their area, and the aim of the NLWP links to the delivery of that vision. The NLWP therefore includes a single overarching aim and a number of objectives to deliver that aim. The Aim meets the requirements of National Planning Policy for Waste (NPPW) through providing a set of agreed priorities for delivering sustainable waste management in North London
- 3.2. The NLWP treats waste as a resource rather than as a nuisance, promoting the principles of the waste hierarchy. The Aim acknowledges that the NLWP is part of a wider but integrated approach that will help to deliver sustainable waste management in North London, alongside such measures as improved resource management, and waste prevention and reduction spanning strategies which influence but are outside of the planning framework. The NLWP aim and objectives reference and integrate the Waste Hierarchy which is shown in Figure 5.

Figure 5: Waste Hierarchy

The Waste Hierarchy



3.3. The aim of the NLWP is:

Aim of the NLWP

“To achieve net self-sufficiency for LACW, C&I and C&D waste streams, including hazardous waste, and support a greener London by providing a planning framework that contributes to an integrated approach to management of materials further up the waste hierarchy. The NLWP will provide sufficient land for the sustainable development of waste facilities that are of the right type, in the right place and provided at the right time to enable the North London Boroughs to meet their waste management needs throughout the plan period”.

Strategic Objectives

3.4. The objectives of the draft NLWP are as follows:

- SO1. To support the movement of North London’s waste as far up the waste hierarchy as practicable, to ensure environmental and economic benefits are maximised by utilising waste as a resource:
Met through Policies 2, 4, 6, 7 and 8
- SO2. To ensure there is sufficient suitable land available to meet North London’s waste management needs and reduce the movements of waste through safeguarding existing sites and identifying locations for new waste facilities:
Met through Policies 1, 2, 3, 4, , 7 and 8
- SO3. To plan for net self-sufficiency⁶ in LACW, C&I, C&D waste streams, including hazardous waste, by providing opportunities to manage as much as practicable of North London’s waste within the Plan area taking into account the amounts of waste apportioned to the Boroughs in the London Plan, and the requirements of the North London Waste Authority:
Met through Policies 1, 2, 3, 4, and 8
- SO4. To ensure that all waste developments meet high standards of design and build quality, and that the construction and operation of waste management facilities do not cause unacceptable harm to the amenity of local residents or the environment:

⁶ Net self-sufficiency means providing enough waste management capacity to manage the equivalent of the waste generated in North London, while recognising that some imports and exports will continue.

Met through Policy 5

- SO5. To ensure the delivery of sustainable waste development within the Plan area through the integration of social, environmental and economic considerations:

Met through Policies 2, 5 and 7

- SO6. To provide opportunities for North London to contribute to the development of a low carbon economy and decentralised energy:

Met through Policy 6

- SO7. To support the use of sustainable forms of transport and minimise the impacts of waste movements including on climate change:

Met through Policy 5

- SO8. To protect and, where possible, enhance North London's natural environment, biodiversity, cultural and historic environment:

Met through Policy 5

4. Spatial Framework

- 4.1 The spatial framework flows from the Plan's objectives and takes account of the spatial context outlined in section 2 and the strategic and policy context outlined in section 1, alongside the Plan's technical evidence base, and the views of stakeholders. Figure 6 below shows the relationship between the key elements that form the spatial framework.
- 4.2 The spatial framework provides the strategic direction for the detailed policies of the NLWP and informs site/area selection. The spatial framework also guides the assessment of the suitability of windfall sites under Policy 3. It reflects the complexities and realities of planning at a sub-regional level taking into account varied characteristics and functions across the seven boroughs, from densely populated urban areas to stretches of Green Belt. Competing and changing land uses, especially release of industrial land for housing, is a key issue for the boroughs.
- 4.3 The spatial principles set out below represent the outcome of balancing various priorities, opportunities and constraints, in particular the availability of sites/areas to achieve a deliverable distribution of waste management locations to meet identified need, whilst bringing social, economic and environmental benefits of new waste management facilities to North London.
- 4.4 The NLWP is underpinned by the following spatial principles:
- A. Make use of existing sites
 - B. Seek a geographical spread of waste sites across North London, consistent with the principles of sustainable development.
 - C. Encourage co-location of facilities and complementary activities
 - D. Provide opportunities for decentralised heat and energy networks
 - E. Protect local amenity
 - F. Support sustainable modes of transport
- A. Make use of existing sites**
- 4.5 NPPW requires Boroughs to consider the capacity of existing operational facilities in meeting identified need. Further to this, Policy 5.17 *Waste Capacity* of The London Plan requires boroughs, when preparing plans, to protect and facilitate the maximum use of existing waste sites.
- 4.6 In line with this and in order to recognise the valuable contribution existing waste facilities make to managing waste effectively, existing waste management capacity has provided the baseline for identifying the waste management capacity gap and the consequent need for expanded and new facilities. Existing waste management

sites form an important part of the strategic waste plan for North London and are safeguarded for waste use through NLWP Policy 1 and the London Plan (see Schedule 1 in Appendix 1 for a full list of existing sites).

4.7 Figure 6 shows that the majority of existing waste sites are located to the east of the Plan area in the industrial parts of the Lee Valley corridor. These sites have developed over decades outside of a strategic plan for waste, and in locations which may have been suitable for waste uses but which did not create an even geographical spread across North London. This reflects the mixed function and character of the Plan area, notably in terms of significant differences among the boroughs in supply of industrial land where waste uses are generally more acceptable.

4.8 Three existing sites are known to be planning capacity expansion or upgrades to existing facilities (see Section 8). Most other existing sites do not have any current plans to expand capacity or change their operations but the North London Boroughs support, in principle, the expansion or intensification of operations at existing facilities and this is reflected in Policy 1.

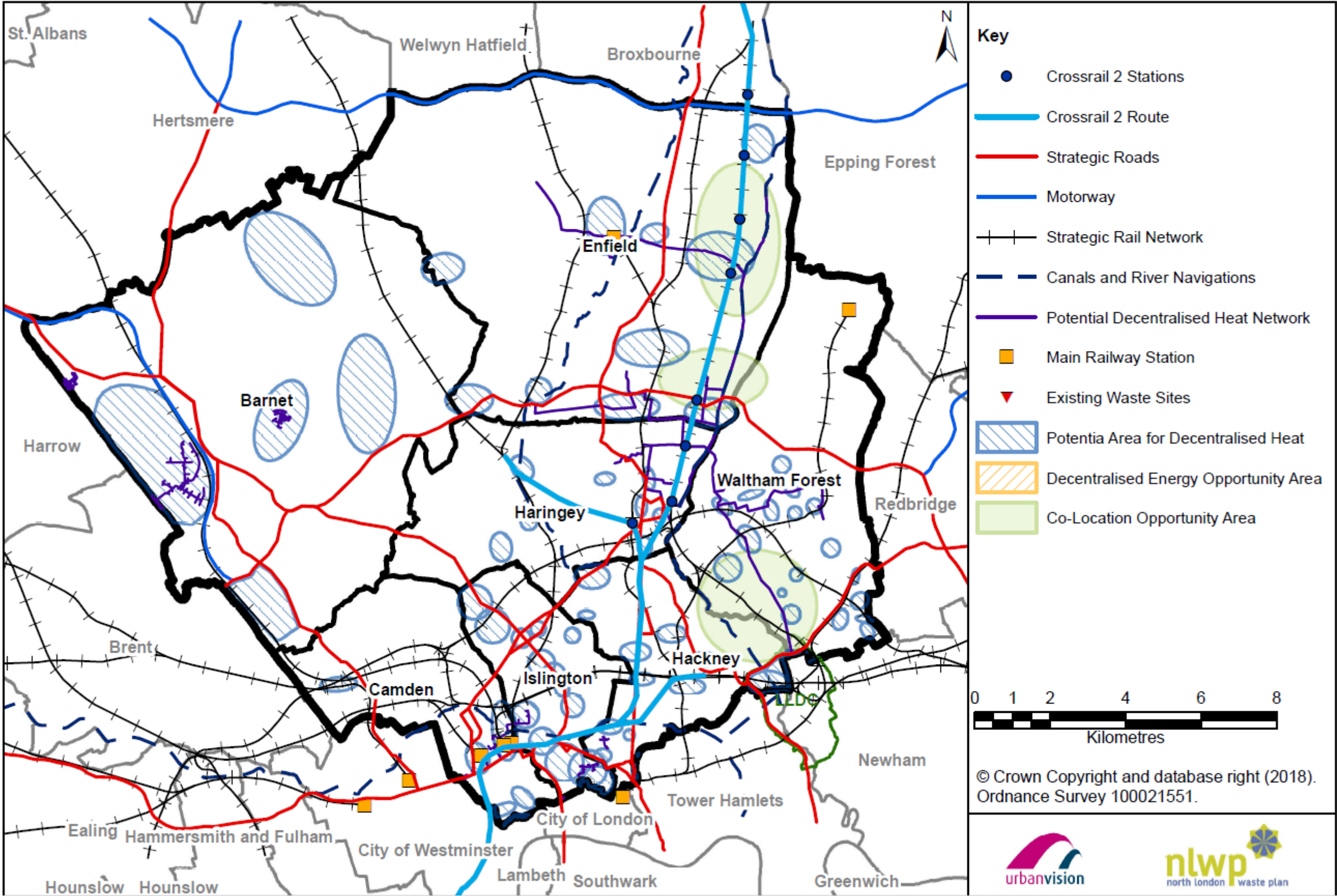
B Seek a geographical spread of waste sites across North London, consistent with the principles of sustainable development.

4.9 The NLWP is underpinned by an aim to achieve net self-sufficiency for LACW, C&I, C&D waste streams, including hazardous waste. This will be achieved by identifying enough existing capacity and land in North London suitable for the development of new waste management facilities to manage the equivalent of 100% of this waste arising in North London. The objective is to reduce movements of waste, including waste exports, and increase the amount of waste managed in proximity to its source, in accordance with the principles of sustainable development. Waste is exported to a number of areas outside of North London, mainly in the south east and east of England and Figure 12 shows the estimated reduction of waste exports over the plan period. The strategy for achieving net self-sufficiency is set out in the Provision for North London's Waste to 2032 in section 7.

4.10 Net self-sufficiency does not mean that the North London Boroughs will deal solely with their own waste, nor promote use of the very closest facility to the exclusion of all other considerations. While it is desirable for waste to be treated as close as possible to its source in line with the proximity principle, the complexity of the waste management business poses challenges. Different types of waste require different types of management and facilities need to serve areas large enough to be economically viable. Consequently, the most suitable facility may not be the nearest and may well be outside of North London. In addition, facilities in North London will continue to manage waste from outside the area.

- 4.11 The current and changing character of each borough's industrial land is a consideration in identifying locations for new waste infrastructure. Larger and co-located facilities are more suited to areas with similar existing uses away from sensitive receptors. A future waste industry focused on resource management may derive positive cumulative impacts from a concentration of facilities. Conversely, the urban environments of NLWP boroughs are restricted by severe physical constraints limiting opportunities for some types of waste facilities. In addition, some areas, such as the protected Green Belt in the north, will be largely out of bounds for any built waste facilities. As population and densities in the plan area increase with projected growth, fewer areas away from sensitive receptors will be available. Continued development of waste facilities in areas which have, and continue to provide, significant waste capacity could have wider implications on the regeneration of the local economy. When choosing locations for future development, the benefits of co-location will need to be balanced against the cumulative impacts which can arise from an accumulation of facilities in one location. Cumulative impacts can include traffic levels, noise and odours. There may be times when the cumulative impacts of several waste developments operating in an area would be considered unacceptable. Any new waste development proposed in North London will be expected to be of a standard that is in keeping with and complements the existing and future planned development. By identifying suitable land across North London (Policy 2), the NLWP seeks to provide opportunities to manage waste as close to its source as possible, in line with the proximity principle. In promoting a geographic spread of facilities across the plan area consistent with the principles of sustainable development, the NLWP seeks to weigh the positive effects of co-location and economies of scale with the negative effects of excessive concentration of waste facilities in any one area. All North London Boroughs want to play their part in managing north London's waste and therefore support an equitable geographical distribution across the seven Boroughs.
- 4.12 Policy 2 seeks to extend the existing spread of locations for waste facilities by identifying locations which are suitable for new waste facilities, taking into account factors such as the character of different areas, changing land uses and availability of suitable industrial land. Where demand arises, opportunities to improve the spread of waste sites across the area are supported through Policy 3: Windfall Sites where they adhere to the site assessment criteria set out in section 8.
- 4.13 With local re-use and recycling centres (RRC) it is especially desirable to have a geographical spread that enables good access to residents. RRCs are facilities to which the public can bring household waste for free. Figure 7 shows the current network of local RRCs and a radius of two miles around them. Gaps in coverage have been identified by the NLWA in parts of the Plan area, namely Barnet and Enfield, shown outside of the two mile radius around each RRC. Any new RRC facilities will be assessed against Policy 4: Re-use and Recycling Centres.

Figure 6: Key diagram



C. Encourage co-location of facilities and complementary activities

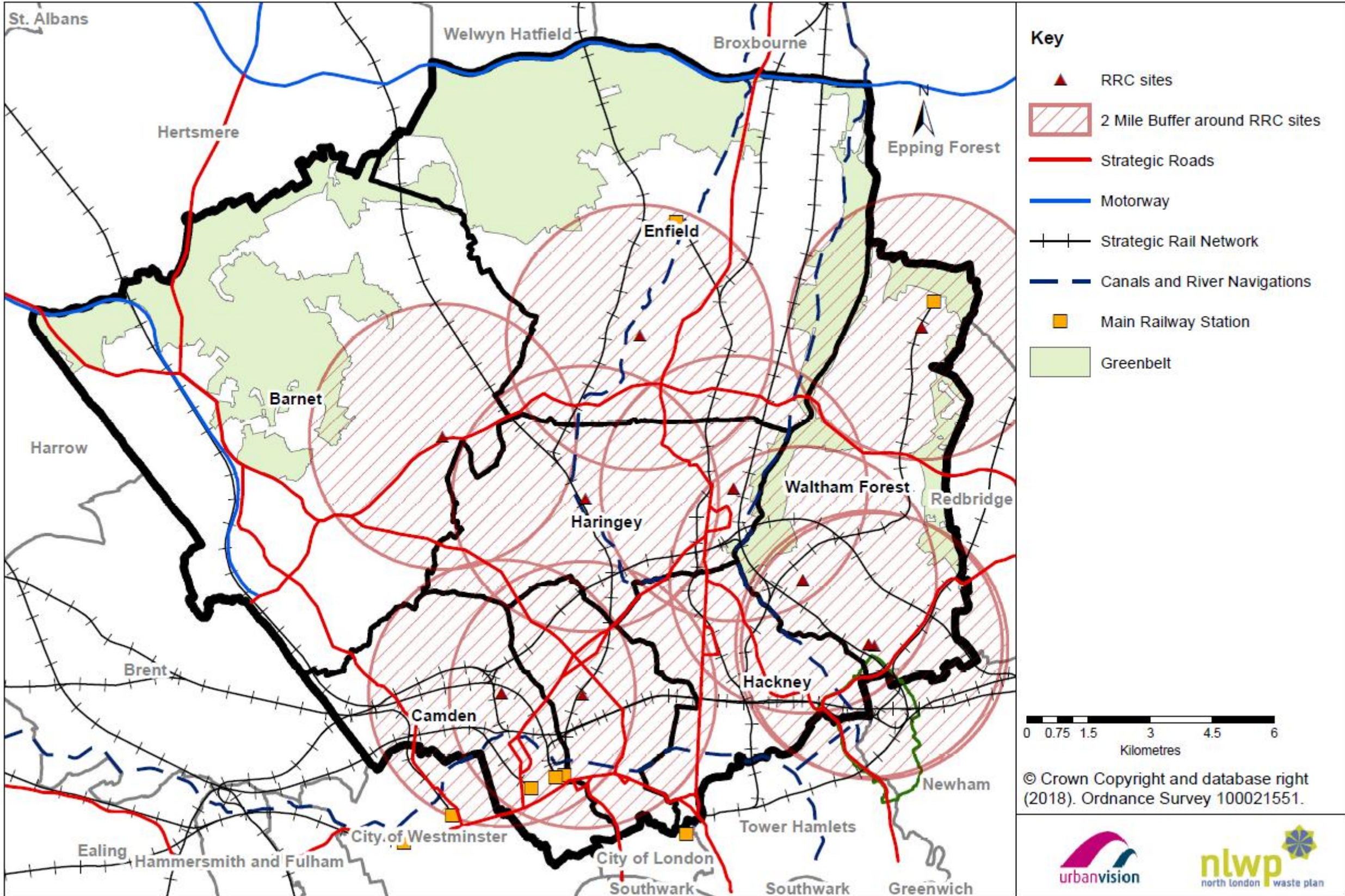
- 4.14 NPPW requires waste plans to identify opportunities to co-locate facilities together and with complementary activities, including end users of waste outputs such as users of fuel, low carbon energy/heat and recyclable wastes. These opportunities are also associated with a move towards a more circular economy. WRAP defines the Circular Economy as *an alternative to a traditional linear economy (make, use, dispose) in which we keep resources in use for as long as possible, extract the maximum value from them whilst in use, then recover and regenerate products and materials at the end of each service life*⁷. The European Commission has published its Circular Economy package⁸, while in London the London Waste and Recycling Board has published a Circular Economy route map⁹.
- 4.15 There are several benefits of co-location of facilities. Co-location has the potential to minimise environmental impacts, take advantage of ‘economies of scale’, share infrastructure, existing networks (e.g. the rail and highway network) and skilled workforces. The concentration of waste facilities in the Lee Valley corridor provides the most promising opportunities for co-location with existing facilities. Notwithstanding this, NPPW requires the Plan to take account of the cumulative impact of existing and proposed waste disposal facilities on the well-being of the local community.
- 4.16 There are also co-location opportunities related to other industrial activities synergistic with waste management, for example the manufacturing of products from recycled materials and the development of a more circular economy. Existing waste facilities are already employing this approach as exemplified by the industries developing around the Edmonton EcoPark (Enfield) and the Plan seeks to build on the momentum by supporting this approach as a key element of the spatial framework and identifying which areas have potential for co-location.
- 4.17 Opportunity Areas, Housing Zones and the route of Crossrail 2 could also be factors when considering co-location of facilities. These schemes are likely to intensify development, especially near to stations, and there are both resulting opportunities and threats for existing waste facilities and land identified as suitable for waste uses. The opportunities include waste facilities supplying energy to new developments and new waste facilities being incorporated into the schemes, for example an anaerobic digestion facility to deal with household food waste, and consolidation or relocation of waste uses. Risks include new uses displacing waste facilities due to

⁷ <http://www.wrap.org.uk/content/wrap-and-circular-economy>

⁸ Circular Economy Package http://ec.europa.eu/environment/circular-economy/index_en.htm

⁹ <https://www.lwarb.gov.uk/what-we-do/circular-london/circular-economy-route-map/>

Figure 7: Current Re-use and Recycling Centres (RRC) in North London



incompatibility or impacts of construction. Protection for waste capacity through safeguarding, the agent of change principle and re-provision policies in the London Plan, Local Plans and NLWP Policy 1 will be a key policy tool under these circumstances.

D. Provide opportunities for decentralised heat and energy networks

- 4.18 The NPPW recognises the benefits of co-location of waste facilities with end users of their energy outputs. The London Plan supports the development of combined heat and power systems and provision of heat and power to surrounding consumers.
- 4.19 The Key Diagram (Figure 6) shows where facilities could connect to a network ('decentralised heat opportunity area' and 'decentralised energy opportunity area'). There is already a relatively well-advanced plan for decentralised heat network in the Lee Valley and this offers the most promising and realistic possibility within the Plan area. The NLWP supports opportunities to develop combined heat and power networks on sites and areas, within the Lee Valley, south Barnet and elsewhere (see Figure 6), that not only have the ability to link in to the decentralised energy network but also have the potential for waste development with Combined Heat and Power. Policy 6 seeks to secure opportunities for the recovery of energy from waste where feasible.

E. Protect local amenity

- 4.20 The protection of amenity is a well-established principle in the planning system. The NPPW requires the Boroughs to consider the likely impact on the local environment and on amenity when considering planning applications for waste facilities. Amenity includes aural (noise) and visual amenity such as open space, flora, and the characteristics of the locality including historic and architectural assets. Negative amenity impacts also include odour arising from the processing and type of waste being managed.
- 4.21 The site selection criteria set out in section 8 effectively direct waste management development to the most suitable sites/areas taking into account environmental and physical constraints, including locations where potential amenity impacts can be mitigated to an acceptable degree as well as considering cumulative impacts of additional waste facilities in already well developed areas and areas with a history of waste development. All proposed sites and areas have been subject to assessment in the Sustainability Appraisal and the Habitats Regulation Assessment and the findings fed into the policy recommendations
- 4.22 The protection of local amenity has been considered during the assessment of sites/areas to identify those suitable for inclusion in the NLWP. Policy 5 sets out assessment criteria for waste management facilities and deals with protection of local amenity including information requirements to support applications for waste

facilities. The policy's presumption for enclosed as opposed to open air facilities is also important to the application of this principle in terms of air quality and protecting the health of residents.

- 4.23 As outlined within Policy 1, proposals for expansion or intensification of existing waste uses should not unacceptably harm the amenity of occupiers of any existing developments. The onus will be upon the developer of the new proposed development to ensure appropriate mitigation measures are put in place under the agent of change principle.
- 4.24 Policy 3 seeks to ensure that proposals for waste management facilities do not constrain areas undergoing development change, such as new transport or economic regeneration initiatives.

F. Support sustainable modes of transport

- 4.25 The NPPW and the London Plan require Boroughs to identify sites/areas with the potential to utilise modes of transport other than road transport. As Figure 6 shows, North London is well served by road, rail and waterway networks and waste is currently transported into, out of and around North London by both road and rail. But like many industry sectors, road is the main mode of transport for the movement of waste. There are potential opportunities for waste sites to better utilise sustainable modes of transport such as rail and waterways. Movement of waste via more sustainable transport methods is duly supported in line with Objective 7, although this may not always be practicable, especially when costs associated with investment in wharfs and rail sidings and other infrastructure which may be necessary before waste can be moved along the canal or rail network may not be economically viable, especially for smaller facilities. North London currently has one rail linked waste site (at Hendon) supporting the requirements of the NLWA, however this site is due to be redeveloped as part of the Brent Cross Cricklewood regeneration project and the NLWA's need for this railhead has changed. There is a planning application for replacement rail based depot with a different function under consideration. There is also a wharf on the Lee Navigation which potentially could provide future opportunities for transportation by water at Edmonton EcoPark.
- 4.26 Road transport will continue to be the principal method of transporting waste in North London, particularly over shorter distances where this is more flexible and cost effective. Access to transport networks including sustainable transport modes was considered when assessing the suitability of new sites and areas. Rail and road transport is particularly desirable when waste is travelling long distances. Policy 5 considers sustainable transport modes in planning decisions.

5. Current waste management in North London

- 5.1 This section looks at the current picture of waste management in North London, including the amount of waste generated; the current capacity, types and location of facilities; how each waste stream is managed, key targets and cross-boundary movements of waste.

North London Waste Data Study

- 5.2 The Waste Data Study was prepared in July 2014 and updated in July 2015 to inform the Draft NLWP. A further update in 2018 accompanies this Proposed Submission Plan. All versions of the Data Study are available to view on NLWP website (www.nlwp.net). The Waste Data Study is in three parts as shown below, with the date of the most recent version provided in brackets:

- Part One: North London Waste Arisings (2018)
- Part Two: North London Waste Capacity (2018)
- Part Three: North London Sites Schedule (2018)

- 5.3 The Waste Data Study includes the following information for the seven waste streams for which the NLWP plans:

- The amount of waste currently produced in North London;
- How and where the waste is managed;
- The capacity of existing waste infrastructure;
- The waste management targets the NLWP will support; and
- The amount of waste projected to be produced over the plan period (up to 2035) and the extent to which existing facilities can meet this future need.

Waste generated in North London

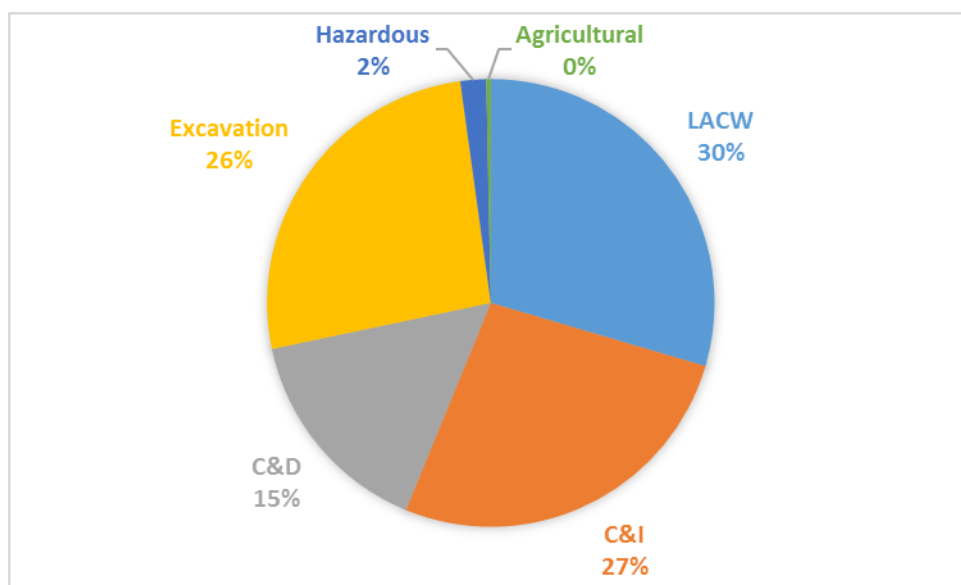
- 5.4 Table 2 below shows the amount of waste generated in North London for the main waste streams using the latest data from 2016. Waste arisings vary from year to year and these figures represent a snapshot in time. Figure 8 shows the proportion of each waste stream as a percentage of the total waste in North London¹⁰.

¹⁰ The data is taken from the Waste Data Study (2016)

Table 2: Amount of Waste Generated in North London, 2016

Local Authority Collected Waste (LACW)	845,776
Commercial and Industrial Waste (C&I)	762,301
Construction and Demolition Waste (C&D)	443,180
Agricultural Waste	9,223
Hazardous waste	54,420
Excavation Waste	747,242
TOTAL	2,861,062

Source: North London Waste Data Study Update 2016

Figure 8: Waste arisings in North London 2016

Source: North London Waste Data Study Update 2018

Existing facilities

- 5.5 Table 3 below shows the existing (2018) waste management facilities in North London by type and waste stream managed and changes in available capacity at known dates when facilities come on stream/close. It identifies an existing waste management capacity of around 4.4 million tonnes per annum, reducing to around 3.8 million tonnes by 2029 as a result of known closure of some existing sites up to

2028¹¹. Figure 9 shows the location of the facilities represented in Table 3 and a full list is in Appendix 1.

Table 3: Maximum Existing Annual Capacity at Licensed Operational Waste Management Facilities at the Start of the Plan Period and a key dates following changes in sites capacities

Waste stream	Facility Type	2018	2026	2029
LACW only	Transfer stations (non-hazardous)	621,222	416,864	416,864
LACW only	Household Waste Recycling Site	100,204	100,204	100,204
LACW only	Composting	35,241	0	0
LACW only	Recycling (MRFS)	276,855	276,855	276,855
LACW only	Incineration with Energy Recovery	550,000	0	0
LACW and CI	Transfer stations (non-hazardous)	206,748	206,748	206,748
LACW and CI	Incineration with Energy Recovery	0	700,000	700,000
LACW, CI and CDE	Transfer stations (non-hazardous)	26,545	26,545	26,545
LACW, CI and CDE	Recycling (MRFS)	16,277	16,277	16,277
CI only	Transfer stations (non-hazardous)	288	288	288
CI only	Recycling (MRFS)	54,632	54,632	54,632
CI only	Treatment facility	2,332	2,332	2,332
CI only	Treatment facility (Hazardous)	64,132	64,132	64,132
CI and CDE	Transfer stations (non-hazardous)	236,245	119,050	119,050
CI and CDE	Recycling (MRFS)	432,538	432,538	432,538
CDE only	Transfer stations (C&D)	364,097	328,014	328,014
CDE only	Recycling (aggregates, other C&D)	980,780	746,840	627,876
Hazardous	Transfer stations (hazardous)	5	5	5
Hazardous	Treatment facility (Hazardous)	3,622	3,622	3,622
CI Specialist	Treatment facility	112,419	112,419	112,419
CI Metals	Recycling (ELVs)	362	362	362
CI Metals	Recycling (Metals)	318,522	318,522	318,522
CI Metals	WEEE	18,657	18,657	18,657
	Total Capacity	4,421,723	3,944,906	3,825,942

¹¹ Some of the planned closures include sites affected by the redevelopment of Brent Cross. It is expected that Barnet will identify new sites for the relocation of these sites in line with the Planning Permission for this development

- 5.6 When considering the overall amount of waste generated identified in Table 2 against the current capacity of waste management facilities in North London identified in Table 3, there appears to be more than enough waste management capacity. However, this does not take into account the specialism of each type of facility or importantly, since North London is a net exporter of waste in terms of tonnage, imports to and exports from the area.
- 5.7 Some facilities in North London have a wider-than-local catchment area and manage waste from outside North London. This includes recycling and treatment facilities, in particular metal recycling and end of life vehicle (ELV) facilities as well as facilities for the processing of CDE in to recycled aggregate products for resale. The extra capacity contributes to achieving net self-sufficiency, or managing the equivalent of the overall quantity of waste within the main categories for North London and London as a whole.
- 5.8 Conversely, North London does not have all the types of facilities necessary to manage all the sub-types of waste arising within the main categories shown in Table 2. For example, there are few hazardous waste facilities and no landfill sites in North London. North London will therefore need to identify sufficient capacity to manage the equivalent amount of this exported waste within its boundary.

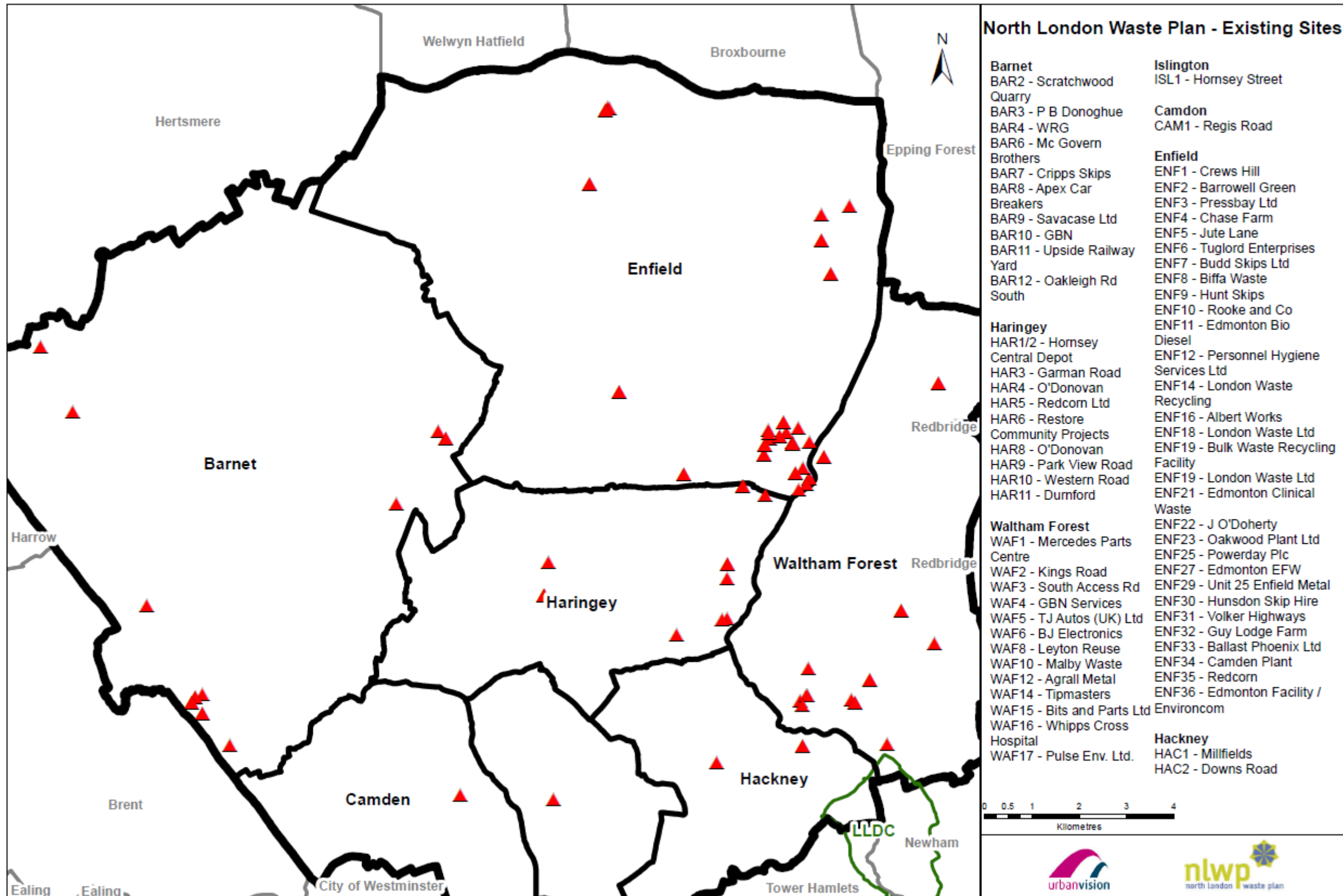
Local Authority Collected Waste

- 5.9 In North London, around 850,000 tonnes of LACW was collected in 2016/17¹². Of this, approximately 26% was recycled, reused or composted. Of the remaining LACW, 60% was sent to NLWA's energy-from-waste facility at Edmonton and 12% was sent to landfill outside of North London.
- 5.10 The NLWA has reported an increase in recycling performance from 23% in 2006/7 to 32¹³% by 2017/18. This is lower than the national average of 43.7% but in line with the London average of around 33%. There are a number of factors which contribute towards lower recycling rates in London than the country as a whole. These include: rapid population growth; a greater transient population than anywhere else in the UK; the greater proportion of flats compared to houses which presents challenges for setting up collection systems for recyclable waste; and proportionately fewer gardens generating lower level of green waste for recycling.

¹² Figures NLWA Annual Monitoring Report 2016-17

¹³ [North London Waste Authority Annual Report 2017/18](#)

Figure 9: Existing Waste Sites



- 5.11 The North London Boroughs and the NLWA are committed to achieving the 50% recycling target set out in the Joint Municipal Waste Management strategy and the London Plan. The North London Boroughs, together with the NLWA, are beginning a renewed drive to increase recycling including looking at ways to standardise collection regimes. In addition, the London Waste and Recycling Board (LWARB) works with London Boroughs to increase recycling rates and supports waste authorities in improving waste management services.

- 5.12 The NLWA's long term waste management solution is based upon the continued use of the existing Edmonton facility until 2025 and the development of a new energy recovery facility on the same site to be operational from 2025 onwards. Further information on how it has informed the NLWP is set out in section 8.

- 5.13 The European Commission has put forward a Circular Economy Package¹⁴. This includes a 65% recycling target for municipal waste (LACW and C&I) by 2030. Notwithstanding the UK leaving the EU, the UK has signed up to delivering these targets as part of Brexit. These revised targets have been built into NLWP waste modelling work as part of the revisions to the Data Study, however the new targets have only been applied to C&I waste as it is assumed no change to the projections of the NLWA at this time.

- 5.14 Waste minimisation seeks to reduce the amount of waste produced by targeting particular behaviours and practices. As shown in Figure 5 in section 3, preventing waste generation in the first place sits at the top of the waste hierarchy.

- 5.15 The London Environment Strategy prioritises resource efficiency to significantly reduce waste and promotes reuse and repair. LWARB's 'Circular Economy route map' exemplifies a move towards a more resource efficient waste service. The route map builds on the 5 focus areas (the built environment, food, textiles, electricals and plastics) and sets out 8 cross cutting themes to ensure the benefits of a circular economy can be achieved across a number of sectors.

- 5.16 The North London Boroughs co-ordinate waste prevention activity through the NLWA's waste prevention plan. The NLWA run waste minimisation activities for schools and communities. These are delivered through the NLWA's "Wise up to Waste" programme and currently focuses on three priority areas: reducing food waste, encouraging a reduction of furniture waste by increasing re-use, and reducing textile waste (both clothing and non-clothing).

¹⁴ European Commission Circular Economy Package http://ec.europa.eu/environment/circular-economy/index_en.htm

Commercial and Industrial Waste

- 5.17 The Waste Data Study has used two methods to identify and project C&I waste. The first is to use data from the Defra C&I Waste Survey 2009 in line with the London Plan to assess the management routes of North London's C&I waste. The second is to use the new method for calculating C&I waste as introduced following the withdrawal of the Defra C&I surveys which uses published data from the EA's WDI. This new method of calculation indicates that 44% of C&I waste is recycled, reused or composted while 33% of this waste stream is sent to landfill and land recovery. A small proportion (6%) of C&I is sent for non thermal treatment with the remainder (17%) sent for thermal treatment with energy recovery. It should be noted that potential reliance on landfill will drop to 10% by 2030 in order to achieve EU statutory targets with recycling and reuse levels increasing to 65%.
- 5.18 Through the London Environment Strategy, the Mayor is seeking to make London a zero waste city with no biodegradable or recyclable waste sent to landfill by 2030 and by aiming to achieve 65% recycling from London's municipal waste, this will be achieved through a 50% recycling rate from LACW by 2025 (Policy 7.2.1) and 75% from business waste by 2030 (policy 7.2.2). The Mayor has also said that he does not expect there to be a need for any new energy from waste capacity if existing planned sites are completed (policy 7.3.2.b). The Mayor has also indicated that he will use his powers to ensure there are sufficient sites to manage London's waste. The Environment Strategy embraces the ideals of the Circular Economy requiring manufacturers to design products to generate less waste and which can be easily repaired, reused and recycled, and the strategy encourages the development of business to facilitate this.
- 5.19 There are a number of national schemes which promote waste minimisation. This includes the [Courtauld Commitment](#) which aims to reduce food waste, grocery packaging and product waste, both in the home and the grocery sector by 20%, the Mayors Environment Strategy seeks to go further by setting a target of 50% reduction per head by 2030.
- 5.20 European Commission Circular Economy Package¹⁵ include increased recycling targets for packaging materials in the commercial and industrial sectors of 65% by 2025 and 75% by 2030. The UK has committed to delivering the Circular Economy targets as part of Brexit.

¹⁵ http://ec.europa.eu/environment/circular-economy/index_en.htm

Construction, Demolition and Excavation Waste

- 5.21 Local planning policies and development industry practice mean a lot of C&D material is managed on site and does not enter the waste stream. A total of 443,180 tonnes of C&D waste and 747,243 tonnes of excavation waste was produced in North London in 2016. The largest proportion of C&D waste arising in North London is managed via recycling (73%) and treatment (20%) facilities, with 7% sent directly to landfill. Recycling rates of C&D waste are high due to the nature and value of the material. Excavation materials are primarily disposed of directly to landfill (53%) with the remainder managed through transfer stations (28%) or sent for treatment (19%). The London Plan includes a target of 95% recycling of CD&E by 2020.

Hazardous Waste

- 5.22 FA total of 53,420 tonnes of hazardous waste was produced in 2016, of this waste 40% was managed at treatment facilities, of which the majority was exported for treatment outside of North London. The next most common method of management was recovery (20%), with a further 16% being managed at landfill. Of the total hazardous waste arisings, 53,107 tonnes (99.4%) of waste was exported out of North London for management. It is not unusual for hazardous waste to travel outside the area to specialist facilities which tend to have a wider catchment area.
- 5.23 There are a number of initiatives in place to ensure better implementation of EU waste legislation, including on hazardous waste. None of the circular economy proposals referred to 5.13 announced by the European Commission in December 2015 will affect the NLWP strategy for hazardous waste.

Agricultural Waste

- 5.24 A total of 9,223 tonnes of Agricultural waste was produced in 2016, with only 125 tonnes being identified as being managed off site. The majority of agricultural waste arisings are managed within the limited number of farm holdings within the Plan area, with a very small amount managed offsite through commercial waste facilities. As such, the NLWP does not seek to identify sites for additional facilities to manage this waste stream; any facilities which do come forward on farm land would be considered against Policy 3 'Windfall sites'.

Low Level Non-Nuclear Radioactive Waste

- 5.25 The very small amount of Low Level Non-Nuclear Radioactive Waste (LLW) arising in North London, mainly from hospitals, is currently managed outside of the area in specialist facilities. Records of LLW in the sub-region indicate that there are currently 16 sites producing LLW as waste water, with a number of the amounts generated being below the reporting threshold, which is measured in terms of radioactivity.

Waste Water and Sewage Sludge

- 5.26 Waste Water Treatment Works in North London are operated by Thames Water. The main Thames Water Waste Water/sewage treatment facility in North London is Deephams Sewage Treatment Works (STW), which is the ninth largest in England. The site is to be retained and improved for waste water use and planning permission has been granted for an upgrade to the sewage sludge treatment stream. Thames Water anticipates that the recently approved upgrade to Deephams STW will provide sufficient effluent treatment capacity to meet their needs during the plan period. Further details can be found in section 8.

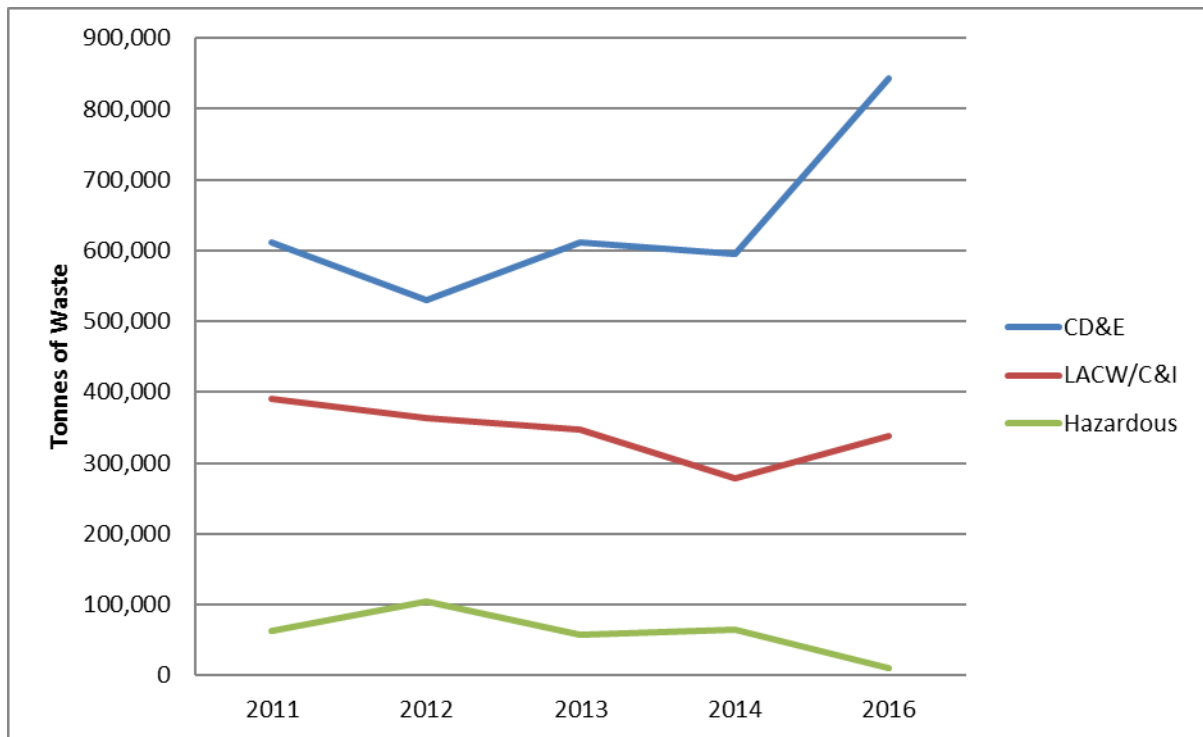
Cross Boundary Movements (exports and imports)

- 5.27 In 2016, 1,201.964 tonnes of waste was exported from North London, 56% of which went to landfill. Exports in the LACW/C&I category have been steadily declining in recent years, however an increase was shown in 2016. This is consistent with the waste strategies of the London Mayor and the North London Waste Authority which aim to reduce the amount of waste going to landfill. Exports of CD&E waste generally follow patterns of waste arising, so when more CD&E waste is generated, more is exported. This pattern is shown in Table 4 and Figure 10 below.

Table 4: Waste exported from North London 2011-2016

Type of waste	2011	2012	2013	2014	2016
CD&E	610,864	530,025	611,902	595,203	843,856
LACW/C&I	390,226	362,950	347,206	278,050	337,836
Hazardous	62,473	103,884	58,216	64,193	10,352
Total	1,063,563	996,859	1,017,324	937,446	1,201,964

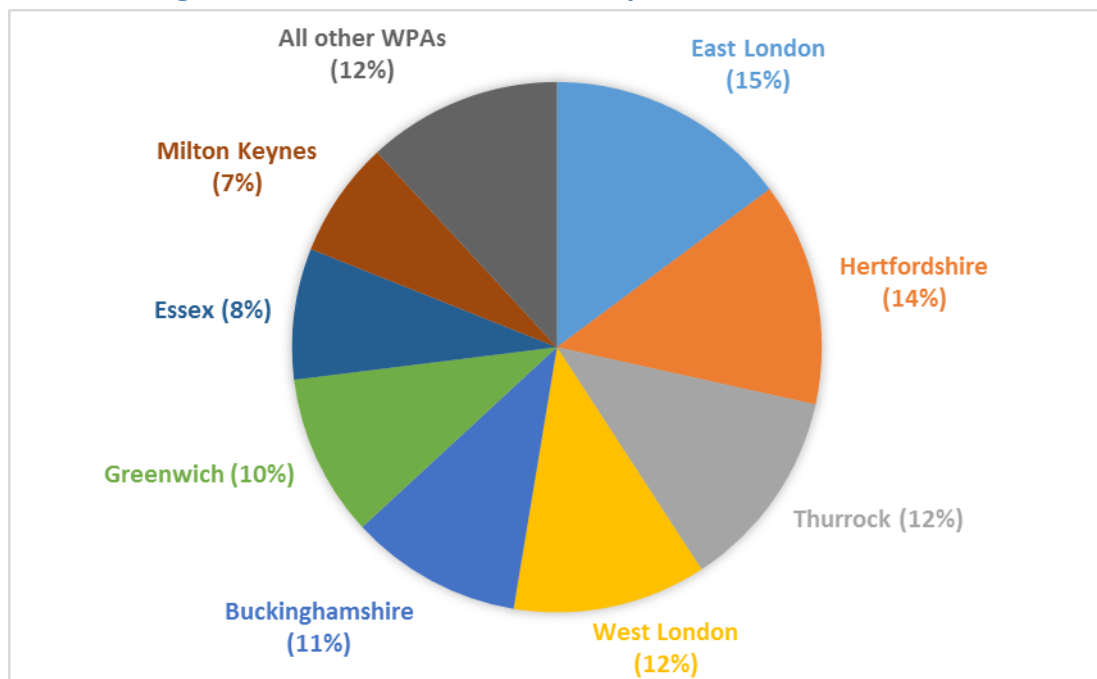
Figure 10: Waste exported from North London 2011-2016



Source: WDI 2011-2016

- 5.28 During 2013-2016 waste exports from North London were deposited in more than 70 different waste planning authority areas but the majority (88%) went to eight main destinations. These are shown in the Figure 11 below:

Figure 11: Distributions of Waste Exports from North London



Source: WDI 2013-2016

- 5.29 In 2016, around 1 million tonnes of waste was imported in to North London. Most of the imported waste comes from immediate neighbours in Greater London, the South East and East of England and is managed in transfer stations, treatment facilities and metal recycling sites
- 5.30 As part of discharging the 'duty to co-operate', the North London Boroughs have contacted all waste planning authorities (WPA) who receive waste from North London to identify any issues which may prevent waste movements continuing during the plan period. A Report on the duty to co-operate, issues identified and next stages accompanies this Plan and is available on the NLWP website.
- 5.31 Engagement to date has identified a constraint to the continuation of waste exports to landfill from North London relating to the scheduled closure of landfill sites during the plan period. Details can be found in the paper, Exports to Landfill 2017-2035, on the NLWP website (www.nlwp.net), though the operation of some of these sites may be extended beyond their currently permitted end date. The boroughs will continue to monitor this information throughout the preparation of the NLWP, and after it is adopted as reflected in the monitoring framework in section 10.
- 5.32 Nonetheless, as set out in the exports to landfill paper, alternative capacity at other potential destinations has been identified for the amount of waste currently being exported to those sites earmarked for closure during the plan period. The paper shows that there are both alternative sites and adequate void space in London, South East and East of England to take North London's 'homeless' waste between 2018 and 2035.
- 5.33 A further constraint for the continued export of waste has been identified with regard to hazardous waste, namely a lack of detailed data on where it ends up. This type of waste is managed in specialist facilities which have wide catchment areas and therefore may not be local to the source of the waste. North London has one hazardous waste treatment facility with a capacity of around 3,600 tonnes per annum and two recycling facilities; one for metals and one for end of life vehicles handling around 2,500 tonnes per annum between them. The treatment facilities handle a small proportion of North London's hazardous waste (less than 1% in 2016) while the rest (99.4%) is exported. In addition, some facilities, whilst not classified as hazardous waste facilities, are permitted to manage a certain amount of hazardous waste alongside non-hazardous wastes. These include car breakers and metal recycling sites, WEEE sites as well as RRCs which will accept, for example, paints and batteries which require specialist treatment and disposal.
- 5.34 While the export of the majority of hazardous waste to the most appropriate specialist facilities is likely to continue, current data collection methods do not identify the hazardous waste facilities in question. The boroughs will continue to engage with the Environment Agency and waste planning authorities in receipt of hazardous waste from North London, including seeking to identify any constraints to the continued export of this waste. Should any constraints come to light, such as

anticipated closure of a facility, the boroughs will seek to identify potential new destinations with capacity for managing compensatory amounts. The North London Boroughs will pursue agreement on this matter with recipient waste planning authorities through a statement of common ground.

- 5.35 The North London Boroughs will continue to co-operate with relevant authorities on matters of strategic waste planning throughout the preparation of the NLWP and once the Plan is adopted.

6 Future Waste Management Requirements

Context

- 6.1 In line with the NPPW and the London Plan, the NLWP must identify sufficient waste management capacity to meet the identified waste management needs of North London over the plan period.
- 6.2 It follows that a key part of the development of the NLWP is to identify how much waste will be produced during the plan period, how this will be managed, what capacity is required and whether there is sufficient capacity already available. The NLWP must also consider how changes in the waste management behaviours, practices and technologies may influence this.

Targets for waste managed within North London

- 6.3 The North London Boroughs have statutory duties to meet recycling and recovery targets and the NLWP will need to be ambitious in order to achieve European Union, national, regional and local targets. These targets are as follows:

Table 5: Recycling and Recovery Targets with 2016 Baseline

Waste stream	Target	2016 baseline
LACW	50% recycling for LACW by 2025 (contributing to 65% recycling of municipal waste by 2030)	29%
C&I	75% recycling by 2030 (contributing to 65% recycling of municipal waste by 2030)	52%
C&D	95% recycling by 2020	50-60%
Biodegradable or recyclable waste	Zero biodegradable or recyclable waste to landfill by 2026	Not known

Options for managing North London's waste

- 6.4 In accordance with the NPPF (paragraph 35) to ensure the NLWP is justified, a range of options were tested as part of the consideration of reasonable alternatives for managing North London's waste leading to selection of the preferred strategy. The scenarios considered looked at a range of options for recycling from maintaining the status quo to seeking to maximise opportunities for recycling in line with the targets

set out in Table 5 above, the latter option being the most popular option and taken forward. Along with this a number of options were also considered in relation to waste growth over the plan period and what impact that would have on waste growth, again 3 approaches were modelled looking at no growth, growth in line with the London Plan for C&I and CDE waste – with LACW growth being in line with that of the NLWA for all options, a minimised growth was also modelled but was not considered in line with the growth planned for in the London Plan, as such growth was modelled in line with the London Plan. An Options Appraisal Report (2018) has been prepared which provides more detail on each of the options considered and provides information on the different scenarios including how much waste would be generated over the plan period (incorporating economic and population growth assumptions), how much waste could be managed within North London (capacity strategy), and how this waste should be managed (management strategy) for each of the options considered. The preferred option identified in the Options Appraisal¹⁶ has been carried through to the NLWP. The preferred option seeks to achieve growth in line with the London Plan and to deliver the targets set out in the Mayor’s Environment Strategy.

Chosen Approach

- 6.5 The chosen approach for the NLWP following the option appraisal can be summarised as follows:

Chosen Approach for planning for North London’s waste	
Population/Economic Growth in line with London Plan forecasts	
+ Maximising Recycling	
+ Net self-sufficiency for LACW and C&I by 2026 and C&D by 2035	
= Quantity of waste to be managed	

- 6.6 It is considered that this approach provides the most robust modelling scenario to project future capacity gaps, taking account of existing/planned capacity, and waste management needs.

Meeting the Capacity Gap

- 6.7 Table 6 below sets out the capacity gap broken down in to 5 year periods over the NLWP plan period. The capacity gap is the difference between tonnage associated with existing and planned waste management capacity (see Table 3 – section 5) and the quantity of waste to be managed over the plan period (see the chosen approach set out above). This method identifies whether there is adequate or surplus

¹⁶ Available on the NLWP website

capacity, or a requirement for additional facilities. Table 6 sets out the capacity gaps for each management route. Negative figures indicate a capacity gap and therefore the type of management route for which capacity is sought over the plan period. The boxes that are not highlighted denote where 'surplus' capacity exists.

Table 6: Capacity gaps throughout the Plan period –chosen option

Waste function and stream managed	2018	2025	2030	2035
Landfill (C+I and LACW)	-114,496	-112,951	-114,726	-119,392
Landfill (Hazardous)	-12,741	-12,741	-12,741	-12,741
Landfill (C+D)	-26,534	-23,683	-24,664	-25,685
Landfill (E)	-405,634	-429,334	-447,106	-465,613
Energy from waste (LACW,C&I)	-47,167	-1,438*	3,280	-9,190
Energy from waste (Hazardous)	-53	-53	-53	-53
Thermal Treatment (without energy recovery) (AGR)	-32	-32	-32	-32
Thermal Treatment (Hazardous - no energy recovery)	-2,476	-2,476	-2,476	-2,476
Recycling (C+I and LACW)	-95,461	-207,611	-256,906	-288,570
Recycling (CD&E)	393,108	73,829	-72,993	-102,005
Recycling (specialist material)	331,997	331,673	331,430	331,177
Recycling (Hazardous)	-16,838	-16,838	-16,838	-16,838
Treatment plant (C&I CD&E)	-85,564	-50,667	-57,514	-64,645
Treatment Plant (Hazardous)	46,437	46,437	46,437	46,437
Land recovery	-9,098	-9,098	-9,098	-9,098
Transfer Station	1,555,349	1,233,796	1,233,796	1,233,796
Transfer Station (Hazardous)	5	5	5	5

Source: NLWP data study model 2016

- 6.8 The capacity gap figures in tonnage of waste have been converted to waste management land requirement using data from evidence gathered and evaluated on typical capacity and land take for each type of facility. The Data Study (2018) available on the website (www.nlwp.net) provides a fuller explanation. Table 7 below sets out the amount of land required within North London to meet the capacity gaps identified in Table 6 for the chosen approach of net self-sufficiency for LACW, C&I and C&D waste streams.

Table 7: Land take requirements for meeting net self-sufficiency for LACW, C&I and C&D (requirements for London Plan apportionment in brackets)

Facility Type	Hectares				
	2018	2025	2030	2035	Total
Recovery (C&I/LACW)	1 (1)				1(1)
Recycling (C&I)	1(1)	1(1)		1	3(2)
Recycling (C&D)	0	0	2	0	2
Recycling (Hazardous)	2				2
Treatment HIC, CDE	1				1
TOTAL land required in North London	5 (2)	1 (1)	2 (0)	1 (0)	9 (3)

6.9 Although Table 7 identifies a need for recovery facilities for C&I waste, this need is immediate and declines over the plan period to when the Edmonton Energy Recovery Facility is completed. For this immediate need to be met facilities would need to be in place now, or at least in planning, which is not the case. Therefore it is highly probable that this need will not be met and that C&I waste requiring recovery will continue to be exported in the short term. As highlighted earlier the Mayor's Environment Strategy states that the Mayor does not want any additional energy from waste capacity over the plan period as existing sites should be able to meet the needs of all municipal waste arisings. The main need identified is for the provision of construction and demolition recycling facilities in order that the 95% recycling target for this waste stream can be achieved. There is also a requirement throughout for additional recycling facility to manage the increasing levels of recycled waste expected from the C&I waste stream reflecting the 75% recycling target in order to achieve the Environment Strategy target of 65% from municipal waste (LACW and commercial waste). A further 1ha is identified for additional treatment facilities for LACW, C&I and CDE.

6.10 A capacity gap equivalent to two hectares of land has been identified for meeting North London's hazardous waste management need over the plan period, a small requirement of less than 2,500 tonnes per annum has also been identified for recovery of hazardous waste, but this figure is considered too small to plan for. While the North London Boroughs support the provision of hazardous waste facilities in appropriate locations, it is acknowledged that these facilities generally operate for a wider-than-local catchment area due to their specialist nature. The Boroughs will

therefore work with the GLA and other boroughs across London to identify and meet a regional need.

- 6.11 The Data Study concludes that over the NLWP plan period there are capacity gaps for C&I, CD&E and Hazardous waste, and that North London will require additional facilities to meet these. In relation to the gap for Hazardous waste, the North London Boroughs will contribute to the planning for hazardous waste facilities at a regional level and through the identification of areas within North London that may be suitable for hazardous waste facilities. Additional land is not required to accommodate new facilities for Low Level Non-Nuclear Radioactive Waste (LLW), Agricultural Waste or Waste Water/Sewage Sludge during the plan period. More information about how each waste stream will be managed can be found in the Provision for North London's Waste to 2035 (section 7).

7. Provision for North London's Waste to 2035

- 7.1 The North London Boroughs have developed the following strategic policy which sets out in broad terms how the waste management needs in North London over the plan period are being planned for

Strategic Policy for North London's Waste

The North London Boroughs will identify sufficient capacity and land for the provision of waste facilities to manage the equivalent of 100% of waste arisings (net self-sufficiency) for Local Authority Collected Waste (LACW) and Commercial & Industrial (C&I) waste by 2026 and Construction & Demolition (C&D) waste by 2035, including hazardous waste. The North London Boroughs will plan to manage as much of North London's excavation waste arisings within North London as practicable. To achieve this, the North London Boroughs will plan to manage the quantities of waste set out in Table 8 over the next 15 years.

The North London Boroughs will encourage development on existing and new sites and that promotes the movement of waste up the waste hierarchy, increases management of waste as close to the source as practicable, and reduces exports of waste to landfill.

The North London Boroughs will continue to co-operate with waste planning authorities who receive significant quantities of waste exports from North London.

- 7.2 Existing capacity and additional new capacity will be needed to meet North London's identified need for waste management over the plan period (2020-2035). Existing waste capacity in North London is safeguarded and set out in Schedule 1 (see Appendix 1) and land for new waste facilities is set out in Schedule 2 (see Policy 3). The focus for new waste capacity in North London is for recycling and recovery facilities to manage the quantities of waste set out in Table 8, thereby reducing exports.
- 7.3 Table 8 sets out the quantities of waste, by waste stream, which need to be managed within North London in order to meet the policy for net self-sufficiency target for LACW and C&I waste by 2026 and C&D waste by 2035, including hazardous waste. Table 8 also takes account of the policy to manage as much of North London's excavation waste arisings within North London as practicable. The quantities of waste take into account population and economic growth and waste targets including net self-sufficiency, apportionment, recycling and landfill diversion, set out in the London Plan. The North London Boroughs are planning to meet more than their apportionment targets and to manage the waste arisings for North London set out in the London Plan. Further details of the methodology to estimate waste arisings is available in the NLWP Data Study (2018).

Table 8: Amount of waste to be managed within North London 2018-2035

Waste Stream		2018 (tonnes)	2022 (tonnes)	2027 (tonnes)	2032 (tonnes)	2035
Estimated Waste arising		2,773,054	2,880,209	2,952,840	3,028,636	3,357,725
Net self-sufficiency	LACW	967,755	991,619	1,004,001	1,017,548	1,026,176
	C&I	774,768	800,321	833,451	867,949	889,332
	C&D	450,429	465,284	484,544	504,601	517,032
	Hazardous	53,421	53,421	53,421	53,421	53,421
Excavation		353,831	365,501	380,631	396,386	406,151
Agricultural		9,223	9,223	9,223	9,223	9,223

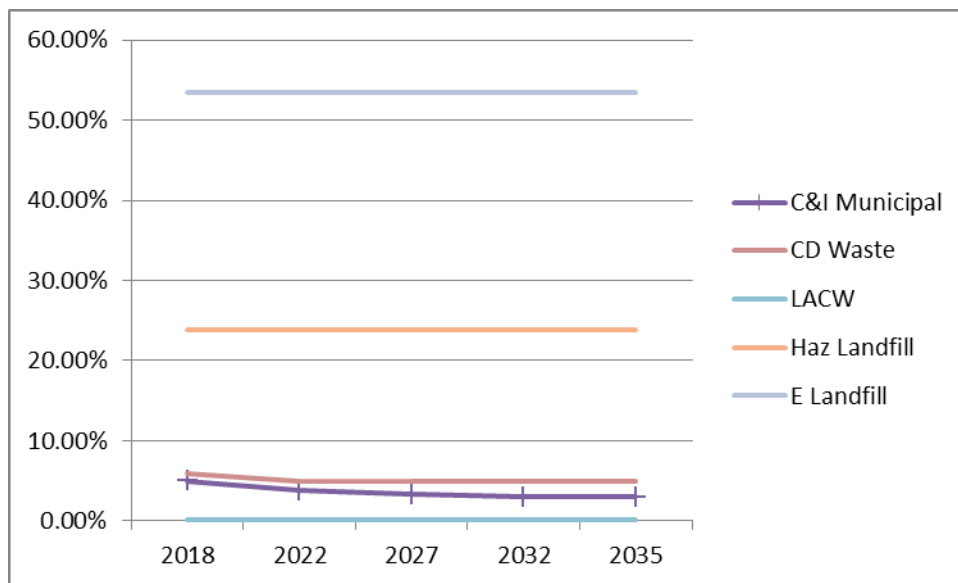
7.4 The North London Boroughs will monitor the NLWP against the quantities of waste set out in Table 8 to ensure the strategic policy is being delivered. Monitoring indicators are set out in Section 10 of this plan.

7.5 To enable waste planning authorities outside London to plan for North London's waste exports, Table 9 shows projected exports to landfill outside the North London area. The figures represent waste which cannot be prepared for reuse, recycled/composted, or used for other recovery and therefore has to be exported to landfill. The North London boroughs will plan to manage the equivalent amount of exported waste within North London through waste imports however, in reality, some of North London's waste will continue to cross borders to be managed or disposed of in facilities which North London does not or cannot accommodate, such as landfill or specialist hazardous waste facilities.

Table 9: Projected exports from North London to landfill 2018-2035

Waste Stream	2018 (tonnes)	2022 (tonnes)	2027 (tonnes)	2032 (tonnes)	2035
Excavation	405,634	419,012	436,356	454,419	465,613
C&I	112,496	109,868	111,666	114,569	117,392
C&D	26,534	23,114	24,071	25,067	25,685
LACW	2,000	2,000	2,000	2,000	2000
Hazardous waste	12,741	12,741	12,741	12,741	12,741
Total	559,405	566,735	586,834	608,796	623,431

Figure 12: Predicted Landfill Exports as a % total Waste Stream.



7.6 The North London Boroughs have engaged with each of the main recipients of North London's waste to landfill and identified if there are planning reasons why similar exports of waste cannot continue over the plan period, for example the planned closure of a site. This work is set out in *North London Exports to Landfill 2017-2032* (2018). The North London Boroughs have established that there are sites and available void space in London, South East and East of England to take North London's estimated waste exports to 2035. The Boroughs will continue to co-operate with waste planning authorities who receive North London's waste, and mechanisms for monitoring waste movements after the NLWP is adopted are set out in in section 10.

7.7 The following section sets out how North London's will meet its strategy for waste to 2035 in more detail, setting out each waste stream and management method separately.

Local Authority Collected Waste (LACW) and Commercial & Industrial Waste (C&I)

7.8 Local Authority Collected Waste (LACW) and Commercial and Industrial (C&I) waste streams comprise similar types of waste. The NLWP identifies sufficient land to manage the equivalent of all LACW and C&I waste arising in North London by 2026.

Recycling/Composting

7.9 The North London Waste Authority (NLWA) is seeking to achieve a household waste recycling target of 50% by 2020 consistent with the targets set out in the North London Joint Waste Strategy. The Authority and partner boroughs will continue to seek to maximise recycling levels for LACW.

- 7.10 There is a need for additional capacity for recycling for both LACW and C&I waste streams throughout the plan period. As many facilities can manage both waste streams, the need for recycling is combined.
- 7.11 In addition to recycling, the existing composting facility at Edmonton will be displaced due to the development of the new Energy Recovery Facility. The NLWA are not intending to build a replacement facility to meet this requirement. Current contracts exist to export this waste outside the Plan area.

Recovery

- 7.12 Most LACW is managed at the Edmonton EcoPark facility which has an existing capacity of around 550,000tpa. It is intended that the existing Edmonton facility will be modified to enable connection to a heat network. The facility does not currently accept C&I waste from private operators.
- 7.13 The existing Edmonton facility will be replaced in 2025. The NLWA have gained consent for a new Energy Recovery Facility (ERF) with capacity of around 700,000 tonnes per annum to deal with all the residual waste under the control of the Authority from 2025 until at least 2050. The planning framework for this site includes the Edmonton EcoPark Supplementary Planning Document and emerging Central Leaside Area Action Plan.
- 7.14 As the existing EfW facility at Edmonton does not currently treat C&I waste, there is an immediate capacity gap for recovery of C&I waste amounting to 1ha of land as identified in Table 7. However, as no such facilities are currently in the pipeline, it is likely the waste will continue to be exported in the short to medium term until 2025. After this time, the recovery requirement of C&I waste can be met by the new Edmonton ERF to the end of the plan period in line with the objectives of the Mayors Environment Strategy 2018

Transfer

- 7.15 NLWA manage three waste transfer stations in North London namely the Hendon Rail Transfer Station (Barnet), Edmonton Ecopark Transfer Station (Enfield) and the Hornsey Street Transfer Station (Islington). The Hendon Rail Transfer Facility in Barnet is being relocated due to the Brent Cross Cricklewood development and a planning application is currently under consideration for the new location within Barnet.

Landfill

- 7.16 North London has no landfill sites and depends on capacity outside the Plan area. The NLWA intend to minimise the amount of LACW sent direct to landfill by maximising recycling and ensuring the existing EfW facility can sufficiently manage the expected tonnage of North London's residual waste up to 2025. Much less waste will be exported to landfill from 2017/18 due to changes in contractual arrangements and virtually no LACW will go to landfill by 2026.

- 7.17 It is anticipated that some C&I waste will continue to be exported to landfill throughout the plan period, although this will be a decreasing quantity as new facilities become operational and recycling levels increase.
- 7.18 The North London Boroughs have established that there are landfill sites in London, South East and East of England able to take North London's waste between 2017 and 2035. See Figure 12 for the anticipated decline in landfilling of North London's waste over the plan period.

Construction, demolition and excavation waste (CD&E)

- 7.19 The NLWP will identify sufficient land to manage the equivalent of all Construction and Demolition (C&D) waste arising in North London by 2035, while acknowledging that some exports will continue, particularly for Excavation waste.

Recycling

- 7.20 The majority of C&D waste is recycled on site or through transfer facilities. Each Borough Local Plan has a sustainable design and construction policy in place which seeks to minimise waste generated during the design and construction of development and re-use or recycling of materials on-site where possible.
- 7.21 North London has a number of transfer facilities which also recycle CD&E waste but a large quantity is still exported to landfill, mainly excavation waste. Recycling opportunities are likely to be mainly for C&D wastes although around 28% of excavation waste is also recycled within North London, with 53% being disposed of directly to landfill and 19% through treatment facilities. Taking account of the diversion of C&D waste away from landfill, the Data Study has identified a capacity gap of around 67,000 tonnes per annum from 2029, rising to around 102,000 tonnes per annum by 2035. Provision will be needed throughout the plan period.
- 7.22 A total of 2 hectares of land will be required to facilitate this provision. Opportunities to re-use CD&E waste locally will be supported, though this cannot be predicted with any certainty. Policy 8 'Inert Waste' seeks to ensure that any planning application for the recycling and reuse of inert waste for all types of development demonstrates that viable opportunities to minimise construction and demolition waste disposal will be taken, making use of existing industry codes of practice and protocols, site waste management plans and relevant permits and exemptions issued by the Environment Agency.

Landfill

- 7.23 North London has no landfill sites and depends on capacity outside the NLWP area. Some of the CD&E waste stream, particularly excavation waste, will continue to be exported to landfill unless opportunities materialise to re-use it locally. It is anticipated that C&D waste exports to landfill will reduce over the plan period while excavation waste exports will increase in line with growth.

- 7.24 The North London Boroughs, working with waste planning authorities who receive CD&E waste from North London, have identified constraints to the export of this waste and have established that there are both alternative landfill sites and adequate void space in London, South East and East of England to take North London's waste between 2017 and 2035. See Figure 12 for the anticipated decline in landfilling of North London's waste over the plan period.

Hazardous Waste

- 7.25 All the waste streams include some hazardous waste. Some facilities in North London, whilst not classified as hazardous waste management facilities, are permitted to manage a certain amount of hazardous waste alongside non-hazardous wastes. Hazardous waste is more commonly managed in specialist facilities which have and depend on wide catchment areas for their economic feasibility, and may not be local to the source of the waste. Planning for hazardous waste is a strategic issue (regionally and arguably nationally rather than sub-regional) and it is not anticipated that land for facilities would be identified to meet the requirements of North London alone, though the areas identified in the NLWP have been assessed for their potential suitability for such facilities.

Recycling and Recovery

- 7.26 North London has one hazardous waste treatment facility with a capacity of around 3,600 tonnes per annum and two recycling facilities; one for metals and one for end of life vehicles handling around 2,500 tonnes per annum between them. In addition, other facilities permitted to manage hazardous waste include car breakers and metal recycling sites, WEEE sites as well as RRCs which will accept, for example, paints and batteries which require specialist treatment and disposal. Such sites will continue to make a valuable contribution to managing North London's hazardous waste requirements.
- 7.27 There is a capacity gap for the recovery of around 2,500 tonnes per annum, this is considered too small a figure to plan for provision of a new facility and as such a specific land requirement is not identified for this management option. There is a requirement for recycling of around 17,000 tonnes per annum, requiring an estimated 2ha of land. The North London Boroughs support the provision of such facilities in appropriate locations and will work with the GLA and other Boroughs across London to meet this need. It is noted in the sites and area profiles in Appendix 2 of the NLWP where a site or area is not suitable for hazardous waste recycling and recovery facilities. Any applications for hazardous waste facilities in North London that do come forward will be considered on a case by case basis. However, in the short term it is likely that hazardous waste will continue to be exported to the most appropriate specialist facilities.

Landfill

- 7.28 The need for export to landfill of around 13,000 tonnes per annum, is expected to continue due to inability of the area to provide this type of facility. The North London Boroughs will continue to work with waste planning authorities who receive

hazardous waste from North London to identify constraints to the continued export of this waste and identify potential new destinations if necessary.

Agricultural Waste

- 7.29 The small amount of agricultural waste generated in North London is not expected to increase over the plan period and there is no requirement to plan for additional facilities to manage this waste stream.

Low Level Radioactive Waste

- 7.30 The very small amount of Low Level Non-Nuclear Radioactive Waste (LLW) arising in North London is produced as wastewater and disposed of through foul sewer and it is expected that this will continue. Any more specialist waste which may be produced would need to be managed outside the area in specialist facilities. It is therefore not necessary to plan for additional facilities in North London for this waste stream.

Waste Water

- 7.31 The main Thames Water sewage treatment facility in North London is Deephams Sewage Treatment Works (STW), operated by Thames Water. Work to upgrade this facility was completed in 2017. Thames Water anticipates this will provide sufficient effluent treatment capacity to meet its needs during the plan period. Thames Water is also proposing an upgrade to the sewage sludge treatment stream at the site which will be sufficient to meet its needs during the plan period. It is therefore not necessary to identify additional land for this waste stream in the NLWP, however any new facility for waste water will be assessed against Policy 8.

8. Sites and Areas

Context

- 8.1 This section sets out the approach to identifying sufficient land for future waste management facilities in North London to ensure the delivery of the identified capacity requirements. Sections 3-6 of the NPPW set out the approach Local Plans should take to identify future waste requirements over the plan period and this has been used to help develop the approach to identifying future locations for waste development in North London. Assessment criteria have been developed using waste planning policy and in consultation with key stakeholders in a series of focus groups..
- 8.2 The NLWP identifies a number of areas to meet future waste needs. An 'area' comprises a number of individual plots of land, for example, an industrial estate or employment area that is in principle suitable for waste use but where land is not specifically safeguarded for waste. The NPPW and the draft London Plan endorse the identification of "sites and/or areas" in Local Plans. The approach is also supported by the waste industry and key stakeholder in consultation. It was initially intended to also identify sites within the NLWP, i.e. individual plots of land that would be safeguarded for waste use. However, only one site was brought forward by landowners during the call for sites exercises and no further sites are required for the management of LACW. As a result, only areas have been identified.

Expansion of existing Waste Management Facilities

- 8.3 Existing waste management facilities are also a key part of future provision. A call for sites exercise in 2014 targeted existing waste operators in North London, seeking information on any planned capacity expansion or upgrades to existing facilities. Three sites were put forward: Edmonton EcoPark, Deephams Sewage Treatment Works and Powerday in Enfield. Any applications for expansion or consolidation of existing waste management sites will be considered against NLWP policies and those of the Borough Local Plan in which the proposal is situated. A further exercise was also undertaken in 2018 but no new sites were put forward for expansion.

Edmonton EcoPark

- 8.4 In November 2014 the NLWA announced plans for the development of a new Energy Recovery Facility (ERF) - the North London Heat and Power Project - on their existing site at the Edmonton EcoPark in Enfield. This will replace the existing Energy from Waste (EfW) plant at the EcoPark that is coming to the end of its operational life.

- 8.5 A Development Consent Order (DCO) has been approved by the Secretary of State for the new ERF which will manage the treatment of the residual element of LACW during the NLWP plan period and beyond. The replacement facility, expected to be operational from 2025, will generate power for around 127,000 homes and provide heat for local homes and businesses as part of a decentralised energy network known as the Lee Valley Heat Network, trading as *energetik*.
- 8.6 The NLWA's DCO allows for the loss of the composting plant at the Edmonton EcoPark site in 2020 to make way for the new ERF facility to be built whilst maintaining the current EfW operation. The development also includes a Resource Recovery Facility (RRF) including a new Reuse and Recycling Centre (RRC), a relocated transfer hall and a bulky waste/fuel preparation facility on the site.
- 8.7 Once the new facility has been developed, the existing EfW facility will be demolished. The associated parcel of land, on which the current plant is located, will continue to be safeguarded for future waste use, and will become available towards the end of the plan period. The development of Edmonton EcoPark for the new ERF will provide a strategic facility for the NLWP and provide a solution for managing the non-recyclable element of LACW. Delivery of this facility will see the NLWA continue to manage LACW from the North London Boroughs and help reduce the reliance on disposal of waste to landfill. Enfield Council have adopted Edmonton EcoPark Supplementary Planning Document and have submitted the Central Leaside Area Action Plan for independent examination, both of which provide more detail on the planning framework and objectives for this site.

Deephams Sewage Treatment Works

- 8.8 Deephams Sewage Treatment Works is a waste water treatment facility in Edmonton. The works serves a large area of north east London, both inside and outside the M25 corridor. The Environment Agency has issued a significantly tighter environmental permit in respect of sewage treatment standards that came into force in March 2017 and requires Thames Water to make improvements to the quality of the discharged effluent. The need for an effluent upgrade to Deephams Sewage Treatment Works (STW) is highlighted in the National Planning Statement on Waste Water, and planning permission for this work was granted by Enfield Council on 20th February 2015. Work has started and is expected to continue for a minimum of 7 years.
- 8.9 Thames Water is also proposing an upgrade to the sewage sludge treatment stream at Deephams STW during its 2015 to 2020 business plan period by providing enhanced sludge treatment plant within the boundaries of the existing site. Enfield Council will continue work with Thames Water and the Environment Agency to ensure that adequate and appropriate waste water treatment infrastructure is provided. Any new waste water facility will be assessed under Policy 7.

Powerday

- 8.10 Powerday in Enfield is an existing site currently operating as a Waste Transfer Station. Planning permission was granted for an upgrade to a Materials Recovery Facility (MRF) capable of handling 300,000 tonnes of C&I and C&D waste per annum and the new facility was opened in 2015.

Loss and re-provision of existing waste management facilities

- 8.11 Where existing sites need to be relocated, compensatory capacity is required in order to comply with the London Plan, Borough Local Plans and, once adopted, the NLWP. It is known that some capacity will be lost during the plan period. Some of this capacity will be replaced within North London, some outside North London with a net loss to North London but not to London as a whole, and some is as yet unknown. Where such issues are known and new sites have already been sought, this information has been fed in to the Plan process and information has been given in Schedule 1.
- 8.12 The North London Boroughs are aware that the regeneration of Brent Cross Cricklewood redevelopment (BXC) is likely to affect existing waste sites, comprising a NLWA transfer station and three commercial operations. These sites will be redeveloped under the approved planning permission for the regeneration of Brent Cross Cricklewood (Barnet planning application reference F/04687/13). The Hendon Rail Transfer Station (BAR 4) will be replaced as part of the BXC development with a new facility on site S01-BA to meet the NLWA's requirements. The existing facilities at BAR 6 and BAR 7 fall within the land required to deliver the first Southern phase of the BXC regeneration which is anticipated will commence in early 2018. Replacement capacity for these sites will not be provided prior to their redevelopment and therefore replacement capacity will be sought outside of the BXC regeneration area on alternative sites / areas to be identified by the London Borough of Barnet by 2025 in line with the planning permission.

The impact of Crossrail 2 on existing and proposed new areas

- 8.13 Transport for London has been consulting on Crossrail 2. The timetable for a Hybrid Bill submission is at present unknown. Depending on the route selected, some existing waste sites and proposed areas identified as suitable for new facilities might be affected by the scheme.
- 8.14 At the time of publication, only one location (A02-BA-Oakleigh Road) within an Area identified in Schedule 2 New locations for waste management has been identified in the Crossrail 2 [safeguarding directions](#) issued in January 2015. This plot of land (shown in Appendix 2) has been safeguarded in order to deliver part of the construction of Crossrail 2 and will be released after this is completed. However, as the scheme develops and further information is made available on the preferred

route, there could be locations within other Areas, which may be required for the purpose of constructing Crossrail 2, particularly along the West Anglia Mainline. Once known, should applications for waste uses come forward in these locations, they will need to be subject of consultation with TfL and Network Rail as necessary.

8.15 Furthermore, a number of the new Areas identified in Schedule 2 Areas suitable for waste management are in locations close to Crossrail 2 stations and could make a valuable contribution towards realising the wider benefits of Crossrail 2 in terms of both delivering additional homes and supporting wider regeneration. Those Areas which in part may have such a role in the longer term include:

- A12-EN – Eley's Estate
- A22-HR – Friern Barnet Sewage Works
- A19-HR – Brantwood Road
- A21-HR – North East Tottenham

8.16 Known information on Crossrail2 is detailed further in the site profiles in Appendix 2 and in the proformas in the Sites and Areas Report.

8.17 In line with the NLWP approach to Opportunity Areas and Housing Zones as set out in section 2, any non-waste related development in these locations will need to be brought forward in a way that safeguards existing capacity (see Policy 1) and considers future waste management requirements alongside the need to deliver new homes and more intensive employment uses. Within these locations there is likely to be significant benefit in seeking opportunities to co-locate or consolidate existing waste uses so as to minimise potential conflict and ensure that they can coexist alongside residential and other more sensitive uses.

8.18 As required, the North London Boroughs will work proactively with the GLA and TfL to create proposals which address these issues ensuring that North London's waste management needs can be met whilst helping to realise the significant opportunities associated with schemes such as Crossrail 2.

8.19 How the impact of Crossrail 2 on the NLWP will be monitored and managed is addressed under Indicator 2 of the monitoring arrangements in section 10.

Site and Area Search Criteria

8.20 The proposed site and area search criteria used in the NLWP site selection process were developed based on the requirements of national waste planning policy. Both planning and spatial criteria were discussed with key stakeholders through a focus group session in spring 2014 . Following the introduction of the NPPW in October 2014, the site search criteria were reviewed to ensure compliance with this document.

Site and Area Search and Selection Process (Methodology)

- 8.21 An extensive site and area search and selection process has been undertaken. Full details of the site selection exercise are set out in the 'Sites and Areas Report' available on the NLWP website. In summary it has involved the following key stages:
- i. Survey of existing waste sites – this involved a detailed review of the existing waste sites, including obtaining information from the operators on their future plans and validation of existing information held regarding their sites. This work indicated that there was insufficient capacity within existing sites to meet the expected waste arisings over the plan period.
 - ii. Call for sites - a call for sites exercise was carried out in two stages. This included targeting existing operators, landowners and other interested parties requesting them to put sites forward for consideration.
 - iii. Land availability search – this was an initial search into the land available in North London that may be suitable for the development of waste management infrastructure. At this stage, all available sites and areas were included in the process in order that the site assessment process for the NLWP could then be applied. The result of this work was to identify a long list of potential sites.
 - iv. Desk based site and area assessment – the long list of sites and areas was then assessed against the selection criteria. As shown in Table 8 below, the assessment criteria were split into two levels, absolute criteria and screening criteria. The absolute criteria were applied first to determine if the identified constraints affected part of the proposed sites and areas, resulting in their removal. The remaining sites and areas were then subject to the screening criteria. The aim of using the absolute criteria was to ensure that those sites/areas which are wholly unsuitable are excluded from further consideration and to identify those which may be suitable.
 - v. Site visits were undertaken in August and October 2014 to check and refine information from the desk based assessment and make a visual assessment of the suitability for different types of waste management facilities as well as the relationship with adjoining development. The information was used to complete the criteria-based assessment to ultimately determine the suitability of the sites/areas for future waste development as well as evaluate the potential facility types.
 - vi. Areas identified as suitable for future waste management facilities were subject to an assessment to calculate the level of capacity they could reasonably be expected to provide. Firstly the proportion of North London's industrial land in waste use was established. This showed the ability of waste

facilities to compete with other land uses in these areas was good and that waste is a growing sector in contrast to declining industries such as manufacturing. Secondly, a review of the vacancy rates and business churn for industrial land was used to estimate the proportion of land within these areas which are likely to become available over the plan period. Further information is available in the Sites and Areas Report.

- vii. Sustainability Appraisal¹⁷ and Habitats Regulation Assessment¹⁸ of sites/areas – all proposed sites have been subject to these assessments and the findings fed into the policy recommendations.
- viii. Consultation with Landowners – Following completion of the above, land owners for all the sites remaining were contacted to seek feedback on the inclusion of their land as a waste site allocation. The findings of this work have further refined the list of sites and further information can be found in the Sites and Areas Report.
- ix. Sequential test – any sites lying within a level 2 or 3 flood risk zone have been subject to sequential testing to assess the potential impact of a waste development in this zone. The results of this work can be found in the Sites and Areas Report.

8.22 The assessment criteria applied to all sites and areas is listed in Table 10 below. The criteria have been used in assessing sites and areas during both the desk based assessment and site visits.

Table 10: Sites and Areas Assessment Criteria

Absolute Criteria	Screening Criteria
<ul style="list-style-type: none"> • Metropolitan Open Land (MOL) • Green Belt (for built facilities) • Grade 1 & 2 agricultural land (part of the Green belt) • Sites of international importance for conservation e.g. Ramsar sites, Special 	<ul style="list-style-type: none"> • Sites of local importance for nature conservation (SINCs) • Flood risk areas/flood plain • Accessibility (proximity to road, rail, canal/river) • Sites greater than 2km from the

¹⁷ Sustainability appraisal is the assessment of the potential impact against an agreed set of social, environmental and economic objectives. It encompasses the requirement of Strategic Environmental Assessment which is a requirement of Europe that all plans undergo.

¹⁸ HRA is a requirement of Europe that all plans are assessed against their potential impact of natura 2000 sites.

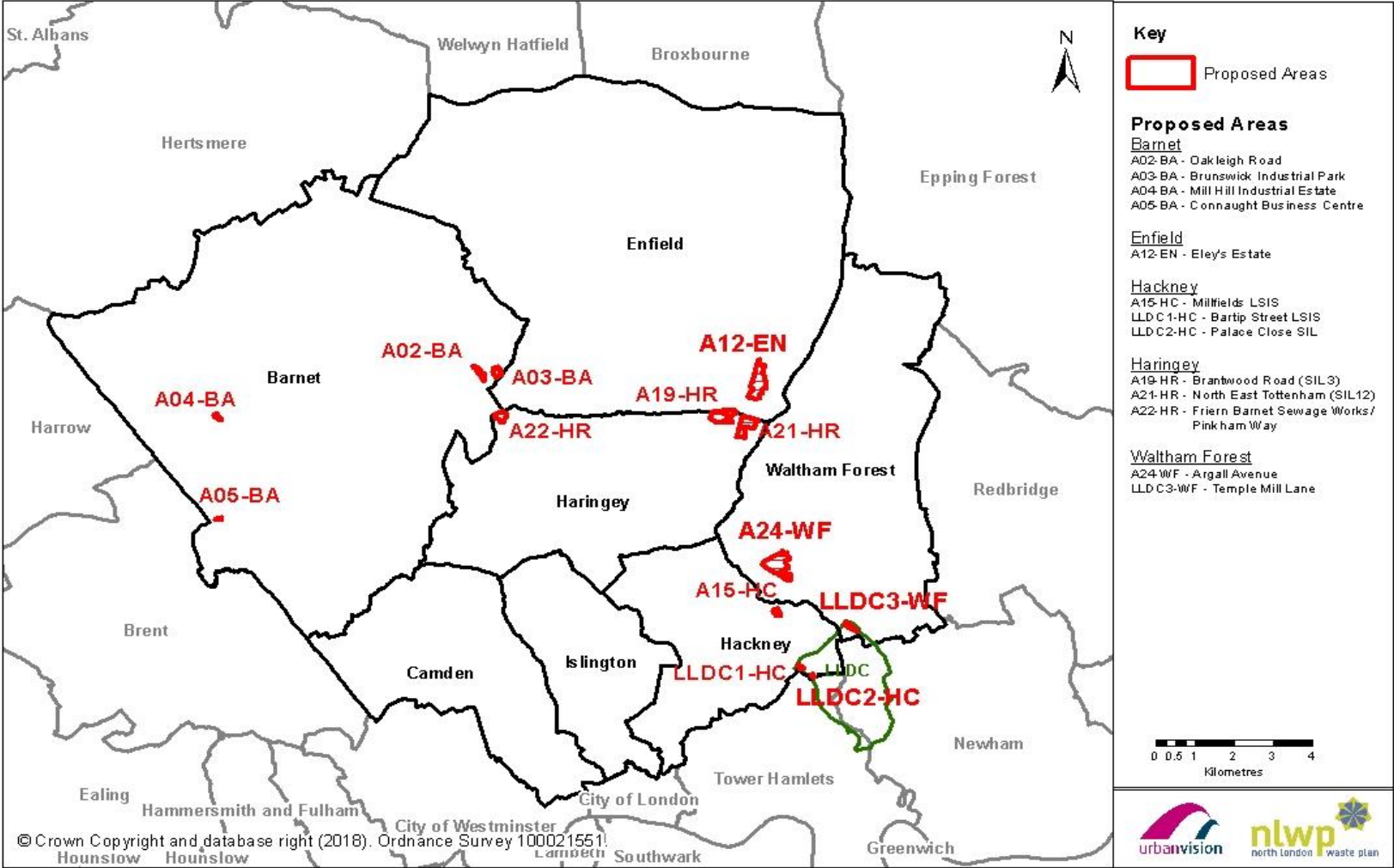
Absolute Criteria	Screening Criteria
<p>Areas of Conservation (SACs) and Special Protection Areas (SPAs)</p> <ul style="list-style-type: none"> • Sites of national importance for conservation e.g. Sites of Special Scientific Interest and National Nature Reserves • Ancient Woodlands • Scheduled Ancient Monuments • Listed Buildings (grade I and II*) • Registered Parks and Gardens (grade I and II*) • Registered battle fields • Areas of Outstanding Natural Beauty (AONB) • Protected open spaces • Landscape designations such as Areas of Special Character (part of the Green Belt) 	<p>primary route network</p> <ul style="list-style-type: none"> • Ground water protection zones • Surface waters • Major aquifers • Airfield safeguarding areas (Birdstrike zones) • Air Quality Management Areas • Unstable land • Green belt (for non-built facilities) • Local Plan designations • Settings of Scheduled Ancient Monuments • Settings of Listed Buildings • Settings of Registered Parks and Gardens (grade I and II*) • Neighbouring land uses • Proximity to sensitive receptors

Draft Plan Consultation

- 8.23 The sites and areas identified as a result of the methodology set out above were consulted on as part of the Draft Plan prepared under Regulation 18 of the Town and Country Planning Regulations 2012.
- 8.24 In preparing this (Proposed Submission) version of the NLWP, and deciding which sites and areas to take forward, the North London Boroughs took into account national and regional policy, the aims of the NLWP and consultation responses on the Draft Plan, including issues raised around deliverability and other constraints. Further work was undertaken to gather and assess additional information on the proposed sites and areas received during the consultation or as a result of new data being published.

- 8.25 The North London Boroughs developed a range of reasonable options for taking forward sites and areas in the Proposed Submission version of the plan. The preferred option was to take forward land designated as industrial land and high-performing (Band B) sites/areas, while achieving a better geographical spread by reducing the number of sites identified in Enfield. This focus on industrial land and the highest performing areas helps to locate waste facilities away from residential properties, as far as this is possible in an urban area like North London. Further details are set out in Options Appraisal for Sites and Areas to be taken forward in the Proposed Submission NLWP (2018).
- 8.26 The areas, shown in Figure 13 (see also Schedule 2 in section 9), have been identified as suitable for built waste management facilities.. The areas are being put forward as they comply with the NLWP Spatial Framework which is reflected in the site selection criteria, as well as a range of environmental, social and economic criteria set out in the Sustainability Appraisal Scoping Report. During the course of the plan, it is expected that land will become available as part of the business churn. Any proposals for waste facilities within the areas will be subject to planning permission. No provision is made for landfill due to the inability of the Plan area to accommodate development of landfill.

Figure 13: Location of proposed new areas



9 Policies

- 9.1 The policies set out in this section will form part of each Borough's 'development plan' which also includes the Mayor's London Plan and individual borough Local Plans (see Figure 2). All planning applications for waste uses will be assessed against the following NLWP policies and other relevant policies in the development plan and any associated Supplementary Documents (SPD)/guidance. Any proposals for waste development will be expected to take account of the full suite of relevant policies and guidance.
- 9.2 The NLWP policies will help deliver the NLWP's aim and objectives (section 3), Spatial Framework (section 4) and the Strategy Policy for North London's Waste (section 7). The supporting text sets out why the particular policy approach has been chosen, any alternatives considered and how the policy will be implemented.
- 9.3 The policies are:
- Policy 1: Existing waste management sites
 - Policy 2: Locations for new waste management facilities
 - Policy 3: Windfall sites
 - Policy 4: Re-use & Recycling Centres
 - Policy 5: Assessment criteria for waste management facilities and related development
 - Policy 6: Energy recovery and decentralised energy
 - Policy 7: Waste Water Treatment Works and Sewage Plant
 - Policy 8: Control of Inert Waste

Policy 1: Existing waste management sites

Policy 1: Existing waste management sites

All existing waste management sites identified in *Schedule 1: Existing safeguarded waste sites in North London*, and any other sites that are given planning permission for waste use, are safeguarded for waste use.

Expansion or intensification of operations at existing waste sites will be supported where the proposal is in line with relevant aims and policies in the North London Waste Plan, the London Plan, Local Plans and related guidance.

Applications for non-waste uses on safeguarded waste sites will only be permitted where it is clearly demonstrated to the satisfaction of the relevant borough that

compensatory capacity will be delivered in line with the spatial framework on a suitable replacement site in North London, that must at least meet, and, if possible, exceed, the maximum achievable throughput of the site proposed to be lost and help to promote the increased geographical spread of waste sites across the plan area.

Development proposals in close proximity to existing safeguarded waste sites or sites allocated for waste use which would prevent or prejudice the use of those sites for waste purposes will be resisted under the agent of change principle unless design standards or other suitable mitigation measures are adopted to ensure that the amenity of any new residents would not be significantly adversely impacted by the continuation of waste use at that location or suitable compensatory provision has been made for the waste use elsewhere within the Plan area.

This policy helps meet strategic objectives SO2 and SO3

This policy contributes towards Spatial Framework components A and C

- 9.4 The purpose of Policy 1 is to ensure that the existing waste capacity in North London is protected and is able to expand where appropriate. It applies to sites with existing operational waste facilities, and any other sites developed for waste use throughout the plan period.
- 9.5 *Schedule 1: Existing safeguarded waste sites in North London* is in Appendix 1. The London Plan requires boroughs to protect their existing waste capacity and each North London Borough is safeguarding this land through their Local Plan and Policies Map. The contribution currently made by these facilities, and their future contribution, is taken into account in the estimation of how much additional waste management capacity is needed throughout the plan period, so it is important to protect these existing facilities to ensure there is sufficient capacity available to meet identified needs over the plan period. If existing facilities were lost and the capacity not replaced elsewhere in North London, this would result in additional waste capacity being required to meet the identified need and achieve net self-sufficiency.
- 9.6 Planning applications for expansion of existing waste facilities will be supported where they are in alignment with policies in this Plan and with Borough Local Plans.
- 9.7 If, for any reason, an existing waste site is to be lost to non-waste use, compensatory provision will be required within North London. Replacement provision will be calculated using the maximum achievable throughput (tonnes per annum) that the site has achieved as set out in the EA Waste Data Interrogator. Maximum throughput for existing sites 2009-2016 can be found in the [Data Study Part 3: Sites Schedule Report](#) Tables 1-7: Assessment of existing waste management capacity. This information is sourced from the Environment Agency's Waste Data Interrogator. Applicants will need to demonstrate that provision of replacement capacity is secured before permission is granted for an alternative use. This could be through a

compensatory site of a suitable size to meet at least the maximum annual throughput or an increase of capacity in an existing facility. However, it may not be necessary for replacement sites to be on a 'like for like' basis, for example, a new site with a larger capacity might replace a number of sites with individually smaller, but combined equivalent, capacity.

- 9.8 Compensatory provision should be delivered in accordance with the spatial framework and such proposals will need to demonstrate compliance with Policy 3 (Windfall sites) and 5 (Assessment Criteria for waste management facilities and related development) of the NLWP. The area of search for a replacement site should be within North London. As set out within Section 4, a key Spatial Principle of the NLWP is to establish a geographical spread of waste sites across North London, consistent with the principles of sustainable development. The aim is to ensure that waste is managed efficiently and as close to its source as possible whilst minimising any negative cumulative impacts resulting from a high concentration of waste facilities. Avoiding an unduly high concentration of waste facilities in a location is consistent with the overarching objectives of sustainable development, identified within the NPPF and would leave land available for other uses. The most suitable location for the re-provision of a site lost to non-waste development may therefore not necessarily be within the same north London borough as the displaced site. Adequate evidence of compensatory provision will be required to the satisfaction of the local planning authority before planning permission for redevelopment proposing loss of a facility is granted.
- 9.9 Any sites that come forward and receive planning permission for waste development which are implemented in the lifetime of the NLWP will be regarded as existing waste sites in North London and safeguarded under the provisions of this Policy (1).
- 9.10 Policy 1 also seeks to protect existing and permitted waste sites from the influence of an incompatible use in close proximity prejudicing the continuation or further development of waste operations at that location. Waste facilities have an important role to play in ensuring that communities are sustainable. Identifying and safeguarding suitable sites for waste facilities is challenging with issues relating to public amenity, access, hydrology, and geology, amongst others, to consider. In addition, waste is a relatively 'low value' land use which, although capable of competing with other industrial type uses, cannot outbid higher value uses. The introduction of sensitive types of development nearby, such as housing, could have an adverse impact on the continued operation of the existing sites in North London and their ability to provide sufficient waste capacity as well as helping meet waste recycling, diversion and recovery targets. This would undermine the anticipated capacity of the network of existing facilities across North London to manage waste and consequently the overall deliverability of the NLWP. The NPPF and the draft London Plan sets out the 'Agent of Change' principle. This principle places the responsibility of mitigating the noise impact (from existing noise-generating

businesses) on the proposed new development. Developers proposing non-waste development in close proximity to existing waste sites should be aware of the potential impacts on existing waste operations and plan this into their development so as not to prevent or prejudice the continued waste use in that location, otherwise such developments will not be permitted. Accordingly proposed non-waste developments should be designed to protect both the amenity of potential new residential developments and the existing waste operation within that area.

Policy 2: Locations for new waste management facilities

Policy 2: Locations for new waste management facilities

Areas listed in *Schedule 2: Areas suitable for waste management* and *Schedule 3: Areas identified in LLDC Local Plan* are identified as suitable for built waste management facilities.

Applications for waste management development will be permitted on suitable land within the areas identified in Schedule 2 subject to other policies in the North London Waste Plan, the London Plan and Local Plans, and related guidance.

Development proposals will need to manage waste as far up the waste hierarchy as practicable.

Applications for waste management development within the areas identified in Schedule 3 will be assessed by the London Legacy Development Corporation.

This policy helps meet strategic objectives SO1, SO2, SO3 and SO5

This policy contributes towards Spatial Framework components B and F

Table 11: Schedule 2 Areas suitable for waste management

Area ref	Area Name	Area (ha)	Borough	Waste Facility Type				
				A	B	C	D	E
A02-BA	Oakleigh Road	0.99	Barnet	X		X		X
A03-BA	Brunswick Industrial Park	3.9	Barnet	X				X
A04-BA	Mill Hill Industrial Estate	0.9	Barnet	X				X
A05-BA	Connaught Business Centre	0.9	Barnet	X				X
A12-EN	Eley's Estate	26.1	Enfield	X	X	X	X	X
A15-HC	Millfields LSIS	1.48	Hackney			X		
A19-HR	Brantwood Road	16.9	Haringey	X			X	X
A21-HR	North East Tottenham	15.32	Haringey	X			X	X
A22-HR	Friern Barnet Sewage Works/	5.95	Haringey	X	X			X

Area ref	Area Name	Area (ha)	Borough	Waste Facility Type				
				A	B	C	D	E
	Pinkham Way							
A24-WF	Argall Avenue	26.91	Waltham Forest	X	X			X

Table 12: Schedule 3 Areas identified in LLDC Local Plan

Area ref	Area Name	Area (ha)	Borough	Waste Facility Type				
				A	B	C	D	E
LLDC1-HC	Bartrip Street	0.6	Hackney	X				X
LLDC2-HC	Chapman Road (Palace Close)	0.33	Hackney	X				X
LLDC3-WF	Temple Mill Lane	2.1	Waltham Forest	X	X			X

- 9.11 Policy 2 identifies areas and their suitability for a range of built waste management facilities. National and European requirements state that waste plans must identify locations where future waste development may take place. In addition, the London Plan requires boroughs to allocate sufficient land to provide capacity to manage apportioned waste.
- 9.12 The NLWP data study has identified capacity gaps for waste management during the plan period for the preferred option of net self-sufficiency. The purpose of Policy 2 is to ensure that sufficient land is identified to accommodate built waste management facilities to deal with these identified capacity gaps for North London.
- 9.13 The NLWP identifies several areas to provide land suitable for the development of waste management facilities. Each 'area' comprises a number of individual plots of land, for example, an industrial estate or employment area that is in principle suitable for waste use but where land is not safeguarded for waste. The identification of areas suitable for waste uses, subject to detailed site assessment at planning application stage, will help to achieve net self-sufficiency whilst encouraging co-location of facilities and complementary activities (an objective of the NPPW and Spatial Framework).
- 9.14 The areas are considered to be in the most suitable, sustainable and deliverable locations in North London for new waste management facilities when assessed against a range of environmental, economic and social factors and the Spatial Framework.
- 9.15 The site profiles in Appendix 2, indicate the size of each area, the type of facility likely to be accommodated on the area, and any mitigation measures which may be required. Developers should be aware that any type of facility listed as potentially

suitable is subject to consideration against the full suite of relevant local planning policies/guidance.

- 9.16 The ability of areas to accommodate a range of types and sizes of waste management facility is important to the flexibility of the Waste Plan. Table 13: Key to Waste Management Facility Types contains a full list of the types of facilities which were considered when assessing sites and which may be required over the plan period to meet the identified capacity gap. The facility types identified are broad categories which may come forward over the plan period. The order of facility types reflects their place in the waste hierarchy, with categories A and B at the 'recycling' level and C-E at the 'other recovery' level. Applicants should take account of this order when responding to the second criteria of Policy 2 which requires development proposals to manage waste as far up the waste hierarchy as practicable.
- 9.17 The NLWP recognises that currently emerging or unknown waste management technologies, not listed in Table 13 'Key to Waste Facility Types', may be proposed on allocated sites and within identified areas during the plan period as new ways of treating waste come to the fore. As with all proposals, those for waste management technologies not listed will be assessed against the relevant NLWP policies, policies in the London Plan, Borough Local Plan policies and related guidance.

Table 13: Key to Waste Management Facility Type

	Facility type
A	Recycling
B	Composting (including indoor / in-vessel composting)
C	Integrated resource recovery facilities / resource parks
D	Waste treatment facility (including thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment)
E	Waste transfer

- 9.18 A full assessment of the suitability of the area for a facility type should be prepared by the developer to inform any development application for waste use. This will allow for a more detailed analysis and consideration of potential impacts associated with a specific proposal at the planning application stage.
- 9.19 In North London the most likely options for waste management will be recycling and recovery. The test of whether the proposed management is acceptable in terms of the waste hierarchy will be based on the type of waste and the treatment proposed and demand.
- 9.20 It is not within the remit of the NLWP to directly allocate sites/areas within the London Legacy Development Corporation (LLDC) planning authority area; this falls to

the LLDC Local Plan. Therefore Schedule 4 sets out separately those areas identified in the LLDC Local Plan as being potentially suitable for built waste management facilities.

Policy 3: Windfall Sites

Policy 3: Windfall Sites

Applications for waste development on windfall sites outside of the sites and areas identified in Schedules 1,2 and 3 will be permitted provided that the proposal can demonstrate that:

- a) the sites and areas identified in Schedules 1, 2 and 3 are not available or suitable for the proposed use or the proposed site would be better suited to meeting the identified need having regard to the Spatial Principles;
- b) the proposed site meets the criteria for built facilities used in the site selection process (see Table 10 of Section 8 of the NLWP) the proposal fits within the NLWP Spatial Framework, and contributes to the delivery of the NLWP aim and objectives;
- c) future potential development including Opportunity Areas identified in the London Plan, and transport infrastructure improvements such as West Anglia Main Line, Four Tracking and Crossrail 2 would not be compromised by the proposals,;
- d) it is in line with relevant aims and policies in the NLWP, London Plan, Opportunity Area Planning Frameworks, Local Plans and related guidance; and
- e) waste is being managed as far up the waste hierarchy as practicable

This policy helps meet strategic objectives SO2 and SO3

This policy contributes towards Spatial Framework components B

- 9.21 The purpose of this policy is to ensure that development for new waste facilities on sites which do not form part of the planned strategy in the NLWP make a positive contribution to managing waste in North London. Windfall sites refer to locations which are not identified in Schedules 1-3 of this Plan. Windfall sites will cater for the needs of new waste facilities as well as those of displaced facilities lost under proposals considered under Policy 1. Windfall sites will also need to comply with Policy 5 which applies to all proposed waste developments.
- 9.22 The site search process for suitable potential locations for waste facilities has been extensive, thorough, and subject to public consultation, Equality Impact Assessment (EQIA), Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA). However, there remains a possibility that sites not identified in the plan i.e. windfall

sites may be brought forward by operators or landowners for waste development over the plan period.

- 9.23 Developers of windfall sites are required to demonstrate why the sites and areas in Schedules 1, 2 and 3 are not available or suitable or that the proposed site would be better suited to meeting the identified need having regard to the Spatial Principles of the NLWP. There may be instances in the future where advances in waste technologies are such that the identified sites/areas do not meet the technical requirements of a proposed waste management facility, for example, the identified locations might be too small for the proposed development or the facility may need to be located near a specific waste producer or user of heat. Some of the areas identified in Policy 2 may become unavailable over the Plan period because they will be used for other purposes or affected by future development proposals such as Crossrail 2 and Opportunity Areas. Locating certain types of waste processing sites within large scale redevelopment areas may also have benefits for reducing need for waste transport especially during the construction phase for the management of CDE. In addition, it is also recognised that proposals on windfall site may come forward to provide capacity for displaced facilities from within the plan area where existing capacity needs to be re-provided locally and this need cannot be met through the existing allocations.
- 9.24 Proposals for waste development on windfall sites will be supported where the proposal would not compromise existing planning designations and where the impacts on communities and environment can be satisfactorily controlled. This should not work against the principle of balanced geographical distribution as set out in the Spatial Framework.
- 9.25 Proposals for waste development on windfall sites should be in line with the London Plan, the NLWP, and Local Plans adopted by the North London boroughs. Proposals for waste facilities on windfall sites will need to demonstrate compliance with the same planning and spatial criteria (Table 10, section 8) used for the identification of sites and areas in the NLWP, and any other relevant material considerations, including the assessment criteria as set out within policy 5. The windfall sites policy has been developed to ensure that any unplanned development contributes positively to future waste capacity in the plan area while not undermining the approach to development set out in the NLWP, the London Plan and Local Plans. Any waste development brought forward on a windfall site must meet the same high level of sustainability as the areas identified through the site selection process.
- 9.26 Applications for waste developments on windfall sites will need to demonstrate how the application supports delivery of the NLWP and assists in the aim of net self-sufficiency by providing capacity that addresses the requirements of North London to manage more of its own waste or in providing replacement capacity for an existing facility which has been displaced. In line with the aim and objectives of the

plan, planning applications will need to demonstrate that there will be social, economic and environmental benefits from the development and that amenity will be protected.

- 9.27 Historically, waste development has been concentrated within the east and west of North London. Policy 3 provides an opportunity to develop a wider network of sites across the area, in line with the Spatial Framework. This policy allows new sites to come forward across the area where demand and commercial opportunity arise helping to provide a wider spread of facilities across the plan area in future.
- 9.28 There will be mixed use developments across North London within the period of the NLWP. The revised London Plan sets out a framework for development of new housing and employment together with the ancillary development necessary to sustain that development. Crossrail 2 will impact considerably on north London as mixed use development is expected to accumulate around Crossrail 2 stations.
- 9.29 In large scale redevelopment areas across the boroughs there is opportunity to plan for waste uses to form part of the master-planning process. In this way it should be possible to design-out any potential land use conflicts with non-waste uses in close proximity and support the agent of change principle as promoted by the London Plan. In such areas it may also be beneficial to allow temporary sites that can manage CDE waste generated as part of the redevelopment, subject to licencing and planning requirements.
- 9.30 In areas which contain a mixed use of employment and housing, suitable waste uses are likely to be re-use, repair or recycling uses. The following issues need special considerations when designing waste facilities into a mixed use area as part of the master planning process.
- How to minimise visual and acoustic nuisance from the site to residential properties and other uses, including utilising suitable screening , building orientation including avoiding residential units overlooking waste operations or vehicle site access points, and use of appropriate building materials.
 - Impact of odour, dust, litter on local amenity – An Environmental Management Plan to be submitted in support of a planning application to be applied to prevent such impacts from becoming a nuisance;
 - Access and traffic – consider the most appropriate route and timing for vehicles to access the waste facility and separation of access to avoid conflict with traffic and access associated with neighbouring uses.

These issues are considered in more detail in policy 5 including a presumption that waste uses will be enclosed.

- 9.31 The test of whether the proposed operations are acceptable in terms of the waste hierarchy will be based on the type of waste and the treatment proposed and demand.

Policy 4 – Re-use & Recycling Centres

Policy 4 – Re-use & Recycling Centres

Proposals for Re-use & Recycling Centres will be permitted where:

- a) They are sited in an area of identified need for new facilities in Barnet or Enfield or elsewhere where they improve the coverage of centres across the North London Boroughs, and;
- b) They are in line with relevant aims and policies in the North London Waste Plan, London Plan, Local Plans and other related guidance.

This policy helps meet strategic objectives SO1, SO2 and SO3

This policy contributes towards Spatial Framework components B

- 9.32 Re-use & Recycling Centres (RRCs) provide members of the public with access to a wider range of recycling facilities and they also deal with bulky items. There are currently nine RRCs in North London of which eight are the responsibility of the North London Waste Authority (NLWA). They are safeguarded for waste use under Policy 1. The NLWA has identified areas of deficiency in coverage in parts of Barnet and Enfield and is seeking to address this by providing new or replacement sites so that 95% of residents live within two miles (measured as a straight line) of a facility¹⁹ - see Figure 7 in Section 4. The NLWA is also proposing a new RRC on the Edmonton EcoPark site as part of its current Development Consent Order (DCO) application on the site. The Spatial Framework seeks a network of waste sites across North London and, as part of this aim, to ensure residents have good access to RRCs where there is an identified need.
- 9.33 Re-use & Recycling Centres should be located where they can provide appropriate access for members of the public and for contractors and their vehicles. They are best sited on former waste sites or in areas of industrial or employment land and need to be of a sufficient size for the range and quantity of materials likely to be received. Sites within areas identified in Schedules 2 and 3 Areas suitable for waste

¹⁹ Household Waste Recycling Centre Policy, North London Waste Authority (June 2010)

management are likely to be suitable. There may be scope to provide localised recycling centres as part of major new development.

Policy 5: Assessment Criteria for waste management facilities and related development

Policy 5: Assessment Criteria for waste management facilities and related development

Applications for waste management facilities and related development, including those replacing or expanding existing sites, will be required to demonstrate to the satisfaction of the relevant Borough that:

- a) the amenity of local residents is protected;
- b) the facility will be enclosed unless justification can be provided by the developer as to why that is not necessary;
- c) adequate means of controlling noise, vibration, dust, litter, vermin, odours, air and water-borne contaminants and other emissions are incorporated into the scheme;
- d) there is no significant adverse effect on any established, permitted or allocated land uses likely to be affected by the development;
- e) the development is of a scale, form and character in keeping with its location and incorporates appropriate high quality design;
- f) there is no significant adverse impact on the historic environment (heritage assets and their settings, and undesignated remains within Archaeological Priority Areas), open spaces or land in recreational use or landscape character of the area including the Lee Valley Regional Park;
- g) active consideration has been given to the transportation of waste by modes other than road, principally by water and rail;
- h) there are no significant adverse transport effects outside or inside the site as a result of the development;
- i) the development makes the fullest possible contribution to climate change adaptation and mitigation;
- j) the development has no adverse effect on the integrity of an area designated under the Habitats Directive and no significant adverse effect on local biodiversity or water quality;
- k) there will be no significant impact on the quality of underlying soils, surface or groundwater;
- l) the development has no adverse impact on Flood Risk on or off site and aims to reduce

risk where possible;

- m) appropriate permits are held or have been applied for from the Environment Agency;
- n) there is no adverse impact on health
- o) there are no significant adverse effects resulting from cumulative impact of any proposed waste management development upon amenity, the economy, the natural and the built environment either in relation to the collective effect of different impacts of an individual proposal, or in relation to the effects of a number of waste developments occurring concurrently or successively.
- p) There are job creation and social value benefits, including skills, training and apprenticeship opportunities²⁰.
- q) The proposal is supported by a Circular Economy Statement

This policy helps meet strategic objectives SO4, SO5, SO7 and SO8

This policy contributes towards Spatial Framework component E

9.34 Policy 5 seeks to ensure that the construction and operation of waste facilities does not give rise to an unacceptable impact, or harm the **amenity** of local residents or the environment. Amenity is defined as any element providing positive attributes to the local area and its residents and impacts can include such issues as increased noise disturbance, light impacts including increased light or reduced light or sunlight, reduced privacy, loss of outlook and reduced visual amenity. Applicants will need to demonstrate that appropriate measures have been taken to minimise any potential impacts from the proposed waste development to ensure the protection of local amenity. The specific requirements will vary from site to site, however issues to be addressed may include strict hours of operation, effective cladding on buildings to prevent noise pollution, and dust and odour suppression systems as appropriate. These issues are discussed in more detail below.

9.35 Waste facilities can be separated into '**enclosed**' facilities, where waste is processed inside a building and 'open' facilities, which largely deal with waste in the open air. Waste facilities are often seen as bad neighbours, due to problems associated with open air facilities. It is current best practice that the operations are carried out within a covered building enclosed on all vertical sides with access and egress points covered by fast acting doors which default close in order to minimise local public

²⁰ This requirement is an issue for all development and waste applications should provide details as to how they will meet these objectives.

health and environmental impact. Such enclosed facilities are similar in appearance to modern industrial shed developments such as factories or logistics facilities and it is this type of facility that is the focus of the NLWP site allocations. 'Open' facilities are unlikely to be suitable for North London as outlined in the section 3 of the Plan except in exceptional circumstances. There are types of waste development for specific waste streams or waste types that may not need to or should not be enclosed but any activity likely to cause dust should be carried out within a building or enclosure. Enclosing waste management facilities not only results in less dust and particulate pollution but will also reduce the risk of pollution caused from other amenity issues such as noise, pests and odour. **Noise, vibration, dust, litter, vermin, odours, air and water-borne contaminants**, other emissions and their potential health impacts have been a major concern raised through public consultation. However, well sited, and well managed facilities should not cause harm or disturbance. Details of controls for emissions (including bio aerosols) from the site need to be supplied with the application. Planning conditions and section 106 agreements will be used to secure measures to address any issues where necessary and where control is not already exercised through other consent regimes (i.e. the requirement for environmental permits, which is assessed by the Environment Agency). Applicants will be expected to comply with Borough policies on contaminated land. The North London boroughs require that any development can safely complement surrounding uses.

- 9.36 The North London boroughs expect well controlled and well-designed waste facilities capable of fitting in with **surrounding land uses** and acting as good neighbours. Where development is proposed close to residential areas, in line with the agent of change principle, the design must incorporate noise reduction measures as well as dust and odour suppression as necessary. It should be designed to minimise its impact on the local area and ensure it is compatible with existing surrounding land uses. When assessing planning applications for waste uses, in addition to Policy 5, the boroughs will also have regard to the criteria in Appendix B of the NPPW and relevant London Plan and Local Plan policies. Applicants are required to submit sufficient information to enable the waste planning authority within which the subject site falls to assess the potential impact of the development proposal on all interests of acknowledged importance. Applicants are encouraged to contact the relevant borough prior to submitting a planning application to discuss relevant matters. Where new waste development is being sited near existing waste sites, developers will be expected to consider potential cumulative impacts as well as also demonstrating any possible benefits of co-locating waste development. **Good design** is fundamental to the development of high quality waste infrastructure and the North London boroughs seek approaches that deliver high quality designs and safe and inclusive environments. The documents submitted in support of the planning

application should set out how the development takes on board good practice such as the Defra/CABE guidance on designing waste facilities²¹. The supporting documents should set out how the siting and appearance complements the existing topography and vegetation. Materials and colouring need to be appropriate to the location. The development should be designed to be in keeping with the local area and include mechanisms for reducing highway deposits²², noise and other emissions where necessary.

- 9.37 The supporting documents should set out how landscape proposals can be incorporated as an integral part of the overall development of the site and how the development contributes to the quality of the wider urban environment. The applicant will need to demonstrate that there will be no significant adverse effect on areas or features of landscape, historic or nature conservation value. Where relevant, the delivery of waste facilities (through construction to operation) should take account of the need to conserve and enhance the historic environment in line with the NPPF.
- 9.38 Where sites include, or are likely to have an impact on the setting of a **heritage** asset both designated (Listed Buildings, Conservation Areas, Scheduled Ancient Monuments, Registered Historic Parks and Gardens and Battlefields) and undesignated, including archaeology, it should be demonstrated that the development will conserve the significance of the asset. Where the site has potential to include assets with archaeological interest, such as if it is in an archaeological area identified in a Borough Local Plan or may affect a site recorded on the Greater London Historic Environment Record, an appropriate desk based assessment and, where necessary, a field evaluation, is required to accompany the planning application. Where such an assessment and evaluation confirms significant archaeological interest then appropriate mitigation by design or investigation is also required.
- 9.39 A large part of the Lee Valley Regional Park (1483 ha) falls within four of the North London Boroughs involved in the Plan; Waltham Forest, Haringey, Enfield and Hackney. New development should contribute to the protection, enhancement and development of the Regional Park as a world class visitor destination and the wider public enjoyment of its leisure, nature conservation, recreational and sporting resources. The Lee Valley is a significant resource for North London and

²¹ Designing waste facilities – a guide to modern design in waste, Defra & CABE, 2008

²²This can be achieved through provision of wheel wash facilities etc where required and placing conditions of the applications to ensure all vehicles are covered

developments should not have an adverse effect on the **open space** and character of the area, and should aim to contribute to its enhancement where appropriate.

- 9.40 Waste and recyclables require transportation at various stages of their collection and management and so opportunities to employ more sustainable options such as rail and river should be fully considered. North London is characterised by heavy traffic on all principal roads. That is why developers need to prioritise **non-road forms of transport** if at all possible and to set out their assessment in a Transport Assessment detailing transport issues to be submitted with any planning applications for waste facilities (see below). In North London there exists considerable potential for sustainable transport of waste as part of the waste management process. There are a number of railway lines and navigable waterways in North London including the Regents Canal and the Lee Navigation. It is existing practice to transport waste by train and pilot projects have taken place to transport waste by water. Developers are required to demonstrate that they have considered the potential to use water and rail to transport waste before reliance on transport of waste by road. Where the site lies adjacent to a wharf or waterway, capable of transporting waste, developers need to demonstrate that consideration has been given to the provision and/or enhancement of wharf facilities.
- 9.41 Applicants will need to submit a **Transport Assessment** in line with the relevant borough Local Plan policy and the London Plan. The Transport for London Best Practice Guide contains advice on preparing Transport Assessments when they are required to be submitted with planning applications for major developments in London. Consideration should be given to access arrangements, safety and health hazards for other road users, the capacity of local and strategic road networks, impacts on existing highway conditions in terms of traffic congestion and parking, on-site vehicle manoeuvring, parking and loading/unloading areas, and queuing of vehicles. The statement should include a traffic management plan establishing the times of access for vehicles to minimise disruption on the local road network during peak hours, and setting out specific routes to ensure that vehicles are accessing the site via roads considered suitable by the Highways Authority and, where possible, avoid overlooking of the site access by residential properties.
- 9.42 The development of Servicing and Delivery Plans and Construction Logistic Plans (CLP) will be encouraged for all waste developments. Such Plans ensure that developments provide for safe and legal delivery and collection, construction and servicing including minimising the risk of collision with vulnerable road users such as cyclists and pedestrians. Consideration should be given to the use of Direct Vision Lorries for all waste vehicles and the use of freight operators who can demonstrate their commitment to TfL's Freight Operator Recognition Scheme (FORS) or similar.

- 9.43 Sustainable design, construction and operation of waste management development will be assessed against relevant borough Local Plan policies. Consideration should be given to how the development contributes to the mitigation of and adaption to **climate change**, promotes energy and resource efficiency during construction and operation with the aim of developments being carbon neutral, the layout and orientation of the site and the energy and materials to be used. Developments should achieve the highest possible standard under an approved sustainability metric such as BREEAM or CEEQUAL in line with the relevant borough's policies. Information supplied should enable the borough in question to assess the proposal against relevant planning policies by clearly setting out how the application complies with sustainable design and construction policies and guidance including measureable outputs where appropriate. Where appropriate, production of a site waste management plan should be provided prior to the commencement of construction of the development.
- 9.44 Waste developments should be designed to protect and enhance local **biodiversity**. Development that would have an adverse effect on any area designated under the Habitats Directive will not be permitted. Assessments undertaken for the Plan have identified sites of European Community importance within and nearby the Plan area. Sites at least partially within the Plan boundary are the Lee Valley Special Protection Area (SPA) and RAMSAR site and part of Epping Forest Special Area for Conservation (SAC). Additional sites at least partially within 10 km of the Plan area boundary are Wormley-Hoddesdon Park Woods SAC and Wimbledon Common SAC³. Developers need to be able to demonstrate that their proposals will not have an adverse effect on the integrity of any European site. In addition there are six Sites of Special Scientific Interest and 20 Local Nature Reserves as well as sites of importance to nature conservation (SINC). Developers should take note of existing Biodiversity Action Plans, protect existing features and promote enhancement for example through the use of green walls where acoustic barriers are required. Where a development site is adjacent to a river the Environment Agency has advised that a setback of a minimum of 8 metres from the top of the bank should be incorporated into any redevelopment proposals. Consistent with this advice, setting back waste management development (not including wharf development) from watercourses and providing an undeveloped buffer zone free from built structures will be important for maintaining access to the river, to allow the landowner access for routine maintenance activities and for the Environment Agency to carry out Flood Defence duties. Maintaining a sufficient wildlife and riverside corridor is also important for minimising the potential adverse impacts to the **water quality** and riverine habitats. This will provide opportunities for flood risk management in line with the Environment Agency Catchment Flood Management Plans. Opportunities for river restoration through the development of sites should also be encouraged to

ensure compliance with requirements under the Water Framework Directive and the Thames River Basin Management Plan.

- 9.45 There are a number of **groundwater** source protection zones in North London to protect drinking water supplies and prevent contamination of aquifers. Source protection zone 1 boundaries are defined in the immediate area of boreholes and other abstraction points. Waste facilities may be permitted in source protection zone 1 provided that any liquid waste they may contain or generate or any pollutants they might leach, especially if hazardous, do not pose an unacceptable risk to groundwater. A groundwater risk assessment will be required. Soil quality will need to be protected from potential adverse impact by certain operations, such as open windrow composting. The following waste facilities are considered lower risk and are more likely to be acceptable:
- Energy from Waste ;
 - In-Vessel Composting activities;
 - Mechanical Biological Treatment;
 - Materials Recycling Facility (dry wastes only), and;
 - Waste Electrical and Electronic Equipment (WEEE) sites that exclude potentially polluting wastes.
- 9.46 Higher risk waste uses are less likely to be acceptable in source protection zone 1. Early liaison with the Environment Agency is encouraged.
- 9.47 Source protection zone 2 covers a wider area around an abstraction point. Where developments are proposed in source protection zone 2, a risk assessment will be required and any waste operation apart from landfill may be considered. Where sites are in source protection zones, developers are encouraged to engage in early discussions with the Environment Agency.
- 9.48 The North London Strategic Flood Risk Assessment (SFRA) and individual borough 'Level 2' SFRAs have demonstrated the risks from **flooding** from various sources across North London and site specific flooding assessments have been undertaken on new sites/areas in schedules 2 and 3. Where a site is near or adjacent to areas of flood risk, the development is expected to contribute through design to a reduction in flood risk in line with the NPPG. Waste facilities are often characterised by large areas of hardstanding for vehicles and large roof areas. Development proposals will be required to show that flood risk would not be increased as part of the scheme and, where possible, will be reduced overall through the use of Sustainable Drainage Systems (SuDS) and other techniques. Any proposed development should be reviewed by the Environment Agency at an early stage to discuss the reduction of flood risk on the site.

- 9.49 Developers of waste facilities should at the time they submit their planning application be engaged with the Environment Agency and hold or be in the process of applying for appropriate **permits from the Environment Agency** as the contemporaneous consideration of planning and environmental permit enables the application to be considered in the round.
- 9.50 Developers of waste facilities will need to fully identify the **health implications** of the development and plan the most appropriate scheme to protect the surrounding uses and community. Any proposed waste development which is required to have an Environmental Impact Assessment will also require a Health Impact Assessment.
- 9.51 Paragraph 5 of the National Planning Policy for Waste (NPPW) requires consideration be given to:
“The cumulative effect of existing and proposed waste disposal facilities on the well-being of the local community, including any significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential”.
- 9.52 **Cumulative impacts** relate to the way in which different impacts can affect a particular environmental resource or location incrementally, for example, combined noise, dust and traffic emissions on a dwelling from a new road scheme. In essence, cumulative impacts are those which result from incremental changes caused by other past, present or reasonable foreseeable actions together with the proposed development. Therefore, the potential impacts of the proposed development cannot be considered in isolation but must be considered in addition to impacts already arising from existing or planned development.
- 9.53 In determining an application for a new waste facility, account will normally be taken of the potential cumulative impact of waste management and other development within the locality and in particular the area’s capacity to absorb that change. Factors to be taken into account will include; the nature of the waste and the process involved; the direction of the prevailing wind; the amount of enclosure for the processes; use of odour neutralisation and minimisation; measures for dust control; the number of persons affected by the development and its duration; the effects on amenity that pollution would cause; local topography providing natural screening; the extent of noise and vibration generated by the operations; the proposed hours of working; and the impact of flood-lighting. In some instances, the combined impact of development over a sustained period of time may be sufficient to warrant refusal of planning permission. However it is acknowledged that cumulative impacts can have positive impacts through synergies with other local waste uses and businesses in the area. Such synergies may lead to less road miles for waste as well as the potential development of green industry hubs attracting more highly skilled and technical jobs. Proposals should seek to make a positive contribution to improving issues of

deprivation and inequality within local communities. Where an area has historically hosted significant waste infrastructure and is moving towards regeneration initiatives to improve its economic and investment potential, the cumulative impact on these regeneration activities should be considered when waste development is proposed, especially where the benefits of co-location and economies of scale are outweighed by a resultant reduction in land values, employment opportunities and regeneration potential. In these circumstances where development takes place, opportunities to address inequalities should be taken up in order to promote a better spatial distribution of facilities and avoid undue concentration of waste uses.

- 9.54 As stated throughout this document applications will be assessed against the full suite of relevant **national, London Plan and Local Plan policies** and guidance. However, given the status of the NLWP as a multi-Borough DPD which will form part of the Local Plan of each of the seven Boroughs, Policy 5 is a valuable signpost to impacts that will be considered in the determination of applications.
- 9.55 As part of the application, and in line with policies in the borough local plan, Developers should give details of the jobs created as a result of the new development, the level of skills required and the availability of **training and apprenticeship** opportunities. Developers should seek to meet the aspirations of borough economic and employment strategies and make a positive contribution to the local economy.
- 9.56 As part of the Circular London programme, LWARB published a **Circular Economy** Route Map in June 2017. The Route Map recommends actions for a wide range of stakeholders, including London's higher education, digital and community sectors as well as London's businesses, social enterprises and its finance sector. Developers should submit a Circular Economy Statement in line with the London Plan and guidance issued by the Mayor.

Policy 6: Energy Recovery and Decentralised Energy

Policy 6: Energy Recovery and Decentralised Energy

Where waste cannot be managed at a higher level in the waste hierarchy and recovery of energy from waste is feasible, waste developments should generate energy and/or recover excess heat (including the recovery of energy from gas) and provide a supply to networks including decentralised energy networks.

Where there is no available decentralised energy network and no network is planned

within range of the development, as a minimum requirement the proposal should recover energy through electricity production and be designed to enable it to deliver heat and/or energy and connect to a Decentralised Energy Network in the future.

Developers must demonstrate how they meet these requirements, or provide evidence if it is not technically feasible or economically viable to achieve them, as part of a submitted Energy Statement.

This policy helps meet strategic objectives SO1 and SO6

This policy contributes towards Spatial Framework component D

- 9.57 Tackling climate change is a key Government priority for the planning system and a critical new driver for waste management. The purpose of this policy is to ensure that applications for waste management facilities incorporate opportunities for sustainable energy recovery and combined heat and power (CHP) where feasible and practicable. The policy complements more detailed policies in borough Local Plans on financial contributions relating to feasibility, sustainable design, CHP and development of heat networks, against which applications will also be considered.
- 9.58 The NPPW and the London Plan both recognise the benefits to be gained from any energy from waste facility to capture both heat and power, and encourage all developments of this kind to achieve that end.
- 9.59 National policy for renewable energy says that Local Development Documents, such as the NLWP, should contain policies that promote and encourage, rather than restrict, the development of renewable energy resources. The London Plan includes minimum performance for technologies for generating energy from London's waste, known as the carbon intensity floor. This has been set at 400 grams of CO₂ eq generated per kilowatt hour (kwh) of electricity generated.
- 9.60 The GLA has committed to working with London Boroughs and partners in the private sector to develop opportunities by providing assistance for commercialisation of large decentralised energy projects. Opportunities for district heating were identified across London as part of the Decentralised Energy Master Planning programme led by the GLA in 2008-2010²³. The programme initially focused on identifying opportunities for district heating networks through heat mapping and energy masterplanning with the London Boroughs.

²³ London Heat Map – www.londonheatmap.org.uk

- 9.61 Work is already underway to progress the delivery of a decentralised network in the Lee Valley known as the Lee Valley Heat Network (LVHN). The LVHN will capture affordable low carbon heat from waste to energy facilities and combined heat and power plants, supplying it to buildings and industry across the Lee Valley. The LVHN is requesting hot water to be supplied for the energy from waste facility (EfW) at Edmonton EcoPark. However, over time, the network will connect additional heat sources, including other waste developments, elsewhere in the Lee Valley.

Policy 7: Waste Water Treatment Works and Sewage Plant

Policy 7: Waste Water Treatment Works and Sewage Plant

Proposals for the provision of new facilities for the management, treatment and disposal of wastewater and sewage sludge will be permitted, provided that:

- it is demonstrated that there is an identified need for such a facility within the North London Waste Plan Area, which cannot be met through existing waste facilities; and
- the proposals meet the other policies of this North London Waste Plan together with all other relevant policies of the appropriate borough's Development Plan, and meet environmental standards set by the Environment Agency.

This policy helps meet strategic objectives SO1, SO2 and SO5

This policy contributes towards Spatial Framework component B

- 9.62 Waste Water Treatment Works in North London are operated by Thames Water, with the main facility being Deephams Sewage Treatment Works (STW), which is the ninth largest in England. Deephams STW serves a Population Equivalent (PE) of 891,000 (as at 2011). Works to Deephams STW are planned to commence in 2018 providing sufficient capacity to meet Thames Water's projections of future requirements into the next decade.
- 9.63 The Environment Agency has issued a significantly tighter environmental permit that came into force in March 2017 and requires Thames Water to make improvements to the quality of the discharged effluent. The need for an effluent upgrade to Deephams STW is highlighted in the National Planning Statement on Waste Water, and planning permission for this work was granted by Enfield Council in 2015. The site is to be retained for waste water use and Thames Water anticipates that the

approved upgrade to Deephams STW will provide sufficient effluent treatment capacity to meet their needs during the plan period.

- 9.64 The boroughs will work with Thames Water and the Environment Agency to ensure that adequate and appropriate waste water treatment infrastructure is provided to meet environmental standards and planned demand. In September 2014 the Government approved plans to build the Thames Tideway Tunnel - a 25km conduit flowing beneath the Thames which would provide collection, storage and transfer capacity for waste water and rainwater discharge from a significant part of Central London. Construction is scheduled to begin in 2018 with completion scheduled for 2023. Once completed the new tunnel will be connected to the Lee Tunnel which will transfer sewage to the expanded Beckton Sewage Treatment complex. The proposal has indirect implications for the Plan area in that it will benefit from the additional capacity and this will relieve pressure for further expansion of local Waste Water Treatment Works.
- 9.65 Any other new waste water and sewage treatment plants, extensions to existing works, or facilities for the co-disposal of sewage with other wastes will be supported where the location minimises any adverse environmental or other impact that the development would be likely to give rise to, and the suitability of the site can be justified in accordance with this Plan. The Plan has a supporting role to identify suitable locations for additional infrastructure.

Policy 8: Control of Inert Waste

Policy 8: Control of Inert Waste

Proposals for development using inert waste will be permitted where the proposal is both essential for, and involves the minimum quantity of waste necessary for:

- a) The purposes of restoring former mineral working sites; or
- b) Facilitating an improvement in the quality of land; or
- c) Facilitating the establishment of an appropriate use in line with other policies in the Local Plan; or
- d) Improving land damaged or degraded as a result of existing uses and where no other satisfactory means exist to secure the necessary improvement.

Where one or more of the above criteria (a-d) are met, all proposals using inert waste should:

- a) Incorporate finished levels that are compatible with the surrounding landscape. The finished levels should be the minimum required to ensure

- satisfactory restoration of the land for an agreed after-use; and
- b) Include proposals for high quality restoration and aftercare of the site, taking account of the opportunities for enhancing the overall quality of the environment and the wider benefits that the site may offer, including biodiversity enhancement, geological conservation and increased public accessibility.

Proposals for inert waste disposal to land will not be permitted if it can be demonstrated that the waste can be managed through recovery operations and that there is a need to dispose of waste.

This policy helps meet strategic objectives SO1, SO2 and SO3

This policy contributes towards Spatial Framework component B

- 9.66 Construction, demolition and excavation waste is largely made up of inert construction waste, such as bricks and hardcore which can be used in site restoration and land reclamation projects.
- 9.67 Recycling and reuse of inert waste applications for all types of development should demonstrate that viable opportunities to minimise construction and demolition waste disposal will be taken, making use of existing industry codes of practice and protocols, site waste management plans and relevant permits and exemptions issued by the Environment Agency.
- 9.68 Inert waste materials can be used for beneficial purposes, such as the restoration of mineral sites and in engineering works, or at other 'exempt sites' rather than disposed of at inert landfill sites. Increased use of recycled and secondary aggregates can reduce the need and demand for primary aggregates extraction.
- 9.69 Inert waste will continue to be deposited to land where it is reused for beneficial purposes, including within engineering schemes, for the restoration of mineral workings, and for agricultural improvement. Recycling and recovery are the preferred methods of management and inert waste should only be disposed of to land as a last resort, consistent with the waste hierarchy. Proposals on unallocated sites for the recycling of inert waste will be permitted where it can be demonstrated that there is a market need, consistent with the principle of net self-sufficiency.
- 9.70 There should be a clear benefit or benefits from the proposed development. This should be a benefit to the site itself, for example, the use of residual inert material associated with the restoration of an active or dormant mineral working the restoration of a former mineral working to agriculture or an engineering operation for the provision of a new leisure facility. However, given the likely disturbance to

local communities and the local environment, for example, due to the movement of HGVs, there should be benefits for the wider area, for example, through environmental improvement or the creation of new public rights of way.

10. Monitoring and Implementation

Monitoring the Plan

- 10.1 The Planning and Compulsory Purchase Act (2004) requires planning authorities to monitor and report annually on whether the Aims and Objectives of all local plans (whether prepared individually or in conjunction with other authorities) are being achieved (paragraph 35). The NPPW identifies the need to monitor and report on the take-up of allocated sites and areas; changes in the available waste management capacity as a result of closures and new permissions; and the quantities of waste being created locally and how much is being managed at different levels in the waste hierarchy i.e. recycling/composting, recovery, and disposal.
- 10.2 Monitoring is also required to check on whether the intending policy outcomes of the NLWP are being delivered and whether the identified capacity gaps are being met through the allocated areas listed in Policy 2. Monitoring will also ensure that sufficient identified land remains available for new facilities during the plan period which is also likely to see intense competition for land for other uses especially housing. The results of monitoring will also play an important role in informing Development Management decisions when authorities determine planning applications for new waste facilities.
- 10.3 Responsibility for monitoring lies with the individual boroughs. Data will be collated by each borough and included in their Authority Monitoring Report, which is produced annually.
- 10.4 To supplement the boroughs' annual monitoring, it will be important for the GLA to monitor London Plan Policies 5.16 and 5.17 and gather data in partnership with the boroughs on waste arisings, waste management capacity, both within London and landfill outside of London.

Proposed monitoring framework

- 10.5 The aim of monitoring is to check whether the policy framework in the NLWP is working as intended. The proposed monitoring indicators reflect a number of National Indicators and also the statutory and non-statutory performance targets including those set by the EU, the Waste Policy for England and the London Plan. The list of indicators is not intended to be exhaustive and is intentionally focused on parameters where it is possible to evaluate the effect of the NLWP. For example, an indicator reporting on the number of times air quality thresholds were exceeded is of little use if the contribution of waste management facilities and transport of waste cannot be differentiated from those of other activities.

- 10.6 Table 14 sets out the monitoring indicators proposed for each policy in the NLWP and identifies targets where appropriate. In some cases it will only be necessary to monitor (i.e. count the number of instances of) what has happened in the preceding year. In line with statutory requirements, the North London boroughs will review the plan every five years. If any targets are not being met the boroughs will assess where changes can and should be made.

Table 14: NLWP Monitoring Indicators

Indicator	Target(s)	What it monitors	Outcome(s) sought
1. Amount of Land within identified areas or on windfall sites brought forward for waste use during the plan period.	In line with Table 7: landtake requirements	SO2 (capacity provision) Policy 2: Area allocations Policy 3: Unallocated sites	To check that identified sites and areas are being taken up as anticipated.
2. Sites in Schedule 1 and Areas in Schedules 2 and 3 lost to other non-industrial uses through a major regeneration scheme or designated for non-industrial uses in a review of the London Plan or Local Plan	Less than 25% of land lost If 50% of land is lost this will trigger review of plan	SO2 (capacity provision) Policy 2: Area allocations	To check that identified land is sufficient to deliver the plan's aims To ensure sufficient existing capacity remains for managing the levels of waste expected across North London over the plan period as set out in Table 8.
3. Tonnage of waste capacity, including new waste capacity available by management type (recycling/composting, recovery and disposal) and type of wastes handled (LACW, C&I and CD&E)	Capacity sufficient to manage capacity requirements as set out in Table 6 Capacity Gaps. New waste facilities in line with Table 7: land take requirements	Strategic Aim (capacity supply and self-sufficiency) Strategic Aim (move waste up Waste Hierarchy) SO1 (resource efficiency) SO3 (net self-sufficiency) Meeting Future Requirements as specified in	Ensure that new waste facilities will close identified capacity gaps Support delivery of the London Plan apportionment and the additional capacity required to achieve a net self-sufficient outcome across the principal waste streams

Indicator	Target(s)	What it monitors	Outcome(s) sought
		<p>the NLWP</p> <p>Policy 2: Area allocations</p> <p>Policy 3: Unallocated sites</p> <p>Policy 4. Reuse and Recycling Centres</p> <p>Policy 7 Waste Water Treatment Works and Sewage Plant</p> <p>Policy 8 Control of Inert Waste</p>	
4. Loss of existing waste capacity and provision of replacement capacity	<p>Zero loss</p> <p>Replacement locally, within the Borough, North London or London</p> <p>Replacement capacity for Brent Cross Cricklewood provided within Barnet</p>	<p>Strategic Aim (capacity supply and net self-sufficiency)</p> <p>SO2 (capacity provision and protection)</p> <p>Policy 1: Safeguarding existing waste management sites</p>	<p>Ensure sufficient capacity of the right type is available throughout the plan period</p> <p>Ensure that capacity is replaced locally unless valid planning reasons are provided for not doing so.</p>
5. Total quantity of waste arisings managed by waste stream (LACW, C&I and CD&E)	In line with Table 8 in Section 7 and the Data	Strategic Aim (capacity supply and self-sufficiency)	Ensure the NLWP meets EU, national Waste Policy and London Plan targets

Indicator	Target(s)	What it monitors	Outcome(s) sought
and management route (recycling/composting, recovery and disposal)	Study	Strategic Aim (move waste up Waste Hierarchy) SO1 (resource efficiency) SO3 (net self-sufficiency) Meeting Future Requirements as specified in the NLWP % waste diverted and % landfilled	Ensure the NLWP delivers a net self-sufficient waste management outcome for the principal waste streams
6. Amount of waste exported to landfill by waste stream (LACW, C&I and CD&E)	Exported waste to landfill in line with Table 9 of the NLWP	Net self-sufficiency	Waste exports are in line with those estimated in the NLWP and through the duty to co-operate
7. Number of approvals for new waste facilities which meet legislative requirements	100%	SO5 (sustainability) SO8 (protect the environment) Spatial framework (Reduce impact on amenity) Policy 5: Assessment Criteria for waste management facilities and related	Avoid impact on sensitive receptors or maximise scope for effective mitigation

Indicator	Target(s)	What it monitors	Outcome(s) sought
		development	
8. Number of new CHP facilities serving district heat networks in which the principal fuel source is residual waste or recovered waste fuel	Monitor only	Strategic Aim (green London) SO6 (decentralised energy) Spatial framework (Provide opportunities for decentralised heat and energy networks) Policy 6: Energy recovery and decentralised energy	Contribute to delivery of decentralised energy and incremental improvement in environmental performance with respect to climate change
9. Sufficient infrastructure in place for management of waste water	Monitor only – information to be obtained from Thames Water	Strategic Aim (capacity supply and self-sufficiency) SO5 (sustainability)	To ensure that Thames Water have sufficient capacity to management the levels of waste water generated in Noth London over the plan period
11. Number of developments permitted which include disposal of inert waste to land	To ensure that inert waste is managed in line with the waste hierarchy	Strategic Aim (capacity supply and self-sufficiency) Strategic Aim (move waste up Waste Hierarchy) SO1 (resource efficiency)	To ensure that proposals involving the importation and disposal of inert waste to land are achieving in line with waste hierarchy.

Indicator	Target(s)	What it monitors	Outcome(s) sought
		SO3 (net self-sufficiency) SO5 (sustainability) SO8 (protect the environment) Meeting Future Requirements as specified in the NLWP % waste diverted and % landfilled	

Implementing the Plan

- 10.7 Development and adoption of the Plan must be followed by actions by a range of agencies and other organisations to ensure that its Aims and Objectives are met. The section summarises proposals for how these outcomes will be delivered and who will be responsible for them.
- 10.8 Implementation has four components – infrastructure delivery; application of the policies to planning proposals for waste facilities; ongoing regulation and monitoring of the local waste management sector; and achieving performance levels – each of which involves different actors. Table 15 summarises the organisations involved in each component.

Table 15: Roles and responsibilities involved in implementing the Plan

Organisation	Role	Responsibilities
Local planning authorities (including London Legacy Development Corporation)	Apply Plan policies	Assessing suitability of applications against Plan policies and priorities Deliver the strategic objectives and policies of the NLWP alongside wider development and regeneration objectives
	Regulate / monitor	Inspect operating waste sites periodically Monitor Plan performance annually
	Performance delivery	Support / promote waste reduction initiatives through the planning system
Borough waste collection authorities	Infrastructure delivery	Bring forward new / replacement waste sites for recycling / composting LACW
	Performance delivery	Implement waste collection activities to deliver desired performance levels as appropriate Support / promote waste reduction initiatives
North London Waste Authority (NLWA)	Infrastructure delivery	Delivery of replacement Edmonton ERF plant Delivery of other facilities enabling achievement of desired performance levels

Organisation	Role	Responsibilities
	Performance delivery	<p>Prioritising infrastructure delivery that moves waste up the Waste Hierarchy</p> <p>Support / promote / deliver waste reduction initiatives</p>
Landowners	Infrastructure delivery	Propose new waste sites in line with NLWP policies that deliver capacity requirements
Waste industry	Infrastructure delivery	Propose new waste sites and deliver new waste facilities in line with NLWP policies that deliver capacity requirements
Environment Agency	Regulate / monitor	<p>Advise on planning applications according to the nature of the proposal</p> <p>Assess applications for Environmental Permits, issue licences where the proposal meets the necessary standards</p> <p>Inspect operating waste sites periodically</p> <p>Collect and publish information about waste movements for use in Plan monitoring</p> <p>Monitor water quality</p>
	Performance delivery	Promote waste reduction initiatives
Health & Safety Executive	Regulate	<p>Advise on planning applications according to the nature of the proposal</p> <p>Monitor</p>
Other statutory bodies (e.g. Natural England)	Regulate / monitor	<p>Advise on planning applications according to the nature of the proposal</p> <p>Monitor protected sites such as SSSI</p>
Greater London Authority	Performance delivery	<p>Promote waste reduction initiatives</p> <p>Promote carbon reduction initiatives</p>
	Apply Plan policies	Assessing suitability of applications against London Plan policies and

Organisation	Role	Responsibilities
		<p>priorities</p> <p>Regional coordination of waste planning</p>
London Waste and Recycling Board	Infrastructure delivery	Support to new waste infrastructure
	Performance delivery	<p>Support to waste collection authorities to deliver desired performance levels</p> <p>Support / promote waste reduction initiatives</p>

10.9 New commercial infrastructure required during the plan period will be funded by private funding through sources that cannot be identified at this time. In addition, there may be other sources of funding available such as public sector borrowing. Facilities required for the management of LACW will be funded by NLWA. The waste industry has been invited to take part in the development of the Plan through involvement in the various consultation processes and calls for them to propose suitable sites for waste management use. The NLWP identifies infrastructure priorities for the next 15 years and this will help to provide the industry with greater certainty about waste management priorities in the North London Boroughs that can inform future investment decisions.

10.10 Table 16 sets out how policies in the NLWP will be implemented and who will be involved in each action and which of the Strategic Objectives are addressed as a result.

Table 16: How the NLWP policies will be implemented

Mechanism	Stakeholders involved	Objectives implemented
Policy 1: Existing waste management sites		
<p>Planning permission for the expansion or intensification of operations at existing waste facilities.</p> <p>Refusal of planning permission for non-waste use on existing waste sites unless capacity is</p>	Local planning authorities/ Landowner/developers/NLWA	SO2, SO3

Mechanism	Stakeholders involved	Objectives implemented
re-provided. Identifying compensatory provision when it is proposed to redevelop existing waste management facilities for non-waste uses.		
Policy 2 Locations for new waste management facilities		
Planning permission and subsequent development	Landowners and developers / waste management companies / NLWA / local planning authorities / Environment Agency and other statutory bodies	SO1, SO2, SO3, SO5
Policy 3: Windfall sites		
Planning permission and subsequent development	Landowners and developers / waste management companies / NLWA / local planning authorities / Environment Agency and other statutory bodies	SO2, SO3
Policy 4: Re-use & Recycling Centres		
Planning permission and subsequent development	Landowners and developers / waste management companies / NLWA / local planning authorities / Environment Agency and other statutory bodies	SO1, SO2, SO3
Policy 5: Assessment criteria for waste management facilities and related development		
Planning permission and subsequent development	Local planning authorities / Environment Agency and other statutory bodies	SO4, SO5, SO7, SO8
Policy 6: Energy recovery and decentralised energy		
Planning permission and subsequent development	Landowners and developers / waste management companies / local planning	SO1, SO6

Mechanism	Stakeholders involved	Objectives implemented
	authorities / NLWA / Environment Agency and other statutory bodies	
Policy 7: Waste Water Treatment Works and Sewage Plant		
Planning permission and subsequent development	Thames Water / Environment Agency and other statutory bodies / local planning authorities	SO2, SO4, SO5, SO8
Policy 8: Control of Inert Waste		
Planning permission and subsequent development	Landowners and developers / waste management companies / local planning authorities / / Environment Agency and other statutory bodies	SO1, SO2, SO3, SO5, SO8

Appendix 1: Schedule 1: Existing safeguarded waste sites in North London**Table 17: Schedule 1: Existing safeguarded waste sites in North London**

Site ID	Site Name	Borough
BAR 2	Scratchwood Quarry	Barnet
BAR 3 ♦	P B Donoghue, Claremont Rd	Barnet
BAR 4 ♦	W R G, Hendon Rail Transfer Station	Barnet
BAR 5	Summers Lane Reuse and Recycling Centre	Barnet
BAR 6 ♦	Mc Govern Brothers, Brent Terrace, Hendon	Barnet
BAR 7 ♦	Cripps Skips Brent Terrace	Barnet
BAR 8	Apex Car Breakers, Mill Hill	Barnet
BAR 9	Railway Arches, Hendon Savacase Ltd	Barnet
BAR 10	G B N Services Ltd, New Southgate	Barnet
BAR 11	Mill Hill Depot	Barnet
CAM1	Regis Road Reuse and Recycling Centre	Camden
ENF 1	Crews Hill Transfer Station	Enfield
ENF 2	Barrowell Green Recycling Centre	Enfield
ENF 3	Pressbay Motors Ltd, Motor Salvage Complex	Enfield
ENF 4	Chase Farm Hospital, The Ridgeway (SITA)	Enfield
ENF 5	Jute Lane, Brimsdown	Enfield
ENF 6	Tuglord Enterprises (AMI Waste) Stacey Avenue	Enfield
ENF 7	Budds Skips, The Market Compound, Harbert Road	Enfield
ENF 8	Biffa Edmonton, Adra Road, Edmonton	Enfield
ENF 9	Hunt Skips, Commercial Road, Edmonton	Enfield
ENF 10	Rooke & Co Ltd, Edmonton	Enfield
ENF 11	Edmonton Bio Diesel Plant	Enfield
ENF 12	Camden Plant, Lower Hall Lane, Chingford	Enfield
ENF 13	Personnel Hygiene Services Ltd, Princes Road, Upper Edmonton	Enfield
ENF 15	Yard 10 - 12 Hastingwood Trading Est. A & A Skip Hire Limited	Enfield
ENF 17	Albert Works, Kenninghall Road, Edmonton	Enfield
ENF 19	London Waste Ltd Composting, Edmonton Eco Park, Advent	Enfield

-
- ♦ These sites will be redeveloped under the approved planning permission for the regeneration of Brent Cross Circlewood (Barnet planning application reference F/04687/13). The Hendon Rail Transfer Station (BAR 4) will be replaced as part of the BXC development with a new facility on site S01-BA to meet the NLWA's requirements. The existing facilities at BAR 6 and BAR 7 fall within the land required to deliver the first Southern phase of the BXC regeneration which is anticipated will commence in early 2018. Replacement capacity for these sites will not be provided prior to their redevelopment and therefore replacement capacity will be sought outside of the BXC regeneration area on alternative sites / areas to be identified within the London Borough of Barnet.

Site ID	Site Name	Borough
	Way	
ENF 20	London Waste Bulk Waste Recycling Facility, Edmonton EcoPark, Advent Way	Enfield
ENF 20	London Waste Ltd, Edmonton Ecopark, Advent Way	Enfield
ENF 22	Edmonton Clinical Waste Treatment Centre	Enfield
ENF 23	J O' Doherty Haulage, Nobel Road, Edmonton	Enfield
ENF 24	Oakwood Plant Ltd, Edmonton	Enfield
ENF 25	Envirocom Ltd, Stonehill Business Park, Edmonton	Enfield
ENF 26	Powerday Plant Ltd, Jeffreys Road	Enfield
ENF 27	Edmonton EFW	Enfield
ENF 31	Volker Highways Ltd	Enfield
ENF 32	Guy Lodge Farm	Enfield
ENF 33	Ballast Phoenix Ltd	Enfield
ENF 34	London & Metropolitan Recycling Facility	Enfield
ENF 35	Unit 25 Enfield Metal Kingswood Nursery, Theobalds Park road	Enfield
ENF 36	Greenstar Environmental	Enfield
HAC 1	Millfields Waste Transfer & Recycling Facility	Hackney
HAC 2	Downs Road Service Station (Braydon Motor Company), Clapton	Hackney
HAR 1/2	Hornsey Central Depot, Haringey LBC	Haringey
HAR 3	Garman Road, Tottenham	Haringey
HAR 4	O'Donovan, Markfield Rd, Tottenham	Haringey
HAR 5	Redcorn Ltd, White Hart Lane, Tottenham	Haringey
HAR 6	Restore Community Projects, Ashley Road, Tottenham	Haringey
HAR 7	Brantwood Auto Recycling Ltd, Willoughby Lane	Haringey
HAR 8	O'Donovan, Markfield Road, Tottenham	Haringey
HAR 9	Park View Road Reuse and Recycling Centre	Haringey
HAR 10	LondonWaste Ltd. Western Road H W R C	Haringey
ISL 1	Hornsey Household Re-use & Recycling Centre	Islington
WAF 2	Kings Road Household Waste Recycling Centre	Waltham Forest
WAF 3	South Access Road Household Waste Recycling Centre	Waltham Forest
WAF 4	G B N Services, Estate Way, Leyton	Waltham Forest
WAF 5	T J Autos (U K) Ltd	Waltham Forest
WAF 6	B J Electronics, Ravenswood road Industrial Estate, Walthamstow	Waltham Forest
WAF 8	Leyton Reuse & Recycling Centre	Waltham Forest
WAF 10	Malby Waste Disposal Ltd, Staffa Road, Leyton	Waltham Forest
WAF 11	Baseforce Metals, Unit 1 Staffa Road, Leyton	Waltham Forest

Site ID	Site Name	Borough
WAF 14	Tipmasters	Waltham Forest
WAF 15	Argall Metal Recycling, Staffa Road	Waltham Forest

North London Waste Plan

Sustainability Appraisal Report

October 2018

[This page left intentionally blank]

CONTENTS

1.	INTRODUCTION	1
1.1	Sustainability Appraisal and Strategic Environmental Assessment	1
1.2	The North London Waste Plan	2
1.3	The SA Process	3
1.4	Feedback from Consultation	4
1.5	Related Assessments	6
2.	THE CONTEXT FOR THE PLAN	7
2.1	Links to Other Plans, Programmes and Strategies	7
2.2	Overview of the Sustainability Baseline and Key Issues	9
3	THE SA FRAMEWORK AND METHODOLOGY	21
3.1	The SA Framework	21
3.2	Compatibility of SA and NLWP Objectives	24
3.3	Approach to the Assessment	25
3.4	Data Limitations / Technical Difficulties	26
4.	APPRAISAL OF THE DRAFT NLWP	28
4.1	Introduction	28
4.2	Assessing Alternatives	28
4.4	Secondary, Cumulative and Synergistic Effects	46
4.5	Mitigation Proposals	46
5.	MONITORING	48
6.	NEXT STEPS	53
7.	DIFFERENCE THAT THE PROCESS HAS MADE	54

APPENDICES (Separate report)

1. Sustainability Appraisal of the Strategic Options
2. Sustainability Appraisal of the Spatial Strategy
3. Sustainability Appraisal of the NLWP Policies
4. Sustainability Appraisal of the Strategy Policy for North London's Waste5.
5. Sustainability Appraisal of the Area Allocations

SUSTAINABILITY APPRAISAL OF THE DRAFT NORTH LONDON WASTE PLAN

1. INTRODUCTION

1.1 Sustainability Appraisal and Strategic Environmental Assessment

- 1.1.1 Section 19(5) of the Planning and Compulsory Purchase Act 2004 (PCPA) requires local planning authorities preparing a Development Plan Document to undertake a Sustainability Appraisal (SA) throughout its production in order to ensure that it is fully consistent with, and helps to implement, the principles of sustainable development. The purpose of this SA is to help ensure that Plans achieve an appropriate balance between environmental, economic and social objectives. It should help to identify the sustainability implications of different plan approaches and recommend ways to reduce any negative effects and to increase the positive outcomes. The SA thereby performs a key role in demonstrating to decision makers, and the public, that the Plan is the most appropriate given reasonable alternatives.
- 1.1.2 In parallel with this, the European Directive 2001/42/EC *“on the assessment of the effects of certain plans and programmes on the environment”* (the Strategic Environmental Assessment or ‘SEA Directive’) was transposed into United Kingdom law by the Environmental Assessment of Plans and Programmes Regulations 2004 (the ‘SEA Regulations’) and establishes the statutory obligation to undertake SEA with regard to any plan that:
- Is “prepared by an authority for adoption, through a legislative procedure by Parliament or Government, and is required by legislative, regulatory or administrative provisions” (Article 2(b)); and
 - Concerns “town and country planning or land use... which sets the framework for future development consent of projects” (Article 5.2(a)).
- 1.1.3 The principal purpose of SEA is to ensure appropriate consideration is given to the likely significant environmental effects of the implementation of a plan. SA extends the scope of assessment so that environmental effects are considered in parallel with social and economic impacts so that the overall implications of the plan are subject to an integrated evaluation. Although SA and SEA are distinct processes, many of their requirements overlap and as a result the Government has issued guidance advising that an integrated approach to both assessments should be undertaken.
- 1.1.4 This Report outlines the findings of the SA of the draft North London Waste Plan (NLWP) and reasonable alternatives. The SA supports the Proposed Submission Plan (Regulation 19), following the consideration of responses received to the consultation on the draft NWLP (Regulation 18) which took place from 30th July to 30th September 2015. The consultation provided an opportunity for stakeholders and communities to comment on the draft plan and proposed policies.

- 1.1.5 This report meets the SEA requirements and acts as the ‘environmental report’ for the purposes of Regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004. Throughout this report, all references to SA should be taken to also include the requirements of European Directive 2001/42/EC.

1.2 The North London Waste Plan

- 1.2.1 The seven North London Boroughs of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest are working together to produce the North London Waste Plan (the ‘NLWP’). The NLWP covers part of the area of the London Legacy Development Corporation (LLDC), a Mayoral Development Corporation, which is the planning authority for a small part of Hackney and Waltham Forest.

- 1.2.2 The NLWP has two main purposes:

- to ensure there will be adequate provision of suitable land to accommodate waste management facilities of the right type, in the right place and at the right time up to 2035 to manage waste generated in North London; and
- to provide policies against which planning applications for waste development will be assessed, alongside other relevant planning policies/guidance.

- 1.2.3 The NLWP will cover all principal waste streams including:

- **Local Authority Collected Waste (LACW):** Previously known as municipal waste, LACW refers to all waste collected by a Local Authority, including household and trade waste;
- **Commercial and Industrial (C&I):** Wastes produced by businesses and industry;
- **Construction, Demolition & Excavation (CD&E):** Waste generated as a result of delivering infrastructure projects, building, renovation and the maintenance of structures;
- **Hazardous:** A sub category of all waste streams where the material produced is hazardous and requires specialist handling and treatment;
- **Agricultural waste:** Waste produced by farming and forestry activity;
- **Waste Water:** Waste produced from washing, cleaning and hygienic activities to create waste water and sewage effluents; and
- **Low level radioactive waste:** Waste associated with the undertaking of x-rays and laboratory testing using low level radioactive substances.

- 1.2.4 It is important to recognise that the NLWP will be strategic in nature and even the allocation of sites/areas should be regarded as a strategic undertaking given that the process omits consideration of some detailed issues in the knowledge that these will be addressed later (i.e. through the development management process). This strategic nature of the plan is reflected in the scope of the SA.

1.3 The SA Process

1.3.1 The process for undertaking SA/SEA is set out in detail in the National Planning Practice Guidance¹ and the document 'A Practical Guide to the Strategic Environmental Assessment Directive'². This guidance subdivides the SA/SEA process into a series of stages. While each stage consists of specific tasks, the intention should be that the process is undertaken in an iterative manner.

1.3.2 The stages involved in undertaking SA (incorporating SEA) are summarised in Table 1.

Table 1: SA Process

Stage A: Establishing the context and baseline conditions; defining the scope and framework for the assessment	
A1	Identify relevant plans, programmes and sustainability objectives that will influence the plan
A2	Collect relevant social, environmental and economic baseline information
A3	Identify key sustainability issues for the SA / plan to address
A4	Develop the SA Framework, consisting of the SA Objectives and sub-objectives
A5	Produce a scoping report and consult relevant authorities, the public and other key stakeholders on the scope of the appraisal
Stage B: Developing and refining alternatives and assessing the effects of the plan	
B1	Testing the plan objectives against the SA framework
B2	Developing the plan alternatives
B3	Predicting the effects of the plan
B4	Evaluating the effects of the plan
B5	Considering ways of mitigating adverse effects and maximising beneficial effects
B6	Proposing measures to monitor the significant effects of implementing the plan
Stage C: SA Report	
C1	Preparing the SA Report
Stage D: Consultation on the SA Report	
D1	Seek representations on the SA Report from consultation bodies and the public
Stage E: Post Adoption Reporting and Monitoring	
E1	Prepare and publish post-adoption statement
E2	Monitor significant effects of implementing the Plan
E3	Respond to adverse effects

1.3.3 Stage A of the process corresponds to the scoping stage of the SA and the findings of this stage are presented in the Scoping Report which was issued for a five-week period of consultation in June 2014 and subsequently updated to take account of the representations received. During this stage the scope of the SA was defined.

1.3.4 Stage B of the SA process is linked to the overall production of the NLWP which includes the development of plan options and the selection of the preferred options.

¹ CLG Planning Practice Guidance (2014)

² ODPM 'A Practical Guide to the Strategic Environmental Assessment Directive' (2005)

- 1.3.5 As part of the Stage C an interim SA Report was produced in July 2015, which provided a summary of the SA process undertaken and documents the findings of the SA of the draft North London Waste Plan (NLWP) and reasonable alternatives. It was used as a consultation document and issued to statutory bodies and stakeholders for comment alongside the draft NLWP document.
- 1.3.6 This version of the SA report has been prepared following consideration of responses received on the draft NLWP (Regulation 18) which took place from 30th July to 30th September 2015. The SA is being updated to reflect policy changes made to the NLWP. The report meets the SEA requirements and acts as the 'environmental report' for the purposes of Regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004. As such, the intention of this SA Report is to adopt an approach to appraisal which also meets the requirements of the SEA Directive and Regulations. The following table shows how this report meets the requirements of the SEA Directive.

Table 2: Compliance with the SEA Directive

Information to be included in an Environmental Report under the SEA Regulations	Relevant sections in the SA Report
An outline of the contents, main objectives of the plan and its relationship with other relevant plans and programmes.	1.2 2.1
The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan.	2.2
The environmental characteristics of areas likely to be significantly affected.	2.2
Any existing environmental problems which are relevant to the plan, including in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC.	2.1 2.2 1.5
The environmental protection objectives, established at international, Community or national level, which are relevant to the plan and the way those objectives and any environmental considerations have been taken into account during its preparation.	2.1 2.2
The likely significant effects on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soils, water, air, climatic factors, material assets, cultural heritage, landscape, and the interrelationship between the above factors.	Section 4 Appendix Report
The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan.	4.5 Section 7 Appendix Report
An outline of the reasons for selecting the alternatives dealt with and a description of how the assessment was undertaken including any difficulties.	3.4 Section 4
A description of measures envisaged concerning monitoring.	Section 5
A non-technical summary of the information provided above.	Separate Document

1.4 Feedback from Consultation

- 1.4.1 Regulation 12(5) of the SEA Regulations stipulates that when deciding on the scope and level of detail of the information that must be included in the Environmental Report, the responsible authority should undertake appropriate consultation.
- 1.4.2 Consequently, when preparing the SA Scoping Report for the NLWP and defining the framework for the assessment a draft Scoping Report was issued for a five-week period of consultation that ran from Tuesday 3rd June 2014 to Wednesday 9th July 2014. Comments were invited on the content of the draft Scoping Report and, in particular, whether it identified the key sustainability issues from the baseline information and if the proposed Sustainability Appraisal Framework was appropriate.
- 1.4.3 Each of the statutory consultation bodies identified by the SEA Regulations³ was consulted on scope and level of detail contained within the Report. In addition, and in line with the NLWP Consultation Protocol and each Borough's adopted Statement of Community Involvement (SCI), wider consultation on the Scoping Report was also undertaken.
- 1.4.4 Comments were received on the draft Scoping Report from Natural England, the Environment Agency, North London Waste Authority, community groups and individuals. Some of the main comments received were the need to:
- Review additional relevant plans, policies and programmes to identify their implications for the NLWP;
 - Incorporate additional baseline information relating to issues such as fly tipping and exempt facilities;
 - Ensure that the identified sustainability issues acknowledge that location priorities for new facilities need to take account of proximity to waste sources, to disposal/re-use/recovery sites and to the location of markets for recovered or secondary materials;
 - Make a number of minor amendments to one objective and to indicator information relating to health, green infrastructure, transport, landscape, flood risk, waste self-sufficiency and the economy.
- 1.4.5 The SA Scoping Report has been updated to address these comments. It is considered that the revised SA Scoping Report forms a fit for purpose framework for the appraisal of the NLWP and that this framework has been subject to the statutory requirements set out in Regulation 12 of the SEA Regulations.
- 1.4.6 Following on from the Regulation 18 SA, six two-part public consultation events were held from 2nd September to 11th September 2015 consisting of both facilitated afternoon workshops requiring registration and evening drop-in sessions. These took place in each

³ The SEA Regulations require the Environment Agency, English Heritage, Natural England and the Countryside Agency to be consulted on the scope of sustainability appraisals. However, the Natural Environment and Rural Communities (NERC) Act merged the Countryside Agency and English Nature to form a new agency - Natural England.

North London Borough, with the exception of Islington which co-hosted a combined event in Camden close to the borough boundary. An additional meeting was scheduled in Hackney specifically concerning the suitability of the Theydon Road area identified in the previous consultation draft for the development of waste management facilities. The purpose of these events was to seek views from residents and interested parties on development management policies, sites and areas set out in the draft Plan.

1.5 Related Assessments

Habitat Regulations Assessment

- 1.5.1 Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Flora and Fauna – the ‘Habitats Directive’ – provides legal protection for habitats and species of European importance. Article 6 of this Directive introduced the requirement to undertake a ‘Habitat Regulation Assessment’ (HRA) of the implications of proposed land use plans for the integrity of nature conservation sites of European importance. Such sites are known as Natura 2000 sites, and include Special Areas of Conservation (SACs), candidate Special Areas of Conservation (cSACs), Special Areas of Protection (SPAs), potential Special Areas of Protection (pSPAs), Ramsar sites and Offshore Marine Sites (OMSs).
- 1.5.2 The purpose of a HRA is to determine whether or not significant effects on European sites are likely and to suggest ways in which they could be avoided. Under the provisions of the Habitats Directive, such a plan can only be brought into effect, as a result of the HRA, it can be demonstrated that the integrity of the sites will not be adversely affected or, where adverse impacts are anticipated, there are shown to be no alternative solutions and imperative reasons of overriding public interest for the plan to go ahead.
- 1.5.3 The HRA of the NLWP is being prepared and will be reported separately. The main issues that are likely to be addressed by this assessment concern the implications of the spatial strategy and proposed allocations for the protection of internationally designated wildlife sites, either alone or in-combination with other plans or projects occurring within the Plan area and adjacent parts of Greater London.

2. THE CONTEXT FOR THE PLAN

2.1 Links to Other Plans, Programmes and Strategies

- 2.1.1 Stage A1 of the SA process involves establishing the context in which the NLWP is being prepared, namely the other policies, plans and programmes, and sustainability objectives that could influence its content and the opportunities and challenges they present. The SEA Directive specifically requires environmental objectives established at international, European Community or national levels to be taken into account in developing a Plan. However, in order to facilitate a comprehensive approach, guidance on SA recommends that this should be widened to consider how the Plan can support the full range of other plans, policies and programmes that already exist, including at the regional and local levels, taking into account their economic and social as well as environmental objectives.
- 2.1.2 The Scoping Report published a list of relevant plans, policies and programmes and contained a detailed assessment of these plans and the key messages and implications of them for the NLWP. This list is reproduced in Appendix 1 to this report.
- 2.1.3 A number of key messages emerged from this review of policies, plans and programmes. These are summarised in Table 3 below and are grouped under the topics listed in the SEA Directive.

Table 3: Key Messages from the Policies, Plans and Programmes Review

Key Messages	Policies, Plans and Programmes
Biodiversity, Flora and Fauna <ul style="list-style-type: none"> • Ensure biodiversity is considered in all areas of decision-making. • Maintain, protect, enhance and restore biodiversity and the natural environment. • Avoid harm to designated sites and protected species. • Ensure the importance of green infrastructure is recognised. 	The Water Framework Directive (2000/60/EC), Thames river basin district river basin management plan: 2009, The Ramsar Convention, Birds Directive (2009/147/EC), Habitats Directive (97/62/EC), EU Biodiversity Strategy to 2020, Conservation of Habitats and Species Regulations (2010), Wildlife and Countryside Act (1981), Natural Environment and Rural Communities Act (2006), UK Biodiversity Action Plan, 1994 (reviewed 2007), Biodiversity 2020: a Strategy for England's Wildlife and Ecosystem Services (2011), The Natural Choice (2011), Protection of Badgers Act 1992, Hedgerow Regulations 1997, NPPF (updated July 2018), the London Plan (2016), Mayor London's Biodiversity Strategy, London Biodiversity Action Plan, Local Plan Core Strategies and Development Policies documents, local BAPs, London Environment Strategy (2018).
Population and Human Health <ul style="list-style-type: none"> • Ensure wider health issues are considered and safeguard the health of the community. • Protect and improve quality of life. • Maintain / improve access to open space for leisure and recreation. • Locate sites where the potential impact 	The NPPF (updated July 2018), Healthy Lives, Healthy People: Our strategy for public health in England (2010), Local Plan Core Strategies and Development Policies documents, Sustainable Community Strategies, North Central London Sustainability and Transformation Plan (NCL STP)., London Environment Strategy (2018).

Key Messages	Policies, Plans and Programmes
<p>on the health and well being of local communities is minimised.</p> <ul style="list-style-type: none"> • Avoid adverse impacts on human health arising from the transport of wastes. 	
<p>Soil</p> <ul style="list-style-type: none"> • Prioritise the use of previously developed land. • Avoid ground pollution and seek to reduce land contamination. 	<p>The Mining Waste Directive (2006/21/EC), Safeguarding Our Soils – A Strategy for England, NPPF (updated July 2018), the London Plan ((2016) Local Plan Core Strategies and Development Policies documents.</p>
<p>Water</p> <ul style="list-style-type: none"> • Maintain and improve water quality. • Limit the impacts of waste management facilities on sensitive receptors such as water. • Use water resources efficiently and seek to minimise future demands. • Reduce the impact of flooding and avoid inappropriate development in areas of flood risk. • Avoid development that could increase flood risk. • Promote the management of surface water and reduction of flood risk using SuDS • Protect groundwater. 	<p>The Water Framework Directive (2000/60/EC), Directive 2006/118/EC on the protection of groundwater against pollution and deterioration, the IPPC Directive (2008/1/EC), NPPF (updated July 2018), , National Flood and Coastal Erosion Risk Management Strategy for England – Environment Agency (2011) , Water for People and the Environment; Water Resources Strategy for England and Wales (2009), London Plan ((2016), Securing London’s Water Future: The Mayor’s Water Strategy (2011), Thames Region Catchment Flood Management Plan (2009), Managing Flood Risk in the Lower Lee Catchment, Today and in the Future (2013), Groundwater protection: principles and practice (GP3) (2013) Local Plan Core Strategies and Development Policies documents.</p>
<p>Air</p> <ul style="list-style-type: none"> • Limit the impacts of waste management facilities on sensitive receptors such as air. • Reduce the distance local wastes travel to be managed by providing more waste management capacity in the plan area. • Increase use of sustainable transport methods and reduce the need to travel. 	<p>The IPPC Directive (2008/1/EC), European Air Quality Directive (2008/50/EC), Air Quality Strategy for England, Scotland, Wales and Northern Ireland (2007), Air Pollution: Action in a Changing Climate (2010), NPPF (updated July 2018), the London Plan (2016), Clearing the Air: The Mayor’s Air Quality Strategy (2010), Local Plan Core Strategies and Development Policies documents, Air Quality Actions Plans, London Environment Strategy (2018)</p>
<p>Climate</p> <ul style="list-style-type: none"> • Reduce contributions to climate change. • Recognise the need to diversify energy supply and increase the proportion of energy that is generated from renewable sources. • Recognise that waste can be a potential source of low carbon energy. • Limit the potential impact of waste management developments on climate change. 	<p>Kyoto Protocol, NPPF (updated July 2018), Meeting the Energy Challenge: A White Paper on Energy (2007), Climate Change Act 2008, UK Climate Change Programme (2006), , Delivering London’s Energy Future: The Mayor’s Climate Change Mitigation and Energy Strategy (2011), the London Plan (2016)) which propose a carbon intensity floor for energy generating plant, Managing risks and increasing resilience: the Mayor’s climate change adaptation strategy, Local Plan Core Strategies and Development Policies documents, London Environment Strategy (2018).</p>
<p>Transport</p> <ul style="list-style-type: none"> • Reduce emissions from the transport of waste by all modes by seeking to manage more waste close to its source. • Reduce the risk that movement of waste will contribute to road congestion and safety or adversely affect road safety. • Promote sustainable transport of wastes 	<p>European Air Quality Directive (2008), Air Quality Strategy for England, Scotland, Wales and Northern Ireland (2007), Waste Management Plan for England (2011). National Planning Policy for Waste (and associated Planning Practice Guidance) (2014), Sustainable Communities Act (2007), Meeting the Energy Challenge (2007), The Climate Change Act (2008), The Future of</p>

Key Messages	Policies, Plans and Programmes
encouraging use of rail and waterways.	Transport White Paper (2004), The London Plan (2016) , The Mayor's Waste Management Strategy (2011), North London Joint Waste Strategy (2008), The Mayor's Air Quality Strategy (2010), Borough Transport Strategies, London Environment Strategy (2018).
Material Assets <ul style="list-style-type: none"> Prevent/reduce waste and recognise waste as a resource. Promote employment opportunities and seek to reduce deprivation. 	The NPPF (updated July 2018), Local Plan Core Strategies and Development Policies documents, Sustainable Community Strategies.
Cultural Heritage <ul style="list-style-type: none"> Protect the historic environment from inappropriate development. 	Planning (Listed Buildings and Conservation Areas) Act (1990), Ancient Monuments and Archaeological Areas Act (1979), The Governments Statement on the Historic Environment for England (2010), National Heritage Protection Plan, NPPF (updated July 2018), London Plan (2016), Local Plan Core Strategies and Development Policies documents.
Landscape <ul style="list-style-type: none"> Protect and enhance landscape character, improve local environmental quality and protect the environment. Maintain access to the countryside. Recognise the value of landscapes and townscapes. 	European Landscape Convention (2000), Natural Environment and Rural Communities Act (2006), NPPF (updated July 2018), The Natural Choice (2011), London Plan (2016), Local Plan Core Strategies and Development Policies documents.
Waste <ul style="list-style-type: none"> Provide facilities for the treatment of waste. Recognise the need for sustainable waste management practices and, in particular, the need to reduce waste production. Manage waste in accordance with the Waste Hierarchy. Continue to reduce reliance on landfill. Increase self-sufficiency in terms of dealing with waste. 	The Waste Framework Directive (2008/98/EC), Landfill Directive (99/31/EC), Packaging Waste Directive (2005/20/EC), Incineration of Wastes Directive (2000/76/EC), WEEE Directive (2002/96/EC), Waste Management Plan for England (2013), Government Review of Waste Policy in England (2011), Waste (England and Wales) Regulations 2011, Landfill (England and Wales) Regulations 2002, Hazardous Waste Regulations 2005, Waste Incineration (England and Wales) Regulations 2002, Household Waste Recycling Act 2003, , Updated national waste planning policy, Industrial Emissions Directive 2011, London Plan (2016), London's Wasted Resource: The Mayor's Municipal Waste Management Strategy (2011), Making Business Sense of Waste: The Mayor's Business Waste Strategy for London (2011), North London Joint Waste Strategy (2009), Local Plan Core Strategies and Development Policies documents, London Environment Strategy (2018).

2.2 Overview of the Sustainability Baseline and Key Issues

- 2.2.1 An important step when establishing the appropriate scope of an SA involves reviewing baseline information on the current environmental, social and economic conditions in the Plan area. This helps to enable the identification of those key sustainability issues that the SA should consider and which the Plan can address. Baseline data also provides the information necessary to assist in predicting and monitoring the effects of a plan.

- 2.2.2 This part of Chapter 2 provides a summary of the current state of the environment, existing environmental problems and the environmental characteristics of the area. The full review of baseline information is provided in the SA Scoping Report which also indicates the sources of the statistics quoted in the section below.

Biodiversity

- 2.2.3 The North London area includes a number of international, national, and local features of biodiversity interest. Within the NLWP area there is one Ramsar site (Lea Valley) which is also classed as a European Special Protection Area (SPA), one Special Area of Conservation (SAC) (Epping Forest), six Sites of Special Scientific Interest (SSSI), 307 Sites of Importance for Nature Conservation (SINCs) and 21 Local Nature Reserves (LNR).
- 2.2.4 International and European Designated sites cover large areas in the north east of the North London Plan Area. Nationally and locally designated sites are located throughout the North London area but are mainly concentrated within the west of the area. Development must be sensitive to these sites and should support their enhancement where applicable and practicable.

Population

- 2.2.5 The North London area is one of the most densely populated areas in the UK. Recent statistics⁴ show that the population has risen from 1.6 million in 2012 to more than 2 million in 2017.. This population growth will also increase the amount of waste North London will need to manage in the future, even though the amount of waste generated per person may not increase. The average age in North London is typically below the national average and this is particularly apparent in Islington, Hackney, Haringey and Waltham Forest which all have an average age below the Greater London average. Ethnic diversity is greater across the North London area than for England as a whole.
- 2.2.6 Hackney, Islington, Haringey, and Waltham Forest are all within the top 20 most deprived areas in the country. The indices of deprivation are based on income; employment; health and disability; education, skills and training; barriers to housing and services; living environment; and crime. Levels of deprivation are particularly acute in relation to barriers to housing and Hackney, Haringey and Waltham Forest are all in the top five most deprived local authorities in England in relation to this domain.

Health

- 2.2.7 People living in the London Boroughs of Barnet and Enfield have longer average life expectancies for males and females than the national average. All of the other Boroughs have shorter average life expectancies for males than the average for London and England. However, with the exception of Islington and Waltham Forest, five of the Boroughs have higher average life expectancies for females than the average for England. In general the statistics for people describing the state of their own health in the North London Boroughs

⁴ Office for National Statistics (<https://www.ons.gov.uk/>)

are comparable with the London and national averages. However, within the inner London Boroughs a slightly greater proportion of people describe their health as 'Very Bad' when compared to national and London averages.

- 2.2.8 The method of waste processing, storage, transportation and disposal has the potential to impact human health through air, noise and water pollution in the same way as other commercial and industrial activities. However the risk of such impacts can be effectively minimised or eliminated using infrastructure or procedures imposed by planning conditions, environmental permitting and health and safety legislation.
- 2.2.9 As with other types of material transport, transportation of waste can pose health issues associated with noise and air pollution. The siting of new facilities will need to take into account the available transport links and the proximity of the facility to the source and eventual destination of the materials whether these are still wastes or secondary products. In the North London area, consideration should be given to the utilisation of sustainable transport networks i.e. the River Lee, the Regents Canal and several railway lines that cross the Plan area.

Soil

- 2.2.10 The land use within the plan area is primarily urban. However, small pockets of land within Enfield and Barnet have been classed by Natural England as either grade 3 or grade 4 quality agricultural land. This is not considered a particularly valuable agricultural resource but implies that waste management in the plan area must consider agricultural waste provisions.

Water Quality and Resources

- 2.2.11 The River Lee and Lee Navigation are the main rivers/canals within the plan area. There are several other tributaries in the area together with the Grand Union Canal. River quality within the plan area varies considerably but there are a number of water bodies which have been classified as 'poor' by the Environment Agency under the Water Framework Directive.
- 2.2.12 Per capita water consumption in the Thames region exceeds the national average and the region has one of the lowest average rainfalls in the UK. Groundwater is an important resource in London, accounting for 20% of its drinking water. The Environment Agency has identified several source protection zones within the plan area where specific pollution prevention mechanisms are in place and potentially polluting activities routinely monitored. There are increasing pressures on water resources from an expanding population, increased urbanisation and changing climate.
- 2.2.13 All of the London Boroughs have some susceptibility to flooding, particularly surface water flooding. Parts of the plan area are also susceptible to fluvial flooding which is greatest along the River Lee and its tributaries. This flood risk will have to be taken into account by the NLWP by preventing inappropriate development in areas at high risk of flooding and directing development away from areas at highest risk.

Air Quality

- 2.2.14 Air quality within the North London area is poor compared to average national levels and as a reflection the entire Boroughs of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest have been declared as Air Quality Management Areas (AQMAs). These areas are designated due to high levels of nitrogen dioxide (NO₂) and particulate matter (PM₁₀) primarily derived from road vehicles.
- 2.2.15 The NLWP can make a contribution to reducing air quality problems by providing more capacity to manage locally arising wastes within the Plan area thereby reducing waste transport miles and delivering a corresponding reduction in waste-related transport air emissions impacting local air quality generated by the sector. The NLWP can provide a further contribution to reducing air quality problems by encouraging the transport of waste by alternative modes such as rail and canal where this is logistically feasible and economically viable.
- 2.2.16 The potential health impacts associated with air pollution, arising from siting waste management facilities close to residential and employment areas and other sensitive receptors needs careful evaluation. Appropriate controls administered through the planning and waste licensing processes should be used.

Climate Change

- 2.2.17 The North London area is likely to be susceptible to the effects of climate change. In particular this includes the effects of increased flooding along the River Lee Valley, decreased water reserves, and increased air pollution through dry sunny weather and increased temperatures due to the 'heat island' effect in the Inner London Boroughs. Climate change projections indicate that by the middle of the century, the average summer day in London is likely to be 2.7°C warmer than the baseline average. By 2050 the average summer is also expected to be 19% drier than the baseline average but the average winter could be 15% wetter.
- 2.2.18 With the exception of Camden, the Boroughs have lower CO₂ emissions per capita than the national average. The higher level of per capita emissions in Camden is largely a reflection of the comparatively high levels of emissions per capita from non-domestic buildings. In each of the Borough's the per capita CO₂ emissions from road transport is significantly less than the national average. This is particularly apparent in Camden, Hackney, Haringey, Islington and Waltham Forest. Per capita CO₂ emissions from the domestic sector are below the national average in six of the Boroughs but are marginally higher in Barnet.
- 2.2.19 The NLWP can contribute to climate change mitigation by pursuing and promoting measures such as sustainable transportation and sustainable construction techniques in new waste facilities. While it is recognised that waste management facilities will continue to generate CO₂ emissions, new waste facilities generating energy need to meet the Mayor's Carbon Intensity Floor.

Transport

- 2.2.20 North London has a well-developed network of roads and railways. Road congestion has however historically been a problem in parts of the plan area. The worst-affected areas are the southern parts of the area where the Congestion Charging Zone has been introduced to encourage a reduction in the number of journeys made by private car. Nevertheless, congestion in the main road network is an issue throughout the Plan area. Car ownership levels in the inner Boroughs are low compared to the national average but average in the outer Boroughs.
- 2.2.21 There are three main train lines running through the North London area which terminate in Euston, St Pancras, and Kings Cross, all of which are located within the London Borough of Camden. Together with the three main lines, London Overground national rail services also serve the area. North London is also well served by the London Underground and the Crossrail project will result in the creation of a new station within the south of the plan area. In addition, there are two main canals within the study area: the Regents Canal and the River Lee Navigation.
- 2.2.22 Transport for London is consulting on the route of Crossrail 2, a proposed new railway which would connect the national rail network in Surrey with Hertfordshire running through North London with a preliminary route released in 2015. In light of the 2015 route, some existing waste sites may be impacted, including but not limited to; Mobile Plant S R 008 No27 in Islington, O'Donovan Marketfield Road and Tottenham Court Road, Western Road H W R C, all Haringey, Winters Haulage, Oakleigh Road South and G B N Services Ltd both in Barnet. Furthermore, proposed new areas might be affected, in parts of the Lee Valley in particular. Existing and proposed sites and areas may be affected by safeguarding for use as worksites or, due to proximity to a proposed station, come under pressure for redevelopment for other land uses such as housing. Crossrail 2 is expected to be operational by 2030 and route consultations will be ongoing. The impact of Crossrail 2 on the NLWP will be addressed under the monitoring arrangements.
- 2.2.23 The transportation of waste by road can contribute to congestion and also have secondary impacts on air quality. The distribution of facilities across North London will need to be considered and the NLWP should also aim to maximise the potential for some waste to be transported by alternative modes of travel, such as rail or canal.

Economy

- 2.2.24 The average gross weekly earnings within each of the North London Boroughs is higher than the average for England and all of the Boroughs have a higher proportion of their working population employed in the top three Standard Occupation Classifications than the national average. However the cost of living in the North London Boroughs is high; residential property prices are considerably higher than the national average and continue to rise at rates that exceed the average for England and Wales. One result of the above average property prices is the low home ownership rate in comparison to the national average. The inner London Boroughs also has a higher average house price than the London average.

- 2.2.25 With the exception of Barnet, all of the North London Boroughs have higher unemployment rates than the national average. This is particularly prevalent in Hackney, Haringey, Islington and Waltham Forest.
- 2.2.26 Waste management alone is not likely to play a major role in raising the economic profile of an area but with considered planning, it can contribute. Presence of a recycling or reprocessing facility can provide the impetus for others to invest in new local plant manufacturing products from secondary (reprocessed or recovered) materials generating jobs and wealth creation opportunities.
- 2.2.27 In particular, facilities can stimulate the local economy by creating markets and providing heat from the waste to the local community and local businesses. The provision of adequate facilities can also reduce the costs of managing waste by decreasing the need for waste to travel outside of the plan area for treatment / disposal.
- 2.2.28 Individual waste facilities typically employ relatively few staff; however a significant growth in infrastructure which enables the shift of waste treatment away from landfill, provides a potential benefit from cumulative growth in new jobs. In addition, although better technology means that there are likely to be fewer people directly employed within waste management facilities, other opportunities do exist, such as jobs associated with decentralised energy and the use of recycled products. Nevertheless, new facilities should be distributed across the North London area so that they are in close proximity to sources of waste though there may be good reasons to site them close to or alongside facilities reprocessing materials into secondary products as this can help to reduce the distance they travel, reducing potential air quality impacts and greenhouse gas generation.

Cultural Heritage

- 2.2.29 The North London area has over 14,000 listed buildings, 172 conservation areas, and 30 historic parks and gardens within the North London area. English Heritage identifies that over 140 of these listed buildings, 21 conservation areas and 3 historic parks and gardens are at risk of neglect and damage.
- 2.2.30 This wealth of heritage assets within the North London area could provide additional constraints on the location of new waste management facilities.

Landscape

- 2.2.31 There are no Areas of Outstanding Natural Beauty or other statutory landscape protection designations within North London. Practically all of the non-urban land in North London is designated as Green Belt excluding registered parks. The majority of the landscape of the area is defined by the Inner London Countryside Character Area.
- 2.2.32 Enfield has also identified Areas of Special Character where the Council will seek to preserve and enhance the essential character of the area, including landscape features such as woodlands, streams, designed parklands and enclosed farmland.

- 2.2.33 These designations can place substantial constraints on the type and scale of development that might occur outside of the urban area.

Waste Management

- 2.2.34 In order to assess North London's current facilities, capacity and arisings, and future waste management requirements, a Waste Data Study was prepared in July 2014 and updated in July 2015 to inform the Regulation 18 Draft NLWP. A further update in 2018 accompanies this Sustainability Appraisal and the Proposed Submission Plan, the results of which can be seen below.
- 2.2.35 The Waste Data Study identified that London as a whole produced approximately 22 million tonnes of waste in 2012. 17% (3.7 million tonnes) of this waste was Local Authority Collected Waste (LACW), 34% (7.5 million tonnes) was Commercial and Industrial (C&I) waste, 47% (10.4 million tonnes) was Construction, Demolition and Excavation (CD&E) waste. Overall 57% of waste produced in London is recycled.
- 2.2.36 Table 4 below shows the amount of waste generated in North London for the main waste streams using the latest data from 2018. Waste arisings vary from year to year and these figures represent a snapshot in time. Figure 1 shows the proportion of each waste stream as a percentage of the total waste in North London⁵.

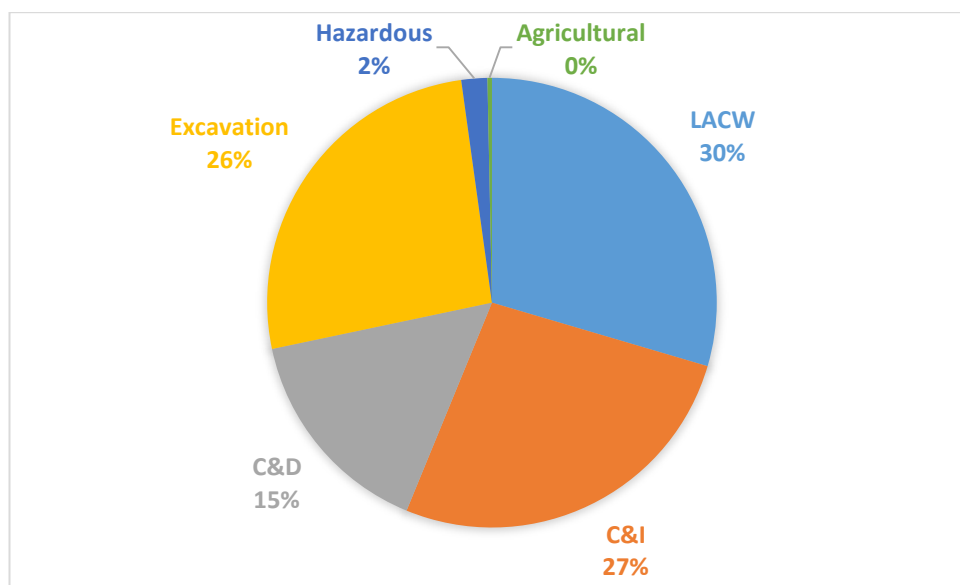
Table 4: Amount of Waste Generated in North London, 2018

Local Authority Collected Waste (LACW)	845,776
Commercial and Industrial Waste (C&I)	762,301
Construction and Demolition Waste (C&D)	443,180
Agricultural Waste	9,223
Hazardous waste	54,420
Excavation Waste	747,242
TOTAL	2,861,062

Source: North London Waste Data Study Update 2018

⁵ The data is taken from the Waste Data Study (2016)

Figure 1 - Waste arisings in North London 2016



Source: North London Waste Data Study Update 2018

- 2.2.37 In North London, just over 850,000 tonnes of LACW was collected in 2016/17⁶. Of this, approximately 26% was recycled, reused or composted. Of the remaining LACW, 60% was sent to NLWA's energy-from-waste facility at Edmonton and 12% was sent to landfill outside of North London.
- 2.2.38 The Waste Data Study has used two methods to identify and project C&I waste. The first is to use data from the Defra C&I Waste Survey 2009 in line with the London Plan to assess the management routes of North London's C&I waste. The second is to use the new method for calculating C&I waste as introduced following the withdrawal of the Defra C&I surveys which uses published data from the EA's WDI. This new method of calculation indicates that 44% of C&I waste is recycled, reused or composted while 33% of this waste stream is sent to landfill and land recovery. A small proportion (6%) of C&I is sent for non thermal treatment with the remainder (17%) sent for thermal treatment with energy recovery. It should be noted that potential reliance on landfill will drop to 10% by 2030 in order to achieve EU statutory targets with recycling and reuse levels increasing to 65%.
- 2.2.39 Through the London Environment Strategy, the Mayor is seeking to make London a zero waste city with no biodegradable or recyclable waste sent to landfill by 2030 and by aiming to achieve 65% recycling from London's municipal waste, this will be achieved through a 50% recycling rate from LACW by 2025 (Policy 7.2.1) and 75% from business waste by 2030 (policy 7.2.2). The Mayor has also said that he does not want any new energy from waste capacity (policy 7.3.2.b). The Mayor has also indicated that he will use his powers to ensure there are sufficient sites to manage London's waste. The Environment Strategy embraces the ideals of the Circular Economy requiring manufacturers to design products to generate less waste and which can be easily repaired, reused and recycled, and the strategy encourages the development of business to facilitate this.

⁶ Figures NLWA Annual Monitoring Report 2016-17

- 2.2.40 Local planning policies and development industry practice mean a lot of C&D material is managed on site and does not enter the waste stream. A total of 443,180 tonnes of C&D waste and 747,243 tonnes of excavation waste was produced in North London in 2016. The largest proportion of C&D waste arising in North London is managed via recycling (73%) and treatment (20%) facilities, with 7% sent directly to landfill. Recycling rates of C&D waste are high due to the nature and value of the material. Excavation materials are primarily disposed of directly to landfill (53%) with the remainder managed through transfer stations (28%) or sent for treatment (19%). The London Plan includes a target of 95% recycling of CD&E by 2020.
- 2.2.41 For hazardous a total of 53,421 tonnes was produced in 2016, of this waste 40% was managed at treatment facilities, of which the majority was exported for treatment outside of North London. The next most common method of management was recovery (20%), with a further 16% being managed at landfill. Of the total hazardous waste arisings, 653,240 tonnes (99.3%) was exported out of North London for management. It is not unusual for hazardous waste to travel outside the area to specialist facilities which tend to have a wider catchment area.
- 2.2.42 A total of 9,223 tonnes of Agricultural waste was produced in 2016, with only 125 tonnes being identified as being managed off site. The majority of agricultural waste arisings are managed within the limited number of farm holdings within the Plan area, with a very small amount managed offsite through commercial waste facilities. As such, the NLWP does not seek to identify sites for additional facilities to manage this waste stream; any facilities which do come forward on farm land would be considered against Policy 3 'Windfall sites'.
- 2.2.43 The very small amount of Low Level Non-Nuclear Radioactive Waste (LLW) arising in North London, mainly from hospitals, is currently managed outside of the area in specialist facilities. Records of LLW in the sub-region indicate that there are currently 16 sites producing LLW as waste water, with a number of the amounts generated being below the reporting threshold, which is measured in terms of radioactivity.
- 2.2.44 The main Thames Water sewage treatment facility in North London is Deephams Sewage Treatment Works (STW). This facility serves a Population Equivalent (PE) of 891,000 (as at 2011) and currently treats 209,000 tonnes of sewage that arrives at the works each day, although this can increase to over 1.3 million tonnes during heavy rainfall. Works are planned to upgrade Deephams STW. This proposed upgrade will increase the effluent treatment capacity of the STW so that it is able to serve a PE of 989,000 which will accommodate population growth up until at least 2032. Thames Water is also proposing an upgrade to the sewage sludge treatment stream at Deephams STW which will be sufficient to meet their needs during the plan period.
- 2.2.45 The current waste infrastructure in North London is dominated by transfer stations and treatment/recycling/composting facilities. However, the waste transfer facilities in North London are increasingly also sorting and recycling material. There are no disposal sites in the

plan area, only one incinerator with energy recovery and nine household waste recycling centres. Over one third of the waste facilities in North London are located in Enfield. Barnet, Haringey and Waltham Forest also have a reasonable number of sites, whereas Camden, Islington and Hackney have very few sites. The only waste management facilities in Camden and Islington are household waste recycling centres. This reflects the nature of boroughs which vary throughout North London with some boroughs better equipped to deliver suitable waste sites than others. The geography of North London influences the spread of waste sites.

- 2.2.46 The lack of disposal sites and the high number of transfer stations indicate that a significant proportion of North London's waste is being transferred out of the area for disposal. Although, as noted above, the waste transfer facilities in North London are increasingly also sorting and recycling material. Analysis of wastes movements also indicates a substantial quantity of waste arising in other parts of the capital passes through transfer stations in North London raising the quantity of waste that it appears to export.

Data Gaps

- 2.2.47 During the SA process several data gaps have been identified within the baseline assessment due to the lack of information of suitable quality. The majority of these data gaps relate to waste management information; however, there are also some data gaps within the environmental, social, and economic sections of the baseline report. Examples of specific gaps include:

- Information regarding the general health of the North London population and any at risk groups;
- Detail on the risk of sewer flooding in the North London area; and
- Detail on groundwater provision and the quality of this resource.

- 2.2.47 In relation to waste, there is more information available for certain waste streams than others. In particular, there is more up-to-date, reliable information available for LACW waste arisings in North London than there is for C&I, CD&E and agricultural waste.

- 2.2.48 Other specific data gaps include:

- Details of nuisance related to waste management activities across the seven Boroughs;
- Information regarding the amount of energy generated from thermal treatment of waste and information on what this energy is used for;
- Information on the sources of ground contamination;
- Information on the arisings of low-level radioactive waste in North London; and
- Information regarding the transportation of waste, including kilometres travelled and the modes of transport utilised in the North London area.

Future Changes without the Plan

- 2.2.49 The SEA Regulations not only require the relevant aspects of the current state of the environment to be reported but also state that consideration should be given to the likely evolution of these issues if the Plan is not implemented. The table below lists trends relating to the key sustainability issues in North London and identifies whether there is scope for the Plan to influence these trends.

Table 5: Summary of projected further changes

Projected Trend	Potential Influence of the Plan
Continuation of a fast growing population which is increasing above the national average	The implementation of the Plan is unlikely to affect this issue but any increase in the population is likely to result in an associated growth in waste.
Continuation of high population density	The implementation of the Plan is unlikely to affect this issue.
Five of the seven North London boroughs have shorter average life expectancies for males than the average for London and England. Both Islington and Waltham Forest also have lower average life expectancies for females than the national average.	Apply development management policies to ensure that new waste management development does not have an unacceptable impact on the health and amenity of nearby sensitive receptors.
Average gross weekly earnings are likely to remain above the national average but the high costs of living are likely to continue.	The implementation of the Plan is unlikely to have a significant effect on costs of living. Facilitate, as far as possible, new waste facilities to generate incremental employment gains.
Continuation of high levels of deprivation and unemployment in some areas, particularly in relation to barriers to housing.	Facilitate, as far as possible, new waste facilities to generate incremental employment gains recognising that these are likely to have a limited impact on overall levels of deprivation. The implementation of the Plan is unlikely to affect barriers to housing.
The North London area is likely to be susceptible to the effects of climate change. In particular this includes the effects of increased flooding, increased air pollution through dry sunny weather and increased temperatures.	Require new development to take this into account by, for example, incorporating high standards of insulation and natural ventilation and by reflecting flood risk issues and incorporating infrastructure such as SuDS to mitigate it.
Air quality is poor compared to national levels. The number of days on which recommended levels are exceeded is forecast to decrease but it is not certain that this is a long term trend.	Support improvements to air quality by seeking to bring sources of waste and management facilities as close together as feasible and promote alternative methods of transporting waste.
Continuation of need to reduce greenhouse gas	Support reductions in greenhouse gas emissions

Projected Trend	Potential Influence of the Plan
emissions.	by promoting recycling and the re-use of materials and by reducing 'waste miles' by supporting the provision of sufficient facilities within the Plan area to manage North London's waste.
There are a number of water bodies which have been classified as being 'poor' quality.	Require new development to take this into account by, for example, incorporating SuDS. This would also be covered by individual Borough's Local Plan Policies.
Per capita water consumption continues to exceed the national average.	Apply development management policies so that this issue is addressed for new applications by, for example, requiring new development to be water efficient unless this is already covered by individual borough's policies
Road congestion has historically been a problem in some areas and could continue to be an issue.	Define spatial strategy that brings sources of waste and management facilities as close together as feasible and promote alternative methods of transporting waste.
A significant proportion of North London's waste is being transported out of the area for disposal.	Support the delivery of suitable waste management sites that help achieve net self-sufficiency and reduce the amount of waste that is exported out of the Plan area.
Hazardous waste arisings have decreased significantly but CD&E waste arisings could continue to increase.	Support the delivery of suitable waste management sites that help achieve net self-sufficiency and to help move waste up the Waste Hierarchy.

3 THE SA FRAMEWORK AND METHODOLOGY

3.1 The SA Framework

- 3.1.1 SA is an objectives-based appraisal in which the potential impacts of a Plan are assessed in relation to a series of objectives that promote sustainable development. The establishment of these objectives is therefore central to the SA process as it provides the methodological yardstick against which the sustainability effects of the Plan can be described and evaluated.
- 3.1.2 The SA Objectives are established as part of Stage A of the SA process and reflect the key sustainability issues identified through the analysis of the evidence base set out in the SA Scoping Report. Drawing upon the sustainability issues identified through analysis of baseline data and the review of other relevant plans and strategies, the NLWP SA Scoping Report identifies fourteen SA objectives. Criteria for measuring progress against each Sustainability Objective were also developed to assist with the appraisal of the NLWP.
- 3.1.3 Table 6 identifies the SA Objectives for the NLWP. Each of the Objectives is supported by a series of subsidiary assessment criteria to add further clarity and to assist the assessment process.

Table 6: SA Objectives and Assessment Criteria

SA Objectives		Assessment Criteria
1	To protect people's health, communities and local environmental quality from the adverse effects of waste management.	<ul style="list-style-type: none"> Will the plan/proposal have an adverse impact on levels of nuisance including dust, particulate emissions, noise (including traffic noise), vibration, visual amenity and light pollution? Will it redress environmental inequalities within the plan area?
2	To maintain green infrastructure and open space.	<ul style="list-style-type: none"> Will the plan/proposal support the creation of healthier lifestyles through, for example, the provision of new or improved open space? Will it have an adverse impact on the green infrastructure network? Will it lead to a loss of open space / reduction in public access?
3	To promote sustainable modes of transport, reduce the need to travel and improve choice and use of more sustainable transport modes.	<ul style="list-style-type: none"> Will the plan/proposal reduce overall transport distances for waste? Will it reduce waste-related car and lorry traffic and increase sustainable transport use? Will it reduce/increase road congestion?
4	To conserve and enhance the historic environment, heritage assets and their settings.	<ul style="list-style-type: none"> Will the plan/proposal have an adverse impact upon heritage assets and/or their setting?
5	To maintain and enhance the quality and character of North London's townscapes and landscapes.	<ul style="list-style-type: none"> Will the plan/proposal have an adverse impact on local landscape character or on townscapes? Will it have an adverse affect on the openness of the Green Belt? Will it affect areas of public open space? Will it lead to landscape/townscape improvements? Will it result in development that is sympathetic to its surroundings?
6	To maintain, protect and enhance biodiversity, protected species, habitats, geodiversity and features of geological interest.	<ul style="list-style-type: none"> Will the plan/proposal have an adverse impact upon protected sites or species? Will it restore or create new habitat? Will it lead to the loss of, or impact on the integrity of, BAP habitats or species?
7	To reduce and manage flood risk	<ul style="list-style-type: none"> Will the plan/proposal help to avoid inappropriate development in areas at risk of flooding? Will it exacerbate vulnerability to flooding? Will the plan reduce flood risk through the use of SUDS? Will the plan involve the reconfiguration of existing sites or development of a flood alleviation scheme?
8	To adapt to, and reduce the impacts of, climate change.	<ul style="list-style-type: none"> Will the plan/proposal help to reduce vulnerability to the impacts of climate change?

SA Objectives		Assessment Criteria
9	To reduce contributions to climate change, promote energy efficiency and increase the use of energy from sustainable sources.	<ul style="list-style-type: none"> • Will the plan/proposal increase emissions of greenhouse gases from waste activities? • Will it reduce emissions of greenhouse gases? • Will it encourage the use and/or production of renewable energy? • Will it reduce waste-related car and lorry traffic and increase sustainable transport use?
10	To protect and improve air quality, water quality and soils.	<ul style="list-style-type: none"> • Will the plan/proposal have an adverse impact on air quality? • Will it reduce/increase road congestion? • Will the plan/proposal have an adverse impact on surface or ground water quality? • Will it improve existing water quality? • Will the plan/proposal support the remediation of contaminated land? • Will it have an adverse impact on soil quality?
11	To manage waste sustainably, maximise North London's self-sufficiency in the management of waste, minimise the production of waste and increase re-use, recycling and recovery rates.	<ul style="list-style-type: none"> • Will the plan/proposal minimise the production of waste? • Will it promote sustainable waste management and encourage movement of waste up the Waste Hierarchy?
12	To ensure the efficient use of land and natural resources and the sustainable management of existing resources.	<ul style="list-style-type: none"> • Will the plan/proposal make use of previous developed land or buildings? • Will it increase demand for water? • Will it incorporate/encourage measures to ensure water is used efficiently?
13	To encourage sustainable economic growth, exploit the growth potential of business sectors and improve the competitiveness and productivity of the local waste industry.	<ul style="list-style-type: none"> • Will the plan/proposal encourage sustainable economic growth through provision of adequate waste management facilities? • Will the plan/proposal diversify the economy in terms of the waste management sector? • Will it enable new and innovative waste management technologies to be developed and utilised? • Will it enable maximum value recovery from waste where possible? • Will it promote waste minimisation?
14	To reduce economic disparities, unemployment and deprivation.	<ul style="list-style-type: none"> • Will the plan/proposal support the creation of a broad range of jobs and employment opportunities?

3.2 Compatibility of SA and NLWP Objectives

- 3.2.1 The SA Objectives are distinct from the Strategic Objectives of the Plan which are focused on specific outcomes relating to the provision of waste management capacity whereas the SA Objectives cover the wider perspective required by SA with respect to the social, economic and environmental impacts of the Plan. The objectives for the draft NLWP are as follows:

Table 7: Strategic Objectives

Objective Number	Objective
1	To support the movement of north London's waste as far up the Waste Hierarchy as practicable, to ensure environmental and economic benefits are maximised by utilising waste as a resource.
2	To ensure there is sufficient suitable land available to meet North London's waste management needs and reduce the movements of waste through safeguarding existing sites and identifying locations for new waste facilities
3	To plan for net self-sufficiency ⁷ in LACW, C&I, C&D waste streams, including hazardous waste, by providing opportunities to manage as much as practicable of North London's waste within the Plan area taking into account the amounts of waste apportioned to the Boroughs in the London Plan, and the requirements of the North London Waste Authority.
4	To ensure that all waste developments accord to high standards of design and build quality, and that the construction and operation of waste management facilities do not cause unacceptable harm to the amenity of local residents or the environment.
5	To ensure the delivery of sustainable waste development within the plan area through the integration of social, environmental and economic considerations
6	To provide opportunities for North London to contribute to the development of low carbon economy and decentralised energy
7	To support the use of sustainable forms of transport and minimise the impacts of waste movements including on climate change
8	To protect, and where possible enhance, North London's natural environment, biodiversity, cultural and historic environment

- 3.2.2 A key initial stage of the assessment is to evaluate the extent to which the two sets of Objectives are aligned and to consider whether the objectives of the NLWP are consistent with the principles of sustainable development. This enables conflicts and tensions between the objectives to be identified and necessary additions or amendments to be made. The compatibility of the two sets of objectives is assessed in Table 8.

⁷ Net self-sufficiency means providing enough waste management capacity to manage the equivalent of the waste generated in North London, while recognising that some imports and exports will continue.

Table 8: Compatibility of the SA and NLWP Objectives

NLWP Objectives	SA Objectives													
	1	2	3	4	5	6	7	8	9	10	11	12	13	14
1			?						✓	?	✓	✓	✓	
2	?	?	✓	?	?	?	?	?	✓	✓		✓	✓	✓
3	?	?	✓	?	?	?	?	?	✓	✓		✓	✓	✓
4	✓			✓	✓	✓				✓				
5	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
6	?				?			✓	✓	?	✓	✓	✓	
7	✓		✓						✓	✓		✓		
8		✓		✓	✓	✓					?			

KEY

✓	Compatible	X	Incompatible	?	Unknown / unclear		No link
---	------------	---	--------------	---	-------------------	--	---------

3.2.3 Table 8 highlights that the majority of the interactions identified between the objectives are positive and, as a result, most of the two sets of objectives are largely considered to be compatible with each other. There were no instances where it was considered that the objectives were potentially incompatible. Nevertheless, there are a number of instances where the relationship between the two sets of objectives is considered to be uncertain. For example, the NLWP objective of ensuring that there are sufficient suitable land available to meet North London's waste management needs would have an uncertain impact on a number of social and environmental SA objectives as it is not certain whether any of these sites may have an impact on, for example, the character of townscapes or green infrastructure. Nevertheless, it is acknowledged that the Plan and the Development Management process should ensure that any such adverse impact is avoided or mitigated. It is also recognised that not identifying sufficient land for waste management facilities also has the potential to have adverse social, environmental and economic implications.

3.3 Approach to the Assessment

3.3.1 The Spatial Strategy and all policies and area allocations in the NLWP have been assessed against the SA Framework. Regulation 12(2) of the SEA Regulations also requires the likely significant effects of implementing reasonable alternatives to be identified, described and evaluated. In accordance with this requirement, reasonable alternatives have also been considered against the SA Framework.

3.3.2 The appraisal process has considered the degree and type of impact on each of these objectives. This has been a qualitative assessment of whether or not the predicted effects on the objective are likely to be significant. A qualitative five point scale set out in Table 9 has been used as the basis for this assessment which ranks the effect from major positive to neutral through to major negative and degrees between. Where the effect is unclear or cannot be assessed a '?' has been used.

Table 9: Criteria for Assessing the Significance of Impacts

Score	Appraisal Category
++	Major Positive
+	Positive
0	Neutral
-	Negative
--	Major Negative
?	Uncertain

- 3.3.3 The appraisal has also considered the likely timing of any impacts, split by short term (0-5 years), medium term (5-10 years), and long-term (10+ years – or likely to last over the whole of the Plan period). In addition, it has predicted the probability of the impact occurring (high, medium or low); the scale of impact; the permanence of the impact (temporary or permanent); any key secondary, cumulative and/or synergistic impacts; and options for mitigation.
- 3.3.4 The assessments have adhered to normal procedure for SA/SEA in evaluating the impact of the policy or site without mitigation. Taking mitigation into account at this stage would involve a presumption that appropriate measures will be used when this cannot be guaranteed at present.
- 3.3.5 Each assessment concludes with a summary section reviewing the overall findings and proposing mitigation measures.

3.4 Data Limitations / Technical Difficulties

- 3.4.1 The SEA Directive requires the identification of any difficulties encountered; these may include technical deficiencies or lack of knowledge.
- 3.4.2 Certain strategic policies in the draft NLWP have no spatial expression. As a result, during the appraisal of the draft NLWP, there were a number of instances where it was difficult to reach a judgement on the likely effect of a particular policy due to there being a lack of information on how and where actions would be carried out.
- 3.4.3 When assessing area allocations it was difficult to predict impacts on certain objectives as this will depend on the type of waste management facility that is delivered as, for example, the degree of impact on dust and traffic levels would depend on the type of facility. Similarly, the degree to which a facility will move management of material up the Waste Hierarchy would also vary depending on the type of facility. A number of the proposed area allocations are quite large. As a result, a common difficulty encountered was that it is difficult to predict the impact of directing waste management facilities to these locations without knowing

whereabouts in the area the development would take place. This was a particular issue when appraising areas which, for example, only adjoined residential properties on one boundary which made it difficult to predict whether waste management development would take place in close proximity to a sensitive receptor.

- 3.4.4 A number of data limitations were also encountered during the process. For instance, limited information is available on sewer and groundwater flooding. Consequently, when assessing areas against the objective that relates to reducing flood risk there was a need to focus on flooding from fluvial, tidal and surface water sources.

4. APPRAISAL OF THE DRAFT NLWP

4.1 Introduction

- 4.1.1 This section provides a summary of the results of the SA of the draft NLWP. The first part of this chapter provides an overview and assessment of the principal options that were evaluated as part of the preparation of the NLWP.
- 4.1.2 The second part of the chapter documents the results of the SA of the draft NLWP. It includes a summary of the appraisal of the Spatial Strategy, policies and area allocations contained within the plan against the fourteen sustainability objectives identified in the SA Scoping Report and their associated evaluation criteria. The full details of the assessments are provided in the accompanying Sustainability Appraisal Report Appendices.

4.2 Assessing Alternatives

- 4.2.2 Regulation 12(2) of the SEA Regulations requires the likely significant effects of implementing reasonable alternatives to be identified, described and evaluated. In accordance with this requirement, this section provides an overview of how reasonable alternatives have been considered during the SA Process.

Strategic Approach

- 4.2.3 A series of options were considered when determining the strategic approach that the NLWP would take to waste management in North London. These relate to how much waste will be generated over the plan period (growth assumptions), how much waste can be managed within North London (capacity strategy), and how this waste should be managed (management strategy). An Options Appraisal Report (2018) has been prepared which considered different scenarios around how much waste will be generated over the plan period (economic and population growth assumptions), how much waste can be managed within North London (capacity strategy, and how this waste should be managed (management strategy). The Options are set out in more detail in an Options Appraisal Report⁸ and are assessed in relation to SA below.

Growth assumptions: How much waste will be generated in North London up to 2035?

- 4.2.4 The Waste Data Study⁹ considered a number of population and economic growth scenarios to identify the likely future waste management requirements over the NLWP plan period to 2032. The modelling exercise looked at a range of different growth rates representing objectives set within Mayoral strategies, including the London Plan (March 2016), as well as those set nationally. The three growth scenarios represent different population and economic factors that will affect the quantity of waste generated from households, businesses and services. The following growth assumption options were considered:

- Option A: No Growth

⁸ North London Waste Plan: Options Appraisal for the Draft Plan (2015)

⁹ North London Waste Plan: Waste Data Study – Part 1: Waste Arisings in North London (2016)

- Option B: Growth
- Option C: Minimised Growth

4.2.5 All the evidence and projections anticipate substantial population and economic growth in London over the next few decades. As a result, planning for no growth (Option A) or minimised growth (Option C) were not considered to be appropriate strategies as they do not represent the most credible estimate of growth in North London over the plan period and would result in a risk of there being an under-provision of capacity for waste needs in North London over the next fifteen years. By contrast, Option B is closely aligned with the Greater London Authority's modelling which has been independently tested through the Local Plan Examination process. The SEA Regulations only require an assessment to be made of the environmental effects of implementing 'reasonable' alternatives. Consequently, given that Options A and C are not considered to be realistic, it is considered that they do not constitute reasonable alternatives for the purpose of the SEA Regulations.

Capacity options: how much of North London's waste can be managed within North London?

4.2.5 The NLWP is required to plan for seven waste streams, in accordance with EU and national policy: local authority collected waste (LACW); commercial and Industrial (C&I) waste; construction, demolition and excavation (CD&E) waste, low level radioactive waste, agricultural waste and excavation waste. In so doing, it must meet apportionment targets for LACW and C&I waste by 2026 as set out in the London Plan. In North London, just over 850,000 tonnes of LACW was collected in 2016/17¹⁰. Of this, approximately 26% was recycled, reused or composted. Of the remaining LACW, 60% was sent to NLWA's energy-from-waste facility at Edmonton and 12% was sent to landfill outside of North London. Recycling rates of 32% are lower than the national average of 44% but higher than the national average of 30%. As noted in the Waste Data Study, low level radioactive waste and agricultural waste do not require additional facilities during the plan period and Thames Water anticipates that the upgrade to its existing Deephams facility will be sufficient to manage wastewater effluent during the plan period. It is also anticipated that further upgrades can be contained within the Deephams site. This leaves LACW, C&I and CD&E waste streams to plan for in the NLWP. Hazardous waste is a sub category of all waste streams, and is also considered in the NLWP. The following capacity strategy options were considered when preparing the draft NLWP:

1. Meeting the London Plan apportionment (managing approximately 85% of LACW and C&I waste generated in North London)
2. Net self-sufficiency¹¹ for LACW and C&I waste streams (managing the equivalent of 100% of LACW and C&I waste generated in North London)
3. Net self-sufficiency for LACW, C&I and CD&E waste streams (managing the equivalent of 100% of LACW, C&I and C&D waste generated in North London)
4. Complete self-sufficiency (managing every tonne of locally created waste within North London).

¹⁰ Figures NLWA Annual Monitoring Report 2016-17

¹¹ Net self-sufficiency means providing enough waste management capacity to manage the equivalent of the waste generated in North London, whilst recognising that some imports and exports will continue.

- 4.2.6 The draft NLWP has been based on Option 3 as this is considered to be the most appropriate capacity strategy. Options 1 and 2 are not considered to be appropriate strategies and the NLWP would not be in compliance with EU and national policy on planning for all main waste streams. Options 1 and 2 would also result in the NLWP not planning to meet as much of its waste as possible and would therefore increase reliance on facilities outside of the Plan area which could draw objections from neighbouring authorities who have highlighted a need for London boroughs to reduce exports. By contrast, Option 3 would demonstrate to neighbouring authorities outside London that North London intends to manage as much of its own waste as possible and reduce exports. There are also concerns that Option 4 is undeliverable given that the achievement of complete self-sufficiency is unlikely to be achieved due to physical constraints, the requirement to meet specialised waste management needs and the workings of the waste industry which mean that the patterns of management and movement of C&I and CD&E wastes are subject to commercial decisions and contracts over which local waste planning authorities have no direct control. Each of the options have however been appraised. A summary of the conclusions of the appraisal of the options is provided in Table 10. Full details of the assessment are provided in Appendix 1.

Table 10: Summary of the Appraisal of the Capacity Strategy Options

Option	SA Objective													
	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Option 1	–	?	+	?	?	?	?	?	+	?	+	+	+	+
Option 2	–	?	+	?	?	?	?	?	+	?	+	+	+	+
Option 3	–	?	++	?	?	?	?	?	++	+	++	+	+	+
Option 4	–	?	++	?	?	?	?	?	++	+	++	+	+	+

- 4.2.7 As Table 10 demonstrates, although each of the capacity strategy options has the potential to have a positive impact on a number of sustainability objectives, there are a number of instances where Options 3 and 4 could have a more significant positive impact on the objectives. In particular, by providing enough waste management capacity to manage at least the equivalent of the waste generated in North London, Options 3 and 4 have the potential to have a more significant positive impact on the objectives that relate to maximising self-sufficiency in the management of waste, reducing contributions to climate change and reducing the need to travel. Options 3 and 4 could also have a positive impact on the objective of protecting and improving air, water and soil quality. All four of the options would however have a positive impact on the objectives that relate to ensuring the efficient use of natural resources, encouraging sustainable economic growth and reducing unemployment.
- 4.2.8 However, without the implementation of appropriate mitigation measures, each option has the potential to have some negative impact on the objective that relates to amenity as, due to the nature of the urban area in North London, each option is likely to result in waste management facilities being directed to locations that are in proximity to sensitive receptors. Each option would have an uncertain impact on the remaining objectives.

Management options: how waste will be managed in North London

4.2.9 The North London Boroughs have statutory duties to meet targets and the NLWP will need to be ambitious in order to achieve European Union, national, regional and local targets. In developing the draft NLWP the following three potential recycling / recovery options were considered:

- I. Baseline (current levels of recycling/recovery)
- II. Maximised recycling
- III. Maximised recovery / median recycling

4.2.10 The draft NLWP has been based on Option II as it is considered that this approach aligns with European, national, regional and local targets. It also means that more waste will be managed further up the Waste Hierarchy and is more consistent with the aims of the NLWP. By contrast, it was considered that Option I would not provide the necessary impetus for change needed to reduce landfill, increase recycling and manage waste higher up the hierarchy. Option III was discounted as it would not meet the Mayor's timescales for recycling. Both Options I and III were also considered to not be in line with EU, national, regional and local targets on recycling within the 2020 timeframe. Each of the management strategy options have however been appraised. A summary of the conclusions of the appraisal of the options is provided in Table 11. Full details of the assessment are provided in Appendix 1.

Table 11: Summary of the Appraisal of the Management Strategy Options

Option	SA Objective													
	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Option I	–	?	–	?	?	?	?	?	–	–	?	?	?	0
Option II	–	?	+	?	?	?	?	?	++	+	++	++	++	+
Option III	–	?	+	?	?	?	?	?	++	+	+	+	+	+

4.2.11 As Table 11 demonstrates, although each of the management strategy options would have an uncertain impact on the majority of the sustainability objectives, there are clear differences in the performance of the options in some aspects of the SA process. In particular, Options II and III have the potential to have a positive impact on the greatest number of objectives. Specifically, Option II could have a major positive effect on the objectives that relate to managing waste sustainably, improving the productivity of the waste industry, ensuring the efficient use of resources and reducing contributions to climate change. Option III could also have a positive impact on each of these objectives and both options could also have some positive impact on the objectives that relate to minimising the need to travel and reducing economic disparities. By contrast Option I would have a negative, uncertain or neutral impact on each of these objectives.

4.2.12 However, without the implementation of appropriate mitigation measures, each option has the potential to have a negative impact on the objective that relates to amenity as, due the nature of the urban area in North London, each option is likely to result in waste management facilities being directed to locations that are in proximity to sensitive receptors. Each option would have an uncertain impact on the remaining objectives.

Sites and Areas

- 4.2.13 An extensive site search and selection process was undertaken as part of the preparation of the plan. This included a survey of existing waste sites, call for sites exercises and a desk based land availability search using GIS.
- 4.2.14 Following the compilation of this process, a long list of sites was produced. This list of sites was subsequently refined by assessing each of the sites against a series of criteria which were split into two levels: absolute criteria and screening criteria.
- 4.2.15 The aim of using the criteria was to apply a level of judgement to the process to ensure that those sites/areas which are wholly unsuitable are excluded from further consideration and to identify those which may be suitable. Accordingly, those sites which were affected by absolute criteria, such as those that were within sites of international or national importance for nature conservation or which contain Scheduled Ancient Monuments and grade I or grade II* Listed Buildings, were excluded from the process. The screening criteria were then applied to all land left after this process. The aim of using the screening criteria was to apply a level of judgement to ensure that those sites/areas which are wholly unsuitable are excluded from further consideration and to identify those which may be suitable.
- 4.2.16 Given that these sites are considered to be unacceptable for waste management development, they are not considered to constitute reasonable alternatives within the context of the SEA Regulations. As such, these discounted sites have not been assessed in this report.
- 4.2.17 The revised list was subsequently refined by eliminating sites which were not considered to be realistic or deliverable because they had an application for another use coming forward, or where the landowner had indicated that the site was not available for waste management development unless the site already has permission for a waste use. These discounted sites are also not considered to be reasonable alternatives for the purpose of SEA Regulations and are not assessed in this report.
- 4.2.18 The remaining areas have all been proposed for allocation and have therefore been assessed as part of the appraisal of the draft NLWP. A summary of the appraisal of these sites and areas is provided in Section 4.3 below and the full appraisals are contained within Appendices 4.
- 4.2.19 In preparing this (Proposed Submission) version of the NLWP, and deciding which sites and areas to take forward, the North London Boroughs took into account national and regional policy, the aims of the NLWP and consultation responses on the Draft Plan, including issues raised around deliverability and other constraints. Further work was undertaken to gather and assess additional information on the proposed sites and areas received during the consultation or as a result of new data being published. The North London Boroughs developed a range of reasonable options for taking forward sites and areas in the Proposed Submission version of the plan. The preferred option was to take forward land designated as industrial land and high-performing (Band B) sites/areas, while achieving a better

geographical spread by reducing the number of sites identified in Enfield. This focus on industrial land and the highest performing areas helps to locate waste facilities away from residential properties, as far as this is possible in an urban area like North London. Further details are set out in Options Appraisal for Sites and Areas to be taken forward in the Proposed Submission NLWP (2018).

4.3 *Assessing the Draft NLWP*

Spatial Framework

- 4.3.1 The Spatial Framework sets out the physical distribution of key characteristics, including infrastructure, geographical features and planning designations, which will influence the Plan and identifies opportunities and constraints within that framework. A summary of the conclusions of the appraisal of the Spatial Framework contained within the draft NLWP is provided in Table 12. Full details of the assessment are provided in Appendix 2.

Table 12: Summary of the Appraisal of the Spatial Framework

Policy			SA Objective											
	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Spatial Strategy	+	+	+	+	+	+	+	+	+	+	++	+	+	+

- 4.3.2 As Table 12 demonstrates, the Spatial Framework has the potential to have a positive impact on a wide range of objectives. In particular, by supporting the provision of a network of waste sites across North London it could have a major positive impact on the objective of managing waste sustainably and some positive effect on the objectives that relate to encouraging sustainable economic growth and reducing economic disparities.
- 4.3.3 The Spatial Framework seeks to protect amenity by directing waste management development to the most suitable sites/areas taking into account environmental and physical constraints. As a result, the Strategy also has the potential to have a positive impact on the objectives that relate to health and amenity; green infrastructure; heritage; landscapes and townscapes; biodiversity; flood risk; adapting to climate change; and protecting air, water and soil quality.
- 4.3.4 One of the key principles of the Spatial Framework is to direct waste management facilities to locations where there are potential opportunities to better utilise sustainable modes of transport such as rail and waterways. It also seeks to secure a wider distribution of waste facilities, reduce waste exports and increase the amount of waste managed in proximity to its source, which could help minimise the distance that waste needs to be transported in order to be managed. The strategy could therefore have a positive impact on the objective that relates to sustainable transport and reducing the need to travel. This element of the Spatial Strategy, together with the promotion of opportunities for decentralised heat and energy networks, should also ensure that the Strategy has a positive effect on the objective of reducing climate change contributions.

Policies

- 4.3.5 The draft NLWP contains a series of policies against which planning applications for waste development will be determined. These policies provide the mechanism through which the aims and objectives, waste management strategy and spatial strategy will be delivered. A summary of the conclusions of the appraisal of the policies contained within the draft NLWP is provided in Tables 13 and 14. Full details of the assessment are provided in Appendix 3.

Table 13: Summary of the Appraisal of the Policies

Policy	SA Objective													
	1	2	3	4	5	6	7	8	9	10	11	12	13	14
1. Existing Waste Management Sites	?	0	+	0	0	0	0	0	+	0	+	+	+	0
2. Locations for new waste management facilities	+	+	+	+	+	+	+	+	+	+	++	++	+	+
3. Windfall Sites	+	+	+	+	+	+	+	+	+	+	++	+	+	+
4. Re-use & Recycling Centres	0	0	+	0	0	0	0	0	+	0	++	++	+	0
5. Assessment Criteria for waste management facilities and related development	+	+	+	+	+	+	+	+	+	+	0	?	0	+
6. Energy recovery & decentralised energy	0	0	0	0	0	0	0	0	++	-	+	++	+	0
7. Waste Water Treatment Works and Sewage Plant	?	?	0	+	?	+	0	0	+	0	+	+	+	0
8. Control of inert waste	?	0	-	+	+	+	0	0	+	?	+	+	+	0

- 4.3.6 As Table 13 demonstrates, the policies within the draft NLWP would largely have a positive impact on the sustainability objectives. In particular, many of the policies would have a major positive effect on the objective of managing waste sustainability, maximising self-sufficiency in the management of waste, minimising the production of waste and increasing re-use, recycling and recovery rates. Policies , 2, 4 and 6 could also have a major positive impact on the objective that relates to ensuring the efficient use of land and resources.
- 4.3.7 Policies 2, 3, 5, 7 and 8 include measures to ensure that new waste management facilities do not have an unacceptable impact on a wide range of social and environmental considerations. As a result, these policies could support a particularly wide range of objectives, including those which relate to protecting health and amenity; maintaining green infrastructure; conserving the historic environment; protecting biodiversity; maintaining townscapes and landscapes and reducing flood risk. By supporting the creation of new employment opportunities, policies 2 and 3 could also have a positive impact on the objective of reducing unemployment and deprivation.
- 4.3.8 There are a number of instances where the impact of a policy on particular objectives is uncertain. For instance, the impact of Policy 1 on the objective that relates to health and amenity is uncertain as it may result in the safeguarding of existing sites which already have some adverse impact on amenity..
- 4.3.9 Depending on the nature of the facility proposed, energy recovery can lead to emissions which impact on air quality. As a result, Policy 6 has the potential to have a negative impact

on the objective that relates to protecting air quality. Nevertheless, it is acknowledged that other policies in the Plan and stringent emission standards should mean that the incorporation of measures to minimise greenhouse gas emissions and maximise the use of lower-carbon energy sources / generation does not have unacceptable impact on air quality.

Table 14: Conclusions from the Appraisal of the Policies

1. Existing Waste Management Sites

By helping to ensure that there are sufficient waste management facilities to manage North London's waste, the policy has the potential to have a positive impact on the objective of managing waste sustainability, maximising self-sufficiency in the management of waste, minimising the production of waste and increasing re-use, recycling and recovery rates. It is however recognised that the policy may safeguard sites which accommodate facilities that do not manage waste at the optimal level in the Waste Hierarchy. The policy also has the potential to have a positive effect on the objectives that relate to sustainable transport and mitigating climate change by reducing the need for waste to be transported outside of the Plan area. However, there is a low level of certainty of this impact as the source of waste arisings is unknown and may originate from outside the plan area. The policy could also have a positive effect on the objective of ensuring the efficient use of land and the sustainable use of existing resources by reducing the likelihood of new sites needing to be identified to manage North London's waste.

It is unlikely to have a negative impact on any of the objectives but the impact on the objective that relates to health and amenity is uncertain as the policy may result in the safeguarding of existing sites which already have some adverse impact on amenity. It is however recognised that in such instances it may be the nature of the facility rather than the site itself which is causing amenity problems. In addition, the release of these sites may cause capacity management problems for the plan area. As such, no mitigation measures are suggested to address this.

2.. Locations for new waste management facilities

The policy has the potential to have a positive impact on a wide range of objectives. In particular, by requiring waste management development in these areas to result in the highest practicable level of recycling and recovery of materials, the policy has the potential to have a major positive effect on the objectives that relate to managing waste sustainably and ensuring the efficient and sustainable use of resources. By specifying that applications for waste management development in these areas will be required to be in line with the aims and policies of the NLWP, the London Plan and relevant Local Plan Policies, the policy should also support the objectives that relate to protecting health and amenity; maintaining green infrastructure; conserving the historic environment; maintaining landscapes and townscapes; protecting biodiversity; reducing flood risk; adapting to climate change; and protecting air, water and soil quality. The development and operation of waste management facilities in the identified areas would create employment opportunities which could therefore also have a positive effect on the objective of reducing unemployment and economic disparities.

In addition, by reducing the need for waste to be transported outside of the plan area and by providing scope for the co-location of waste management facilities in close proximity to one another, the policy has the potential to reduce waste miles and have a positive impact on the objective that relates to reducing the need to travel.

It is envisaged that the policy would not have an uncertain or negative impact on any of the objectives.

3. Windfall Sites

This policy provides a series of criteria for assessing applications for waste management

development on sites/areas that have not been identified for this use by the NLWP. It therefore provides a mechanism to help ensure that there are sufficient sites to manage waste within North London and states that these proposals will need to fit within the spatial strategy and contribute to the delivery of the NLWP aims and objectives. Moving waste up the Waste Hierarchy is a key aspect of the NLWP spatial strategy, aims and objectives. As a result, the policy has the potential to have a major positive impact on the objective that relates to managing waste sustainably. The requirement for waste management facilities on unallocated sites to fit within the spatial strategy and be in a location consistent with the site assessment criteria should also ensure that the policy supports the objectives that relate to protecting health and amenity; maintaining green infrastructure; sustainable transport; conserving built heritage; maintaining landscape and townscape character; protecting biodiversity; reducing flood risk; and adapting to climate change.

The policy also has the potential to have a positive effect on the economic objectives that relate to encouraging sustainable economic growth and reducing unemployment. It also provides flexibility in supporting development at locations which may become more suitable for waste use in the future provided other criteria preventing adverse impacts can be satisfied. The policy would not have a negative or uncertain impact on any of the objectives.

4. Re-use & Recycling Centres

This policy promotes the provision of re-use and recycling centres across the Plan area. By seeking to improve the coverage of these facilities the policy has the potential to improve recycling and recovery rates. It could therefore have a major positive effect on the objectives that relate to sustainable waste management and the efficient use of existing resources. Other objectives that the policy has the potential to have a positive impact on are those which relate to reducing unemployment; encouraging sustainable economic growth; mitigating climate change; and reducing the need to travel.

5. Assessment Criteria for waste management facilities and related development

The policy contains a range of criteria for assessing proposals for waste management facilities and related development. The policy will help minimise the impact of waste management development in North London and will help ensure that it does not result in unacceptable social or environmental impacts. As a result, the policy could support a wide range of objectives, including those which relate to protecting health and amenity; maintaining green infrastructure; sustainable transport; conserving the historic environment; protecting biodiversity; maintaining townscapes and landscapes; reducing flood risk; reducing contributions to climate change; ; and protecting air, water and soil quality and reduction of unemployment and deprivation. The policy does not specifically promote development on previously developed land in preference to greenfield sites. As a result, the extent to which it would impact on the objective that relates to the efficient use of land is uncertain. Consideration should therefore be given to the inclusion of a criteria which gives preference to the use of previously developed land when assessing applications for waste management facilities.

6. Energy Recovery & Decentralised Energy

The policy promotes measures to minimise greenhouse gas emissions and to minimise the use of non-renewable energy and requires waste developments to maximise the use of lower-carbon energy sources/generation. As a result, the policy has the potential to have a significant positive impact on the objective or reducing climate change contributions, promoting energy efficiency and increasing the use of energy from sustainable sources. In addition, by supporting efforts to reduce the consumption of resources for energy generation, the policy could also have a major positive effect on the objective that relates to the efficient and sustainable use of natural resources.

The policy could also have a positive impact on the objectives that relate to encouraging sustainable economic growth, value recovery, and managing waste sustainably, although the level

of certainty that the policy would have a positive impact on the latter objective is not high as the policy promotes the management of waste by recovery which is not as high up the Waste Hierarchy as reusing or recycling.

Depending on the nature of the facility proposed, energy recovery can lead to emissions which impact on air quality. As a result, the policy does have the potential to have a negative impact on the objective that relates to protecting air quality. Nevertheless, it is acknowledged that other policies in the Plan and stringent emission standards should mean that the incorporation of measures to minimise greenhouse gas emissions and maximise the use of lower-carbon energy sources / generation does not have unacceptable impact on air quality.

7. Waste Water Treatment Works and Sewage Plant

This policy outlines the requirements for the provision of new facilities for the management, treatment and disposal of wastewater and sewage sludge. It emphasises that existing waste facilities, such as Deephams, are favoured and the relevant plans and standards should be adhered to.

By encouraging the use of existing facilities, the policy has the potential to have a positive impact on the objective of managing waste sustainably and maximising self-sufficiency in the management of waste. Moreover, it is expected that with the planned Thames Tideway Tunnel, pressure for further expansion of local Waste Water Treatment Works will be relieved. The policy also has the potential to have a positive effect on the objectives that relate to sustainable transport and mitigating climate change by reducing the need for waste to be transported outside of the Plan area. However, there is a low level of certainty of this impact as the source of waste arisings is unknown and may originate from outside the plan area. The policy could also have a positive effect on the objective of ensuring the efficient use of land and the sustainable use of existing resources by reducing the likelihood of new sites needing to be identified to manage North London's waste.

It is unlikely to have a negative impact on any of the objectives, but the impact on the objective relating to health and amenity is uncertain as the policy may result in the safeguarding of existing sites which already have some adverse impact on amenity. It is however recognised that in such instances it may be the nature of the facility rather than the site itself which is causing amenity problems. In addition, the release of these sites may cause capacity management problems for the plan area. As such, no mitigation measures are suggested to address this.

8. Control of inert waste

This policy outlines the criteria for proposals using inert waste. Where such criteria are met, all proposals should be compatible with the surrounding environment and include high quality restoration and aftercare of the site. In this there will be wider opportunities for enhancing the overall quality of the environment, including biodiversity enhancement, geological conservation and increased public accessibility.

There are benefits of using inert waste for restoration projects rather than disposing of at inert landfill sites. Moreover, increased use of recycled and secondary aggregates can reduce the need and demand for primary aggregates extraction. It is noted, however, that there may be disturbances to the local community and environment through the movement of HGVs. In such cases, proposals should incorporate wider benefits for the wider area, for example, through environmental improvement or the creation of new public rights of way.

Strategy Policy

- 4.3.10 The policy outlines a long term strategy for managing 100% of waste arisings within the plan area by identifying land with capacity for waste facilities, facilitating the movement of waste up the waste hierarchy and co-operation with waste receiving authorities until 2035. A summary of the conclusions of the appraisal of the Strategy Policy contained within the draft NLWP is provided in Table 15. Full details of the assessment are provided in Appendix 4.

Table 15: Summary of the Appraisal of the Strategy Policy

Policy			SA Objective											
	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Strategy Policy	+	-	?	?	?	?	?	0	0	-	++	-	+	+

- 4.3.11 As Table 15 demonstrates, the Spatial Strategy has the potential to have a positive impact on a some of objectives. In particular, it could have a major positive impact on the objective of managing waste sustainably by an increase in re-use, recycling and recovering waste across new and existing sites. It also directly promotes the movement of waste up the Waste Hierarchy.
- 4.3.12 One of the key principles of the Spatial Strategy is to direct waste management facilities to locations in close proximity to its source, which could help minimise the distance that waste needs to be transported in order to be managed. This could therefore have a positive impact on the objective that relates to reducing the need to travel. The Strategy Policy also seeks to develop new and existing sites could provide opportunities to encourage local economic growth and enable innovation.
- 4.3.13 The Strategy Policy seeks to direct waste management development to the existing and new sites taking into account environmental and physical constraints. As a result, the Strategy may have the potential to have a positive impact on the objectives that relate to health and amenity; green infrastructure; heritage; landscapes and townscapes; biodiversity; flood risk; adapting to climate change; and protecting air, water and soil quality. However the impact will need to be assessed on a site by site basis against each of these objectives and without this information the overall impact is unknown.

Area Allocations

- 4.3.15 Policy 2 of the draft NLWP identifies a series of areas that are suitable for waste management development. Each of these areas has been appraised individually. A summary of the conclusions of the appraisal of these areas is provided in Tables 16 and 17. Full details of the assessment are provided in Appendix 5.

Table 16: Summary of the Appraisal of the Area Allocations

Area Ref.	Area Name	SA Objective													
		1	2	3	4	5	6	7	8	9	10	11	12	13	14
A02-BA	Oakleigh Road	–	–	?	0	?	?	+	–	?	?	+	+	+	?
A03-BA	Brunswick Industrial Park	–	0	?	0	0	?	?	?	?	–	+	+	+	?
A04-BA	Mill Hill Industrial Estate	–	0	?	0	0	?	?	?	?	?	+	+	+	?
A05-BA	Connaught Business	–	0	?	0	0	–	–	–	?	–	+	+	+	?
A12-EN	Eley's Estate	?	0	?	0	0	–	–	–	+	–	+	+	+	?
A15-HC	Millfields LSIS	–	0	?	–	0	?	+	0	?	–	+	+	+	?
A19-HR	Brentwood Road	?	0	?	0	0	?	–	–	+	–	+	+	+	?
A21-HR	North East Tottenham	?	0	?	0	0	–	–	–	+	–	+	+	+	?
A22-HR	Friern Barnet/Pinkham	–	–	?	0	–	–	?	–	?	+	+	?	+	+
A24-WF	Argall Avenue	–	0	?	0	0	–	–	–	+	–	+	+	+	?
LLDC1-HC	Bartrip Street LSIS	–	0	?	–	0	?	–	–	+	–	+	+	+	?
LLDC2-HC	Palace Close SIL	–	0	?	–	0	?	–	–	+	?	+	+	+	?
LLDC3-WF	Temple Mill Lane	–	0	?	0	0	?	–	–	?	?	+	+	+	?

4.3.15 As Table 16 demonstrates, each of the proposed area allocations could have a positive impact on a number of objectives. In particular, each of the allocations would support the objective of managing waste sustainably, maximising self-sufficiency in the management of waste, minimising the production of waste and increasing re-use, recycling and recovery rates. The degree of impact on this objective would however depend on the nature of the waste management facility. The overwhelming majority of the proposed allocations would also have a positive effect on the objectives that relates to encouraging sustainable economic growth and ensuring the efficient use of land and resources. A significant proportion of the allocations are also considered to have the potential to have a positive impact on the objective of reducing contributions to climate change.

4.3.16 Very few of the proposed allocations have the potential to have a significant impact on the objective of conserving the historic environment. In addition, as many of the proposed allocations are existing industrial estates, directing waste management development to these locations is unlikely to have a significant impact on the quality and character of landscapes and townscapes.

4.3.17 The majority of the proposed allocations do however have the potential to have some negative impact on the objective that relates to health and amenity due to their proximity to sensitive receptors. Several of the allocations are also at risk of flooding. In particular, areas A05-BA, A12-EN and A24-WF are wholly or partially at a high risk of flooding. As such, directing waste management development to these locations has the potential to have a particularly significant negative impact on the objectives of reducing flood risk and adapting to climate change. A significant number of the allocations are also considered to have the potential to have some negative effect on the objective of protecting and improving air, water and soil quality.

Table 17 Conclusions from the Appraisal of Area Allocations

A02-BA: Oakleigh Road

The proposed allocation has the potential to have a positive impact on a number of sustainability objectives. In particular, the development of a waste management facility in this location would help

move waste up the Waste Hierarchy and help ensure that there are sufficient facilities to meet the Waste Plan's capacity needs. It would also encourage local economic growth and support the use of previously developed land. The allocation therefore has the potential to have a positive effect on the objectives that relate to managing waste sustainably, encouraging sustainable economic growth and ensuring the efficient use of land and resources. It would also result in development being directed to areas at a low risk of flooding and could therefore have a positive impact on the objective of reducing flood risk.

The proximity to sensitive receptors does however mean that there is the potential for a facility in this area to have a negative impact on the objective that relates to amenity. Enforcing appropriate controls through planning conditions and environmental permitting are therefore likely to be key mitigation measures. Depending on which part of the area is developed, directing waste management development to this location could result in the loss of green infrastructure features and have a negative effect on the objectives that relate to green infrastructure and adapting to climate change. Incorporating appropriate boundary treatments / landscaping are likely to be important mitigation measures. The proposed allocation would have an uncertain impact on the objectives that relate to sustainable transport, townscape character, flood risk, climate change, reducing unemployment and protecting air, water and soil quality.

A03-BA: Brunswick Industrial Park

The proposed allocation has the potential to have a positive impact on a number of sustainability objectives. In particular, the development of a waste management facility in this location would help move waste up the Waste Hierarchy and help ensure that there are sufficient facilities to meet the Waste Plan's capacity needs. It would also encourage local economic growth and support the use of previously developed land. The allocation therefore has the potential to have a positive effect on the objectives that relate to managing waste sustainably, encouraging sustainable economic growth and ensuring the efficient use of land and resources.

The proximity to sensitive receptors does however mean that there is the potential for a facility in this area to have a negative impact on the objective that relates to amenity. There could also be a negative impact on the objective of protecting air, water and soil quality. The extent of impact on this objective would be dependent on the nature of the proposed waste management facility but the use of measures such as negative air pressure and rapid-closure doors on any enclosed facility could help mitigate impacts. The proposed allocation would have an uncertain impact on the objectives that relate to sustainable transport, biodiversity, flood risk, climate change and unemployment.

A04-BA: Mill Hill Industrial Estate

The proposed allocation has the potential to have a positive impact on a number of sustainability objectives. In particular, the development of a waste management facility in this location would help move waste up the Waste Hierarchy and help ensure that there are sufficient facilities to meet the Waste Plan's capacity needs. It would also encourage local economic growth and support the use of previously developed land. The allocation therefore has the potential to have a positive effect on the objectives that relate to managing waste sustainably, encouraging sustainable economic growth and ensuring the efficient use of land and resources.

The proximity to sensitive receptors does however mean that there is the potential for a facility in this area to have a negative impact on the objective that relates to amenity. The proposed allocation would have an uncertain impact on several objectives, including those which relate to sustainable transport, biodiversity, flood risk, climate change, unemployment and protecting air, water and soil quality.

A05-BA: Connaught Business Centre

The proposed allocation has the potential to have a positive impact on a number of sustainability

objectives. In particular, the development of a waste management facility in this location would help move waste up the Waste Hierarchy and help ensure that there are sufficient facilities to meet the Waste Plan's capacity needs. It would also encourage local economic growth and support the use of previously developed land. The allocation therefore has the potential to have a positive effect on the objectives that relate to managing waste sustainably, encouraging sustainable economic growth and ensuring the efficient use of land and resources.

The proximity to sensitive receptors does however mean that there is the potential for a facility in this area to have a negative impact on the objective that relates to amenity. Enforcing appropriate controls through planning conditions and environmental permitting are therefore likely to be key mitigation measures. Due to the proximity of the area to a designated SINC, the proposed allocation could have a negative effect on the objective of protecting biodiversity. Undertaking appropriate ecological surveys and implementing appropriate measures to improve the biodiversity value of the site are likely to be important mitigation measures. There could also be a negative impact on the objective of protecting air, water and soil quality. The extent of impact on this objective would be dependent on the nature of the proposed waste management facility but the use of measures such as negative air pressure and rapid-closure doors on any enclosed facility could help mitigate impacts. In addition, as parts of the area are at a medium/high risk of flooding, the proposed allocation would also have a significant negative impact on the objectives that relate to reducing flood risk and adapting to climate change. The completion of a suitable Flood Risk Assessment, application of the Sequential Test and the incorporation of SuDS or other techniques to manage surface water runoff will be key mitigation measures.

The proposed allocation could also have an uncertain impact on the objectives relating to sustainable transport and reducing contributions to climate change.

A12-EN: Eley's Estate

The proposed allocation has the potential to have a positive impact on a number of sustainability objectives. In particular, the development of a waste management facility in this location would help move waste up the Waste Hierarchy and help ensure that there are sufficient facilities to meet the Waste Plan's capacity needs. It would also encourage local economic growth and support the use of previously developed land. The allocation therefore has the potential to have a positive effect on the objectives that relate to managing waste sustainably, encouraging sustainable economic growth and ensuring the efficient use of land and resources. It also has the potential to have some positive impact on the objective of reducing contributions to climate change.

Due to the proximity of the area to a designated SINC, the proposed allocation could have a negative effect on the objective of protecting biodiversity. Undertaking appropriate ecological surveys and implementing appropriate measures to improve the biodiversity value of the site are likely to be important mitigation measures. There could also be a negative impact on the objective of protecting air, water and soil quality. The extent of impact on this objective would be dependent on the nature of the proposed waste management facility but the use of measures such as negative air pressure and rapid-closure doors on any enclosed facility on the site could help mitigate impacts. In addition, as parts of the area are at a medium/high risk of flooding, the proposed allocation would also have a significant negative impact on the objectives that relate to reducing flood risk and adapting to climate change. The completion of a suitable Flood Risk Assessment, application of the Sequential Test and the incorporation of SuDS or other techniques to manage surface water runoff will be key mitigation measures.

The proposed allocation could also have an uncertain impact on the objective relating to sustainable transport. Although parts of the area are in close proximity to sensitive receptors, the impact of the allocation on the objective that relates to health and amenity is considered to be uncertain as given

the size of the area, waste management development could potentially take place in a part of the area that is a significant distance from these residential properties which could avoid impact on amenity.

HAC07: Millfields LSIS

The proposed allocation has the potential to have a positive impact on a number of sustainability objectives. In particular, the development of a waste management facility in this location would help move waste up the Waste Hierarchy and help ensure that there are sufficient facilities to meet the Waste Plan's capacity needs. It would also encourage local economic growth and support the use of previously developed land. The allocation therefore has the potential to have a positive effect on the objectives that relate to managing waste sustainably, encouraging sustainable economic growth and ensuring the efficient use of land and resources. In addition, the proposed allocation also has the potential to have a positive impact on the objective of reducing flood risk as it would result in development being directed to an area that is at a low risk of flooding.

The proximity of the area to sensitive receptors does however mean that there is the potential for a facility in this area to have a negative impact on the objective that relates to amenity. Enforcing appropriate controls through planning conditions and environmental permitting are therefore likely to be key mitigation measures. There could also be a negative impact on the objective of protecting air, water and soil quality. The extent of impact on this objective would be dependent on the nature of the proposed waste management facility but the use of measures such as negative air pressure and rapid-closure doors on any enclosed facility on the site could help mitigate impacts. Due to the proximity of the area to designated heritage assets, waste management development in this location also has the potential to have a negative effect on the objective of conserving the historic environment. A key mitigation measure will be to ensure that appropriate heritage impact assessments are undertaken and that the design of any built facility is sympathetic to the setting of these heritage assets.

The proposed allocation could also have an uncertain impact on the objectives relating to sustainable transport, biodiversity, reducing contributions to climate change and reducing unemployment.

A19-HR: Brantwood Road

The proposed allocation has the potential to have a positive impact on a number of sustainability objectives. In particular, the development of a waste management facility in this location would help move waste up the Waste Hierarchy and help ensure that there are sufficient facilities to meet the Waste Plan's capacity needs. It would also encourage local economic growth and support the use of previously developed land. The allocation therefore has the potential to have a positive effect on the objectives that relate to managing waste sustainably, encouraging sustainable economic growth and ensuring the efficient use of land and resources. It also has the potential to have some positive impact on the objective of reducing contributions to climate change.

The proposed allocation could have a negative impact on the objective of protecting air, water and soil quality. The extent of impact on this objective would be dependent on the nature of the proposed waste management facility, but the use of measures such as negative air pressure and rapid-closure doors on any enclosed facility on the site could help mitigate impacts. In addition, as parts of the area are at a medium risk of flooding, the proposed allocation would also have a negative impact on the objectives that relate to reducing flood risk and adapting to climate change. The completion of a suitable Flood Risk Assessment, application of the Sequential Test and the incorporation of SuDS or other techniques to manage surface water runoff will be key mitigation measures.

The proposed allocation could also have an uncertain impact on the objectives relating to sustainable

transport, biodiversity and unemployment. In addition, although parts of the area are in close proximity to sensitive receptors, the impact of the allocation on the objective that relates to health and amenity is considered to be uncertain as given the size of the area, waste management development could potentially take place in a part of the area that is a significant distance from these residential properties which could avoid impact on amenity.

A21-HR: North East Tottenham

The proposed allocation has the potential to have a positive impact on a number of sustainability objectives. In particular, the development of a waste management facility in this location would help move waste up the Waste Hierarchy and help ensure that there are sufficient facilities to meet the Waste Plan's capacity needs. It would also encourage local economic growth and support the use of previously developed land. The allocation therefore has the potential to have a positive effect on the objectives that relate to managing waste sustainably, encouraging sustainable economic growth and ensuring the efficient use of land and resources. It also has the potential to have some positive impact on the objective of reducing contributions to climate change.

Due to the proximity of the area to a designated SINC, the proposed allocation could have a negative effect on the objective of protecting biodiversity. Undertaking appropriate ecological surveys and implementing appropriate measures to improve the biodiversity value of the site are likely to be important mitigation measures. There could also be a negative impact on the objective of protecting air, water and soil quality. The extent of impact on this objective would be dependent on the nature of the proposed waste management facility, but the use of measures such as negative air pressure and rapid-closure doors on any enclosed facility on the site could help mitigate impacts. In addition, as parts of the area are at a medium risk of flooding, the proposed allocation would also have a negative impact on the objectives that relate to reducing flood risk and adapting to climate change. The completion of a suitable Flood Risk Assessment, application of the Sequential Test and the incorporation of SuDS or other techniques to manage surface water runoff will be key mitigation measures.

The proposed allocation could also have an uncertain impact on the objective relating to sustainable transport. Although parts of the area are in close proximity to sensitive receptors, the impact of the allocation on the objective that relates to health and amenity is considered to be uncertain as given the size of the area, waste management development could potentially take place in a part of the area that is a significant distance from these residential properties which could avoid impact on amenity.

A22-HR: Friern Barnet/Pinkham Way

The proposed allocation has the potential to have a positive impact on a number of sustainability objectives. In particular, the development of a waste management facility in this location would help move waste up the Waste Hierarchy and help ensure that there are sufficient facilities to meet the Waste Plan's capacity needs. The site is designated as a Local Employment Area and as such, the development of a waste management facility in this location would encourage local economic growth and could also support the creation of additional employment opportunities. The allocation therefore has the potential to have a positive effect on the objectives that relate to managing waste sustainably, encouraging sustainable economic growth and reducing unemployment. In addition, as the redevelopment of the site may present opportunities to remediate land contamination, the proposed allocation also has the potential to have a positive impact on the objective that relates to protecting air, water and soil quality.

The proximity to sensitive receptors does however mean that there is the potential for a facility in this area to have a negative impact on the objective that relates to amenity. Enforcing appropriate

controls through planning conditions and environmental permitting are therefore likely to be key mitigation measures. The area, although it previously accommodated a sewage treatment works, has been significantly revegetated, contains a number of mature trees and is designated as a SINC. As a result, its redevelopment has the potential to have some negative impact on the objectives that relate to biodiversity, green infrastructure, townscape character and adapting to climate change. Incorporating appropriate boundary treatments / landscaping, protecting existing green infrastructure features, undertaking appropriate ecological surveys and creating replacement habitat are likely to be important mitigation measures.

The proposed allocation would have an uncertain impact on the objectives that relate to sustainable transport, flood risk, reducing contributions to climate change and ensuring the efficient use of land and natural resources.

A24-WF: Argall Avenue

The proposed allocation has the potential to have a positive impact on a number of sustainability objectives. In particular, the development of a waste management facility in this location would help move waste up the Waste Hierarchy and help ensure that there are sufficient facilities to meet the Waste Plan's capacity needs. It would also encourage local economic growth and support the use of previously developed land. The allocation therefore has the potential to have a positive effect on the objectives that relate to managing waste sustainably, encouraging sustainable economic growth and ensuring the efficient use of land and resources. It also has the potential to have some positive impact on the objective of reducing contributions to climate change.

The proximity to sensitive receptors does however mean that there is the potential for a facility in this area to have a negative impact on the objective that relates to amenity. Enforcing appropriate controls through planning conditions and environmental permitting are therefore likely to be key mitigation measures. Due to the proximity of the area to a designated SINC, the proposed allocation could have a negative effect on the objective of protecting biodiversity. Undertaking appropriate ecological surveys and implementing appropriate measures to improve the biodiversity value of the site are likely to be important mitigation measures. There could also be a negative impact on the objective of protecting air, water and soil quality. The extent of impact on this objective would be dependent on the nature of the proposed waste management facility but the use of measures such as negative air pressure and rapid-closure doors on any enclosed facility on the site could help mitigate impacts. In addition, as parts of the area are at a medium/high risk of flooding, the proposed allocation would also have a significant negative impact on the objectives that relate to reducing flood risk and adapting to climate change. The completion of a suitable Flood Risk Assessment, application of the Sequential Test and the incorporation of SuDS or other techniques to manage surface water runoff will be key mitigation measures.

The proposed allocation could also have an uncertain impact on the objective relating to sustainable transport.

LLDC1-HC: Bartrip Street LSIS

The proposed allocation has the potential to have a positive impact on a number of sustainability objectives. In particular, the development of a waste management facility in this location would help move waste up the Waste Hierarchy and help ensure that there are sufficient facilities to meet the Waste Plan's capacity needs. It would also encourage local economic growth and support the use of previously developed land. The allocation therefore has the potential to have a positive effect on the objectives that relate to managing waste sustainably, encouraging sustainable economic growth and ensuring the efficient use of land and resources. It also has the potential to have some positive impact on the objective of reducing contributions to climate change.

The proximity of the area to sensitive receptors does however mean that there is the potential for a facility in this area to have a negative impact on the objective that relates to amenity. Enforcing appropriate controls through planning conditions and environmental permitting are therefore likely to be key mitigation measures. Due to the proximity of the area to designated heritage assets, waste management development in this location has the potential to have a negative effect on the objective of conserving the historic environment. A key mitigation measure will be to ensure that appropriate heritage impact assessments are undertaken and that the design of any built facility is sympathetic to the setting of these heritage assets. Other objectives that the proposed allocation has the potential to have a negative impact on include those which relate to flood risk, adapting to climate change and protecting air, water and soil quality. The completion of a suitable Flood Risk Assessment, application of the Sequential Test, the incorporation of SuDS or other techniques to manage surface water runoff and the use of measures such as negative air pressure and rapid-closure doors will be key mitigation measures.

The proposed allocation would have an uncertain impact on the objectives that relate to sustainable transport, biodiversity and unemployment.

LLDC2-HC: Palace Close SIL

The proposed allocation has the potential to have a positive impact on a number of sustainability objectives. In particular, the development of a waste management facility in this location would help move waste up the Waste Hierarchy and help ensure that there are sufficient facilities to meet the Waste Plan's capacity needs. It would also encourage local economic growth and support the use of previously developed land. The allocation therefore has the potential to have a positive effect on the objectives that relate to managing waste sustainably, encouraging sustainable economic growth and ensuring the efficient use of land and resources. It also has the potential to have some positive impact on the objective of reducing contributions to climate change.

The proximity of the area to sensitive receptors does however mean that there is the potential for a facility in this area to have a negative impact on the objective that relates to amenity. Enforcing appropriate controls through planning conditions and environmental permitting are therefore likely to be key mitigation measures. Due to the proximity of the area to designated heritage assets, waste management development in this location has the potential to have a negative effect on the objective of conserving the historic environment. A key mitigation measure will be to ensure that appropriate heritage impact assessments are undertaken and that the design of any built facility is sympathetic to the setting of these heritage assets. Other objectives that the proposed allocation has the potential to have a negative impact on include those which relate to flood risk and adapting to climate change. The completion of a suitable Flood Risk Assessment, application of the Sequential Test and the incorporation of SuDS or other techniques to manage surface water runoff will be key mitigation measures.

The proposed allocation would have an uncertain impact on the objectives that relate to sustainable transport, biodiversity, unemployment and protecting air, water and soil quality.

LLDC3-HC: Bus Depot, Temple Mill Lane

The proposed allocation has the potential to have a positive impact on a number of sustainability objectives. In particular, the development of a waste management facility in this location would help move waste up the Waste Hierarchy and help ensure that there are sufficient facilities to meet the Waste Plan's capacity needs. It would also encourage local economic growth and support the use of previously developed land. The allocation therefore has the potential to have a positive effect on the objectives that relate to managing waste sustainably, encouraging sustainable economic growth and

ensuring the efficient use of land and resources.

The proximity to sensitive receptors does however mean that there is the potential for a facility in this area to have a negative impact on the objective that relates to amenity. Enforcing appropriate controls through planning conditions and environmental permitting are therefore likely to be key mitigation measures. There could also be a negative impact on the objective of protecting air, water and soil quality. The extent of impact on this objective would be dependent on the nature of the proposed waste management facility but the use of measures such as negative air pressure and rapid-closure doors on any enclosed facility on the site could help mitigate impacts. In addition, as parts of the area are at a medium/high risk of flooding, the proposed allocation would also have a significant negative impact on the objectives that relate to reducing flood risk and adapting to climate change. The completion of a suitable Flood Risk Assessment, application of the Sequential Test and the incorporation of SuDS or other techniques to manage surface water runoff will be key mitigation measures.

The proposed allocation could also have an uncertain impact on the objectives relating to sustainable transport, biodiversity, reducing contributions to climate change and protecting air, water and soil quality.

4.4 Secondary, Cumulative and Synergistic Effects

4.4.1 Under the provisions of the SEA Directive, when appraising the sustainability of a Plan it is necessary to consider whether or not there are any secondary, cumulative and/or synergistic effects. A number of these effects have been identified during the appraisal of the NLWP and are identified in the Appendices document which accompanies this report. Many of these effects are secondary. For example:

- Certain sites and areas were identified as having the potential to receive waste by sustainable modes of transport which could reduce road transport and have positive secondary impacts on congestion, air quality and greenhouse gas emissions from the transport sector;
- Many of the policies and sites/areas in the draft NLWP would encourage higher rates of reuse, recycling and recovery which would have a positive secondary impact of reducing the need to identify sites for landfill (either within or outside of the Plan area); and
- Certain proposed allocations have the potential to have an impact on townscape character which would have secondary impacts on perceptions of the area.

4.4.2 There were also several instances where potential cumulative impacts were identified. In particular, it was recognised that directing waste management uses to existing industrial estates could result in some cumulative impacts with surrounding employment uses, particularly in relation to traffic, dust, noise, etc.

4.5 Mitigation Proposals

- 4.5.1 Whilst carrying out the SA of the draft NLWP a number of mitigation proposals and suggested changes to the Plan have been identified which address issues that have come to light. These are documented in the accompanying Appendices Report and a summary of the key mitigation measures are summarised in Table 18 below.
- 4.5.2 These suggested mitigation measures should be considered when preparing the Regulation 22 NLWP submission and should be considered alongside all comments received during the Regulation 19 consultation which this SA supports. None of the proposed changes seek to significantly alter the purpose of Plan and many relate to measures that can be taken during the implementation of the plan to mitigate or avoid unacceptable impacts.

Table 18: Mitigation Proposals

Policy	Mitigation/Change Proposed	Affects
Policy 5: Assessment Criteria for Waste Management Facilities and Related Development	Consider amending the policy to make reference to avoiding adverse impacts on the integrity of SSSI and SINCs.	Policy
Policy 5: Assessment Criteria for Waste Management Facilities and Related Development	Consider amending the policy to prioritise the use of previously developed land in preference to greenfield sites	Policy
Policy 65: Assessment Criteria for Waste Management Facilities and Related Development	Consider amending the policy wording to require the fullest <u>practicable</u> contribution to climate change mitigation.	Policy
Areas	Allocate site for enclosed waste uses only and enforce appropriate controls through planning conditions and environmental permitting.	Several Areas
Areas	Ensure the appropriate application of the Sequential Test.	Several Areas
Areas	Ensure appropriate heritage impact assessments are undertaken and that the design of any built facility is sympathetic to the setting of these heritage assets.	Several Areas

5. MONITORING

- 5.1 The Localism Act has removed section 35(1) of the Planning and Compulsory Purchase Act 2004 which required local planning authorities to produce an Annual Monitoring Report for submission to the Secretary of State. There is still however a requirement for planning authorities to prepare reports containing information as to the extent to which the policies set out in their Local Plans are being achieved. The National Planning Policy for Waste also identifies the need to monitor and report on the take-up of allocated sites and areas; changes in the available waste management capacity as a result of closures and new permissions; and the quantities of controlled wastes i.e. LACW, C&I, CDEW being created locally and how they are being managed.
- 5.2 The sustainability effects of implementing the NLWP should also be monitored on an annual basis and reported through each Borough's monitoring reports. At this stage in the SA process there is only a need to present 'a description of the measures envisaged concerning monitoring'. An initial range of criteria for monitoring the sustainability effects of implementing the NLWP was proposed in the SA Scoping Report. These potential monitoring criteria are presented in Table 19 below.

Table 19: Monitoring Indicators

SA Objective	Decision-Making Criteria	Indicators
1. To protect people's health, communities and local environmental quality from the adverse effects of waste management.	Will the plan/proposal have an adverse impact on levels of nuisance including dust, particulate emissions, noise (including traffic noise), vibration, visual amenity and light pollution? Will it redress environmental inequalities within the plan area?	Number of substantiated complaints to North London Borough's relating to waste development nuisances (noise, dust, light, vermin and odour). Number of fly tipping incidents in the Plan area.
2. To maintain green infrastructure and open space	Will the plan/proposal support the creation of healthier lifestyles through, for example, the provision of new or improved open space? Will it have an adverse impact on the green infrastructure network? Will it lead to a loss of open space / reduction in public access?	Net area of open space and green space permanently lost/created in North London as a result of new waste management facilities.

SA Objective	Decision-Making Criteria	Indicators
3. To promote sustainable modes of transport, reduce the need to travel and improve choice and use of more sustainable transport modes.	<p>Will the plan/proposal reduce overall transport distances for waste?</p> <p>Will it reduce waste-related car and lorry traffic and increase sustainable transport use?</p> <p>Will it reduce/increase road congestion?</p>	<p>Number of permitted sites that use alternative means of transport other than road.</p> <p>Amount of waste transported by rail/water.</p> <p>Waste exported, imported and dealt with within Plan area.</p> <p>Percentage of waste transported by road, rail and water</p> <p>Tonne miles of waste that are transported by road, rail and water</p>
4. To conserve and enhance the historic environment, heritage assets and their settings.	Will the plan/proposal have an adverse impact upon heritage assets and/or their setting?	Number of designated heritage assets (including conservation areas, listed buildings, SAMs and registered parks and gardens) adversely affected by waste development.
5. To maintain and enhance the quality and character of North London's townscapes and landscapes.	<p>Will the plan/proposal have an adverse impact on local landscape character or on townscapes?</p> <p>Will it have an adverse affect on the openness of the Green Belt?</p> <p>Will it affect areas of public open space?</p> <p>Will it lead to landscape/townscape improvements?</p> <p>Will it result in development that is sympathetic to its surroundings?</p>	<p>Number of permitted sites judged to have an adverse impact on local landscape character/conservation areas.</p> <p>Number of permitted sites resulting in the redevelopment of a vacant or derelict site.</p> <p>Area of Green Belt lost to waste development.</p> <p>Area of open space lost to waste development.</p>
6. To maintain, protect and enhance biodiversity, protected species, habitats, geodiversity and features of geological interest.	<p>Will the plan/proposal have an adverse impact upon protected sites or species?</p> <p>Will it restore or create new habitat?</p> <p>Will it lead to the loss of, or impact on the integrity of, BAP habitats or species?</p>	<p>Number, total area and condition of internationally and nationally designated sites (SSSIs, SPAs, SACs, Ramsar) and those of local importance (SINCs, LNRs).</p> <p>Area of new habitat created through waste planning applications/restoration</p>

SA Objective	Decision-Making Criteria	Indicators
		<p>schemes.</p> <p>Change in priority habitats and population of local Biodiversity Action Plan (BAP) species.</p> <p>Area of UKBAP and LBAP habitats created as part of waste development.</p>
7. To reduce and manage flood risk	<p>Will the plan/proposal help to avoid inappropriate development in areas at risk of flooding?</p> <p>Will it exacerbate vulnerability to flooding?</p> <p>Will the plan reduce flood risk through the use of SUDS?</p> <p>Will the plan involve the reconfiguration of existing sites or development of a flood alleviation scheme?</p>	<p>Number of waste facilities development within EA Flood Zones 2 and 3 and within Critical Drainage Areas/Local Flood Risk Zones.</p> <p>Number of sites permitted against Environment Agency flood advice.</p> <p>Number of schemes incorporating Sustainable Drainage Schemes (SuDS).</p>
8. To adapt to, and reduce the impacts of, climate change.	Will the plan/proposal help to reduce vulnerability to the impacts of climate change?	Number of permitted sites that include climate adaptation measures (e.g. to cope with heat, flood, storms)
9. To reduce contributions to climate change, promote energy efficiency and increase the use of energy from sustainable sources.	<p>Will the plan/proposal increase emissions of greenhouse gases from waste activities?</p> <p>Will it reduce emissions of greenhouse gases?</p> <p>Will it encourage the use and/or production of renewable energy?</p> <p>Will it reduce waste-related car and lorry traffic and increase sustainable transport use?</p>	<p>Number of facilities generating energy from waste.</p> <p>Average distance travelled by LACW for treatment/disposal.</p> <p>Number of permitted sites that include renewable energy generation technologies.</p> <p>The number and capacity of Combined Heat and Power (CHP) facilities.</p>
10. To protect and improve air quality, water quality and soils.	<p>Will the plan/proposal have an adverse impact on air quality?</p> <p>Will it reduce/increase road congestion?</p> <p>Will the plan/proposal have an adverse impact on surface or ground water quality?</p>	<p>Location and area of Air Quality Management Areas.</p> <p>Number of days when air pollution is moderate or higher.</p> <p>Number of days when the air quality threshold value of PM₁₀ is exceeded.</p>

SA Objective	Decision-Making Criteria	Indicators
	<p>Will it improve existing water quality?</p> <p>Will the plan/proposal support the remediation of contaminated land?</p> <p>Will it have an adverse impact on soil quality?</p>	<p>Quality of local watercourses.</p> <p>Number of sites permitted within groundwater protection zones.</p> <p>Number and area of contaminated sites remediated as a consequence of waste-related development</p> <p>Number of sites permitted in areas of worsening air quality</p>
11.To manage waste sustainably, maximise North London's self-sufficiency in the management of waste, minimise the production of waste and increase re-use, recycling and recovery rates.	<p>Will the plan/proposal minimise the production of waste?</p> <p>Will it promote sustainable waste management and encourage movement of waste up the Waste Hierarchy?</p>	<p>Annual waste arisings by type.</p> <p>Estimated permitted treatment and disposal capacity in North London.</p> <p>The quantity of new capacity added at each level of the Waste Hierarchy</p> <p>Average distance travelled by LACW for treatment/disposal.</p> <p>Waste dealt with within the Plan area</p> <p>Volume and % of waste disposed to landfill by waste stream.</p>
12.To ensure the efficient use of land and natural resources and the sustainable management of existing resources.	<p>Will the plan/proposal make use of previous developed land or buildings?</p> <p>Will it increase demand for water?</p> <p>Will it incorporate/encourage measures to ensure water is used efficiently?</p>	<p>Proportion of new waste development on previously developed land.</p> <p>Proportion of existing and new waste developments with water efficiency measures.</p>
13.To encourage sustainable economic growth, exploit the growth potential of business sectors and improve the competitiveness and productivity of the local waste industry	<p>Will the plan/proposal encourage sustainable economic growth through provision of adequate waste management facilities?</p> <p>Will the plan/proposal diversify the economy in terms of the waste management sector?</p>	<p>Economic output of Gross Value Added (GVA) per capita per annum</p> <p>Number of new jobs created by new waste sites.</p> <p>Annual waste arisings by type.</p>

SA Objective	Decision-Making Criteria	Indicators
	<p>Will it enable new and innovative waste management technologies to be developed and utilised?</p> <p>Will it enable maximum value recovery from waste where possible?</p> <p>Will it promote waste minimisation?</p>	<p>Capacity of new waste management facilities by type.</p> <p>Number of businesses and new facilities introducing new waste management technologies at the top of the Waste Hierarchy e.g. Anaerobic Digestion with energy/heat generation.</p>
14.To reduce economic disparities, unemployment and deprivation	Will the plan/proposal support the creation of a broad range of jobs and employment opportunities?	Number of new jobs created by new waste sites or by growth of existing ones.

5.3 In addition to monitoring the implementation of the NLWP, it is also proposed that the Waste Data Study (the comparison of available capacity with current and future waste management needs) that informs the Plan should be updated at two year intervals as a further systematic check on progress.

5.4 Responsibility for monitoring will lie with the individual Boroughs and this will provide a basis for the:

- Identification of unforeseen adverse effects and any necessary remedial action;
- Assessment of whether the Strategy is achieving the SA objectives; and
- Assessment of the performance of mitigation measures.

6. NEXT STEPS

6.1 This section of the report explains the next steps that will be taken as part of the preparation and SA of the NLWP.

6.2 Following consideration and analysis of the consultation responses received on the Regulation 19 draft plan, a 'Submission' version of the Plan will be produced and 'published' in-line with Regulation 22 of the Town and Country Planning (Local Planning) Regulations 2012. This will be 'Submitted' for Examination. Once the plan is submitted an independent Planning Inspector will be appointed by the Government to examine whether the NLWP meets the required legal and soundness tests, including duty to co-operate and procedural requirements. Assuming that the Inspector does not request that further work be undertaken in order to achieve soundness, it is expected that the Plan will be formally adopted in Summer 2020. At the time of adoption an SA 'Statement' must be published. This Statement will set out:

- How environmental considerations have been integrated into the plan;
- How the environmental report has been taken into account;
- How opinions expressed in response to consultations have been taken into account;
- The reasons for choosing the plan as adopted, in the light of the other reasonable alternatives considered; and
- The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan.

6.3 Comments can be submitted using the following methods:

By email: feedback@nlwp.net (preferred method)

By post: Archie Onslow
North London Waste Plan
Regeneration and Planning
Camden Town Hall
Judd Street
WC1H 9JE

7. DIFFERENCE THAT THE PROCESS HAS MADE

- 7.1.1 SA provides an iterative process for checking that an emerging Plan is sustainable as envisaged by government guidance and legislation, and in the context of the key local sustainability issues identified at the outset of the process.
- 7.1.2 This SA has provided an appraisal of a number of alternative options in relation to the strategic approach of the NLWP and has also provided an assessment of the proposed policies and allocations in the draft version of the Plan. Although the SA process concludes that the draft Regulation 19 NLWP has the potential to deliver a wide range of social, environmental and economic benefits, it also identified several instances where there is a potential negative impact on sustainability objectives, a number of uncertain impacts and a range of opportunities for further enhancements to improve the NLWP's sustainability.
- 7.1.3 These specific recommendations will be considered when preparing the Regulation 22 'Submission' NLWP alongside all comments received during the Regulation 19 consultation which this SA supports.
- 7.1.4 Although these recommendations may result in some amendments to the Plan, they do not seek to significantly alter the purpose of Plan and many relate to measures that can be taken during the implementation of the plan to mitigate or avoid unacceptable impacts.

This page is intentionally left blank

Sustainability Appraisal Appendices Report

October 2018

1. Sustainability Appraisal of the Strategic Options

Policy text:	Capacity options: How much of North London's waste can be managed within North London							
	1. Meeting the London Plan apportionment							
	2. Net self-sufficiency for LACW and C&I waste streams							
	3. Net self-sufficiency for LACW, C&I and C&D waste streams							
	4. Complete self-sufficiency							

Assessment framework		Permanence			Characteristics of impacts		Additional impacts		
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic	Nature / scope of mitigation	Score
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
1. To protect people’s health, communities and local environmental quality from the adverse effects of waste management	Option 1			X	Low	Given the nature of the urban area in North London, each of the options is likely to result in waste management development taking place in close proximity to sensitive receptors and will therefore have the potential to have negative impact on the objective. Nevertheless, as Options 3 and 4 would require more facilities to be provided, there is a greater likelihood that these options would have a negative impact on the objective in the Plan area. Conversely, Options 1 and 2 would result in more waste being managed outside of North London and, as a result, any adverse impacts would affect a wider area (or more locations).	Secondary impacts on quality of life and perceptions of the area.	Enforce appropriate controls through planning conditions and environmental permitting. Ensure that only enclosed facilities are developed close to sensitive receptors.	—
	Option 2			X	Low				—
	Option 3			X	Medium				—
	Option 4			X	Medium				—
2. To maintain green infrastructure and open space	Option 1			X	Low	Although each option would support the development of waste management facilities, it is uncertain whether the development of these facilities under any option would result in the loss of green infrastructure or open space. As a result, the impact of each of the options on the objective is considered to be uncertain.			?
	Option 2			X	Low				?
	Option 3			X	Low				?
	Option 4			X	Low				?
3. To promote sustainable modes of transport, reduce the need to travel and improve choice of more sustainable transport modes	Option 1			X	Low	By providing enough waste management capacity to manage at least the equivalent of the waste generated in North London, Options 3 and 4 would help to maximise self-sufficiency in the management of waste and would therefore reduce the need for waste to be transported out of the Plan area. Option 2 would result in a lower amount of waste being managed in the Plan area and would therefore make a lesser contribution to the objective of reducing the need to travel. As North London does not presently meet its apportionment, Option 1 could also result in some reduction in the need for waste to be transported out of the Plan area. There is however a lower level of certainty that the impact of Option 1 on the objective would be significant.	Secondary impact on greenhouse gas emissions from the transport sector and air quality.		+
	Option 2			X	Medium				+
	Option 3			X	Medium				++
	Option 4			X	High				++
4. To conserve and enhance the historic environment, heritage assets and their settings	Option 1			X	Low	Although each option would support the development of waste management facilities, it is uncertain whether the development of these facilities under any option would take place in areas where it would have an impact on the setting of heritage assets. As a result, the impact of each of the options on the objective is considered to be uncertain.			?
	Option 2			X	Low				?
	Option 3			X	Low				?
	Option 4			X	Low				?
5. To maintain and enhance the quality and character of North London’s townscapes and	Option 1			X	Low	Although each option would support the development of waste management facilities, it is uncertain whether the development of these facilities under any option would take place in areas where it would have an impact on the character and quality of the townscape and landscape.			?
	Option 2			X	Low				?
	Option 3			X	Low				?

Assessment framework		Permanence			Characteristics of impacts		Additional impacts		
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic	Nature / scope of mitigation	Score
		0-5 yrs	5-10 yrs	>10 yrs					
					[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
landscapes	Option 4			X	Low	As a result, the impact of each of the options on the objective is considered to be uncertain.			?
6. To maintain, protect and enhance biodiversity, protected species, habitats, geodiversity and features of geological interest	Option 1			X	Low	Although each option would support the development of waste management facilities, it is uncertain whether the any option would result in development taking place in locations where it would have a significant detrimental impact on biodiversity. As a result, the impact of each of the options on the objective is considered to be uncertain.			?
	Option 2			X	Low				?
	Option 3			X	Low				?
	Option 4			X	Low				?
7. To reduce and manage flood risk	Option 1			X	Low	Although each option would support the development of waste management facilities, it is not certain that any of these facilities would result in development taking place in areas at risk of flooding. As a result, the impact of each of the options on the objective is considered to be uncertain.			?
	Option 2			X	Low				?
	Option 3			X	Low				?
	Option 4			X	Low				?
8. To adapt to, and reduce the impacts of climate change	Option 1			X	Low	Although each option would support the development of waste management facilities, it is not certain that any of these facilities would result in development taking place in areas at risk of flooding or which results in the loss of green infrastructure features which could help reduce the impacts of climate change. As a result, the impact of each of the options on the objective is considered to be uncertain.			?
	Option 2			X	Low				?
	Option 3			X	Low				?
	Option 4			X	Low				?
9. To reduce climate change contributions, promote energy efficiency and increase use of energy from sustainable sources	Option 1			X	Low	By providing enough waste management capacity to manage at least the equivalent of the waste generated in North London, Options 3 and 4 would help to maximise self-sufficiency in the management of waste and would therefore reduce waste miles and associated greenhouse gas emissions. Option 2 would result in a lower amount of waste being managed in the Plan area and would therefore make a lesser contribution to the. As North London does not presently meet its apportionment, Option 1 could also result in some reduction in the need for waste to be transported out of the Plan area with an associated decrease in greenhouse gas emissions from the transportation of waste. There is however a lower level of certainty that the impact of Option 1 on the objective would be significant.			+
	Option 2			X	Medium				+
	Option 3			X	Medium				++
	Option 4			X	High				++
10. To protect and improve air, water and soil quality	Option 1			X	Low	The options which result in a higher level of self sufficiency would reduce emissions associated with the transportation of waste. Although individual waste management facilities could have localised impacts on air quality, such as dust, this could be mitigated. As such, Options 3 and 4 have the potential to have a positive impact on the objective. The options which do not result in self sufficiency are less likely to result in a significant reduction of emissions associated with the transportation of waste. As such, it is uncertain whether Options 1 and 2 would have a significant impact on the objective.	Secondary impacts on health	Dust suppression and other measures such as wheel-washing.	?
	Option 2			X	Low				?
	Option 3			X	Medium				+
	Option 4			X	Medium				+

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation	Score
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
11. To manage waste sustainability, maximise self-sufficiency in the management of waste, minimise production of waste and increase re-use, recycling and recovery rates	Option 1			X	Low	By providing enough waste management capacity to manage at least the equivalent of the waste generated in North London, Options 3 and 4 would help to maximise self-sufficiency in the management of waste and would therefore have a major positive impact on the objective. Option 2 would result in a lower amount of waste being managed in the Plan area and would therefore make a lesser contribution to the objective of maximising self-sufficiency in the management of waste. Option 1 would still support the sustainable management of certain waste streams in North London but there is a lower level of certainty that it would have a significant impact on the objective .	Secondary impact on greenhouse gas emissions from the transport sector and air quality.		+
	Option 2			X	Medium				+
	Option 3			X	Medium				++
	Option 4			X	High				++
12. To ensure efficient use of land and natural resources and the sustainable use of existing resources	Option 1			X	Medium	The options differ in where material would be recycled and not the level of recycling achieved. Each option would support the provision of waste management facilities that can support recycling and recovery and therefore help ensure the efficient use of natural resources.			+
	Option 2			X	Medium				+
	Option 3			X	Medium				+
	Option 4			X	Medium				+
13. To encourage sustainable economic growth, exploit the growth potential of business sectors and improve productivity and competitiveness of local waste industry	Option 1			X	Low	Each of the options would support the provision of waste management facilities which would support economic growth and could help improve the productivity and competitiveness of the local waste industry. As a result, each option has the potential to have a positive impact on the objective. There is however a greater level of certainty that Options 3 and 4 would have a positive impact on this objective given that they would result in the provision of a greater number of waste management facilities in the plan area.			+
	Option 2			X	Low				+
	Option 3			X	Medium				+
	Option 4			X	Medium				+
14. To reduce economic disparities, unemployment and deprivation	Option 1			X	Low	Each of the options would support the provision of waste management facilities which would generate employment opportunities. As a result, each option has the potential to have a positive impact on the objective of reducing unemployment and deprivation. There is however a greater level of certainty that Options 3 and 4 would have a positive impact on this objective given that they would result in the provision of a greater number of waste management facilities in the plan area.			+
	Option 2			X	Low				+
	Option 3			X	Medium				+
	Option 4			X	Medium				+

Summary of Assessment
<p>Although each of the capacity strategy options has the potential to have a positive impact on a number of sustainability objectives, there are a number of instances where Options 3 and 4 could have a more significant positive impact on the objectives. In particular, by providing enough waste management capacity to manage at least the equivalent of the waste generated in North London, Options 3 and 4 have the potential to have a more significant positive impact on the objectives that relate to maximising self-sufficiency in the management of waste, reducing contributions to climate change and reducing the need to travel. Options 3 and 4 could also have a positive impact on the objective of protecting and improving air, water and soil quality. All four of the options would however have a positive impact on the objectives that relate to ensuring the efficient use of natural resources, encouraging sustainable economic growth and reducing unemployment.</p> <p>Each option could however have some negative impact on the objective that relates to amenity. Key mitigation measures are likely to include enforcing appropriate controls through planning conditions and environmental permitting and ensuring that only enclosed facilities are developed close to sensitive receptors. Each option would have an uncertain impact on the remaining objectives.</p>

Policy text:	Management options: How waste will be managed within North London Option I –Baseline (maintain current levels of recycling and recovery) Option II – Maximised recycling Option III - Maximised recovery and median recycling
---------------------	---

<i>Assessment framework</i>		<i>Permanence</i>			<i>Characteristics of impacts</i>		<i>Additional impacts</i>	<i>Nature / scope of mitigation</i>	<i>Score</i>
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
1. To protect people's health, communities and local environmental quality from the adverse effects of waste management	Option I			X	Low	Given the nature of the urban area in North London, each of the options is likely to result in waste management development taking place in close proximity to sensitive receptors. Irrespective of the management method, waste management facilities have the potential to have some negative impact on health and amenity if it takes place in close proximity to sensitive receptors. Each option therefore has the potential to have negative impact on the objective. Nevertheless, as Options II and III would require a greater number of facilities to be provided, there is a greater likelihood that these options would have a negative impact on the objective.	Secondary impacts on quality of life and perceptions of the area.	Enforce appropriate controls through planning conditions and environmental permitting. Ensure that only enclosed facilities are developed close to sensitive receptors.	—
	Option II			X	Medium				—
	Option III			X	Medium				—
2. To maintain green infrastructure and open space	Option I			X	Low	The choice of management strategy option will influence the number of new facilities that need to be provided in North London. Nevertheless, it is uncertain whether any of the options would lead to the loss of green infrastructure or open space.			?
	Option II			X	Low				?
	Option III			X	Low				?
3. To promote sustainable modes of transport, reduce the need to travel and improve choice of more sustainable transport modes	Option I			X	Medium	By seeking to maximise recycling rates, Option II would reduce the need for waste to be exported out of the plan area for landfill or other management methods. As a result, it has the potential to have some positive impact on the element of the objective that relates to reducing the need to travel. By contrast, Option I would result in a higher proportion of waste being exported to landfill and could therefore have a negative impact on the objective. A significant proportion of the capacity for recovery is within the Plan area. As a result, Option III has the potential to reduce the need to export waste from North London and could therefore have a positive impact on the objective.			—
	Option II			X	Medium				+
	Option III			X	Medium				+
4. To conserve and enhance the historic environment, heritage assets and their settings	Option I			X	Low	The choice of management strategy option will influence the number of new facilities that need to be provided in North London. Nevertheless, it is uncertain whether any of the options would result in development taking place in close proximity to heritage assets and also whether any such development would have a negative impact on the setting of these assets.			?
	Option II			X	Low				?
	Option III			X	Low				?
5. To maintain and enhance the quality and character of North London's townscapes and landscapes	Option I			X	Low	The choice of management strategy option will influence the number of new facilities that need to be provided in North London. Nevertheless, it is uncertain whether the development of these facilities under any option would take place in areas where it would have an impact on the character and quality of the townscape and landscape. As a result, the impact of each of the options on the objective is considered to be uncertain.			?
	Option II			X	Low				?
	Option III			X	Low				?

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation	Score
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs					
					[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
6. To maintain, protect and enhance biodiversity, protected species, habitats, geodiversity and features of geological interest	Option I			X	Low	The choice of management strategy option will influence the number of new facilities that need to be provided in North London. Nevertheless, it is uncertain whether the any option would result in development taking place in locations where it would a negative impact on biodiversity. As a result, the impact of each of the options on the objective is considered to be uncertain.			?
	Option II			X	Low				?
	Option III			X	Low				?
7. To reduce and manage flood risk	Option I			X	Low	The choice of management strategy option will influence the number of new facilities that need to be provided in North London. Nevertheless, it is uncertain whether any of the options would result in development taking place in areas at risk of flooding.			?
	Option II			X	Low				?
	Option III			X	Low				?
8. To adapt to, and reduce the impacts of climate change	Option I			X	Low	The choice of management strategy option will influence the number of new facilities that need to be provided in North London. Nevertheless, it is uncertain whether any of the options would result in development taking place in areas at risk of flooding or would result in the loss of green infrastructure which could help limit the impacts of climate change.			?
	Option II			X	Low				?
	Option III			X	Low				?
9. To reduce climate change contributions, promote energy efficiency and increase use of energy from sustainable sources	Option I			X	Low	By seeking to maximise recycling rates, Option II would reduce waste miles and greenhouse gas emissions associated with landfill. As result, it has the potential to have a major positive impact on the objective. By contrast, Option I would result in a higher proportion of waste being exported to landfill and could therefore have a negative impact on the objective. Option III would result in some reduction of greenhouse gas emissions associated with landfill. In addition, a significant proportion of the capacity for recovery is within the Plan area. As a result, Option III has the potential to minimise the need to export waste from North London and could therefore help minimise waste miles and associated emissions.			-
	Option II			X	Low				++
	Option III			X	Low				++
10. To protect and improve air, water and soil quality	Option I			X	Low	Options II and III could lead to a reduction in the need to transport waste out of the plan area for disposal in landfill or other management methods. This could reduce waste miles and associated emissions. Conversely, Option I may have the opposite impact and could result in higher levels of waste exports just to maintain current recycling performance.			-
	Option II			X	Low				+
	Option III			X	Low				+
11. To manage waste sustainability, maximise self-sufficiency in the management of waste, minimise production of waste and increase re-use, recycling and recovery rates	Option I			X	Medium	By seeking to maximise recycling, Option II could have a major positive impact on the objective of managing waste sustainably. Option III would result in a greater proportion of local waste being managed lower down the Waste Hierarchy while Option I would maintain the current level of reliance on landfill and it is therefore uncertain whether it would have a positive impact on the objective.			?
	Option II			X	Medium				++
	Option III			X	Medium				+

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation	Score
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
12. To ensure efficient use of land and natural resources and the sustainable use of existing resources	Option I			X	Medium	By seeking to maximise recycling, Option II would be particularly have a significant positive impact on the objective of ensuring the efficient and sustainable use of natural resources. By supporting median levels of recycling, Option III could also have some positive impact on this objective. By contrast, Option I would maintain the current level of reliance on landfill and it is therefore uncertain whether it would have a positive impact on the objective.			?
	Option II			X	Medium				++
	Option III			X	Medium				+
13. To encourage sustainable economic growth, exploit the growth potential of business sectors and improve productivity and competitiveness of local waste industry	Option I			X	Low	By seeking to maximise recycling, Option II would be likely to necessitate improvements in the productivity and competitiveness of the waste industry in order to achieve this ambitious target. As a result, it has the potential to have a major positive impact on the objective. Option III has the potential to have some positive effect on the objective but the impact of Option I on the objective is considered to be uncertain as the extent to which it would encourage improvements in the productivity and competitiveness of the waste industry is unclear.			?
	Option II			X	Medium				++
	Option III			X	Medium				+
14. To reduce economic disparities, unemployment and deprivation	Option I			X	Low	Options II and III could support the creation of employment opportunities and thereby have a positive impact on the objective. By contrast, Option I would maintain current levels of recycling and recovery and is therefore unlikely to result in the creation of a significant number of new employment opportunities. As a result, Option I is unlikely to have a significant impact on the objective.			0
	Option II			X	Medium				+
	Option III			X	Medium				+

Summary of Assessment
<p>Although each of the management strategy options would have an uncertain impact on the majority of the sustainability objectives, there are clear differences in the performance of the options in some aspects of the SA process. In particular, Options II and III have the potential to have a positive impact on the greatest number of objectives. Specifically, Option II could have a major positive effect on the objectives that relate to managing waste sustainably, improving the productivity of the waste industry, ensuring the efficient use of resources and reducing contributions to climate change. Option III could also have a positive impact on each of these objectives and both options could also have some positive impact on the objectives that relate to minimising the need to travel and reducing economic disparities. By contrast Option I would have a negative, uncertain or neutral impact on each of these objectives.</p> <p>Each option could however have a negative impact on the objective that relates to amenity. Key mitigation measures are likely to include enforcing appropriate controls through planning conditions and environmental permitting and ensuring that only enclosed facilities are developed close to sensitive receptors. Each option would have an uncertain impact on the remaining objectives.</p>

2. Sustainability Appraisal of the Spatial Framework

Policy text:	Spatial Framework
	<p>The NLWP spatial framework comprises the following:</p> <p>A. Make use of existing sites</p> <p>B. Seek a geographical spread of waste sites across North London, consistent with the principles of sustainable development.</p> <p>C. Encourage co-location of facilities and complementary activities</p> <p>D. Provide opportunities for decentralised heat and energy networks</p> <p>E. Protect local amenity</p> <p>F. Support sustainable modes of transport</p>

<i>Assessment framework</i>		<i>Permanence</i>			<i>Characteristics of impacts</i>		<i>Additional impacts</i>	<i>Nature / scope of mitigation</i>	<i>Score</i>
<i>SA Objective</i>	<i>Evaluation criteria</i>	<i>Duration</i>			<i>Certainty</i>	<i>Scale of impact(s)</i>	<i>Secondary, Cumulative, Synergistic</i>		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
1. To protect people's health, communities and local environmental quality from the adverse effects of waste management	(-ve) Amenity impacts from dust, particulates, noise, vibration, visual amenity, light pollution			X	High / medium / low / no effect / depends on use	(+) One of the key principles of the Spatial Framework is to protect amenity by directing waste management development to the most suitable sites/areas taking into account environmental and physical constraints. As a result, the Spatial Framework is supportive of the objective of protecting people's health, communities and local environmental quality from the adverse effects of waste management.	Secondary impacts on quality of life		+
2. To maintain green infrastructure and open space	(+ve/-ve) Impact on open space (-ve) reduction of public access; effect on green infrastructure			X	High / medium / low / no effect / depends on use	(+) One of the key principles of the Spatial Framework is to protect amenity by directing waste management development to the most suitable sites/areas taking into account environmental and physical constraints. The Spatial Framework could therefore help to protect green infrastructure and open space. As a result, it has the potential to have a positive impact on the objective.			+
3. To promote sustainable modes of transport, reduce the need to travel and improve choice of more sustainable transport modes	(+ve) Reduce distance waste travels; reduce waste-related car/lorry trips; increase use of sustainable transport (+ve/-ve) Impact on road congestion			X	High / medium / low / no effect / depends on use	(+) One of the key principles of the Spatial Framework is to direct waste management facilities to locations where there are potential opportunities to better utilise sustainable modes of transport such as rail and waterways. It is however recognised that directing waste facilities to locations that are in close proximity to navigable waterways or railway lines does not guarantee that waste will be transported by sustainable modes of transport, especially as investment in wharfs and rail sidings may be required before waste can be moved along the canal or rail network. The strategy does however also seek to secure a wider distribution of waste facilities, reduce waste exports and increase the amount of waste managed in proximity to its source, which could help minimise the distance that waste needs to be transported in order to be managed. The strategy could therefore have a positive impact on the objective.	Secondary positive effects on congestion, air quality and carbon dioxide emissions.		+
4. To conserve and enhance the historic environment, heritage assets and their settings	(-ve) Impact on heritage assets; impact on settings			X	High / medium / low / no effect / depends on use	(+) One of the key principles of the Spatial Framework is to protect amenity by directing waste management development to the most suitable sites/areas taking into account environmental and physical constraints. It is stated that this includes not taking forward potential sites and areas for waste management development if they are	Secondary impacts on the image of the area		+

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation	Score
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
						in locations recognised for their cultural, archaeological or heritage importance. The Spatial Framework could therefore have a positive impact on the objective.			
5. To maintain and enhance the quality and character of North London's townscapes and landscapes	(+ve) Will development be sympathetic (+ve/-ve) Impact on landscape / townscape character (-ve) Openness of Green Belt; effect on open space			X	High / medium / low / no effect / depends on use	(+) One of the key principles of the Spatial Framework is to protect amenity by directing waste management development to the most suitable sites/areas taking into account environmental and physical constraints. The Spatial Framework could therefore help to protect landscapes and townscapes. As a result, it has the potential to have a positive impact on the objective.	Secondary impacts on the image of the area		+
6. To maintain, protect and enhance biodiversity, protected species, habitats, geodiversity and features of geological interest	(+ve) Scope for habitat creation or restoration (-ve) Impact on nationally protected species / habitats; impact on or loss of BAP priority habitats and species			X	High / medium / low / no effect / depends on use	(+) One of the key principles of the Spatial Framework is to protect amenity by directing waste management development to the most suitable sites/areas taking into account environmental and physical constraints. It is stated that this includes not taking forward potential sites and areas for waste management development if they are in locations recognised for their ecological importance by national or international designations. The Spatial Framework could therefore have a positive impact on the objective.			+
7. To reduce and manage flood risk	(+ve) Avoidance of inappropriate dev'tment in flood risk areas; reduce flood risk through SuDS / other measures (-ve) Exacerbate vulnerability to flooding			X	High / medium / low / no effect / depends on use	(+) The Spatial Framework provides an approach to identifying the most suitable sites/areas for waste management development. It is stated that this has taken into account environmental and physical constraints. This should ensure that facilities are directing away from the areas at greatest risk of flooding and, as a result, has the potential to have a positive impact on the objective.			+
8. To adapt to, and reduce the impacts of climate change	(+ve) Reduction of vulnerability to climate change events			X	High / medium / low / no effect / depends on use	(+) The Spatial Framework provides an approach to identifying the most suitable sites/areas for waste management development. It is stated that this has taken into account environmental and physical constraints. This should ensure that facilities are directing away from the areas at greatest risk of flooding and, as a result, has the potential to have a positive impact on the objective.			+

9. To reduce climate change contributions, promote energy efficiency and increase use of energy from sustainable sources	(+ve) Reduce waste- related car/lorry trips; increase sustainable transport use (+ve/-ve) Impact on greenhouse gas generation			X	High / medium / low / no effect / depends on use	<p>(+) One of the key principles of the Spatial Framework is to direct waste management facilities to locations where there are potential opportunities to better utilise sustainable modes of transport such as rail and waterways. It also seeks to secure a wider distribution of waste facilities, reduce waste exports and increase the amount of waste managed in proximity to its source, which could help minimise the distance that waste needs to be transported in order to be managed. This could help reduce contributions to climate change associated with the transporting of waste.</p> <p>(+) The Framework supports the co-location of waste management facilities which can provide additional benefits in reducing waste miles and associated emissions.</p> <p>(+) The Framework also promotes opportunities for decentralised heat and energy networks which could help reduce emissions associated with energy generation and therefore have a positive impact on the objective.</p>			+
10. To protect and improve air, water and soil quality	(+ve) Improvement of water quality; support land remediation (+ve/-ve) Impact on road congestion (-ve) Air quality impact; impact on soil quality; groundwater quality impact			X	High / medium / low / no effect / depends on use	<p>(+) The Spatial Framework includes the principle of placing waste sites in locations that are accessible by different modes of transport and aims to increase the amount of waste managed in proximity to its source, which could help reduce emissions associated with the transportation of waste. The Spatial Framework does however recognise that road transport will continue to be an important method of transporting waste in North London.</p> <p>(+) The Framework supports the co-location of waste management facilities which can provide additional benefits in reducing waste miles and associated emissions.</p>			+
11. To manage waste sustainability, maximise self-sufficiency in the management of waste, minimise production of waste and increase re-use, recycling and recovery rates	(+ve) Minimise waste generation; promote sustainable waste management; help to move management up the Waste Hierarchy			X	High / medium / low / no effect / depends on use	<p>(++) The Spatial Framework aims to provide a network of waste sites across North London, seeks to reduce waste exports and increase the amount of waste managed in proximity to its source. This could make a significant positive impact on the element of the objective which relates to maximising self-sufficiency in the management of waste.</p>	<p>(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.</p>		++
12. To ensure efficient use of land and natural resources and the sustainable use of existing resources	(+ve) Use of previously developed buildings / land; incorporate or encourage water efficiency (-ve) Effect on water demand			X	High / medium / low / no effect / depends on use	<p>(+) The Spatial Framework promotes opportunities for the co-location of waste management facilities which could have a positive impact on the element of the objective that relates to efficient use of land.</p> <p>(+) It also supports opportunities for decentralised heat and energy networks which would support the objective of ensuring the efficient use of natural resources.</p>			+

13. To encourage sustainable economic growth, exploit the growth potential of business sectors and improve productivity and competitiveness of local waste industry	(+ve) Encourage local economic growth thro' provision of adequate waste facilities; enable new and innovative waste management technologies; scope to diversify local waste sector; promotion of waste minimisation; help to maximise value recovery			X	High / medium / low / no effect / depends on use	<p>(+) The Spatial Framework aims to provide a network of waste sites across North London. This has the potential to encourage economic growth through the provision of adequate waste facilities would provide scope to diversify the waste sector and could help maximise value recovery.</p> <p>(+)The Spatial Framework promotes opportunities for the co-location of waste management facilities which has the potential to help facilities take advantage of 'economies of scale', share infrastructure, existing networks (e.g. the rail and highway network) and skilled workforces. It therefore has the potential to have a positive impact on the objective.</p>	Increased employment opportunities		+
14. To reduce economic disparities, unemployment and deprivation	(+ve) Support for (and creation of) a broad range of employment opportunities			X	High / medium / low / no effect / depends on use	<p>(+) The Spatial Framework aims to provide a network of waste sites across North London. This has the potential to help create employment opportunities and thereby contribute towards reducing unemployment and deprivation. It also prioritises sites in industrial estates / employment areas which may support any regeneration objectives for these areas.</p>			+

Summary of Assessment									
<p>The Spatial Framework sets out the physical distribution of key characteristics, including infrastructure, geographical features and planning designations, which will influence the Plan and identifies opportunities and constraints within that framework. It has the potential to have a positive impact on a wide range of objectives. In particular, by supporting the provision of a network of waste sites across North London it could have a major positive impact on the objective of managing waste sustainably and some positive effect on the objectives that relate to encouraging sustainable economic growth and reducing economic disparities.</p> <p>The Spatial Framework seeks to protect amenity by directing waste management development to the most suitable sites/areas taking into account environmental and physical constraints. As a result, the Framework also has the potential to have a positive impact on the objectives that relate to health and amenity; green infrastructure; heritage; landscapes and townscapes; biodiversity; flood risk; adapting to climate change; and protecting air, water and soil quality. The</p> <p>One of the key principles of the Spatial Framework is to direct waste management facilities to locations where there are potential opportunities to better utilise sustainable modes of transport such as rail and waterways. It also seeks to secure a wider distribution of waste facilities, reduce waste exports and increase the amount of waste managed in proximity to its source, which could help minimise the distance that waste needs to be transported in order to be managed. The strategy could therefore have a positive impact on the objective that relates to sustainable transport and reducing the need to travel. This element of the Spatial Framework, together with the promotion of opportunities for decentralised heat and energy networks, should also ensure that the Framework has a positive effect on the objective of reducing climate change contributions.</p>									

3. Sustainability Appraisal of the NLWP Policies

Policy text:

Policy 1: Existing waste management sites

All existing waste management sites identified in *Schedule 1: Existing safeguarded waste sites in North London*, and any other sites that are given planning permission for waste use, are safeguarded for waste use.

Expansion or intensification of operations at existing waste sites will be supported where the proposal is in line with relevant aims and policies in the North London Waste Plan, the London Plan, Local Plans and related policies.

Applications for non-waste uses on safeguarded waste sites will only be permitted where it is clearly demonstrated to the satisfaction of the relevant borough that compensatory capacity will be delivered in line with the framework on a suitable replacement site in North London, that must at least meet, and, if possible, exceed, the maximum achievable throughput of the site proposed to be lost and help to promote the increased geodiversity of waste sites across the plan area.

Development proposals in close proximity to existing safeguarded waste sites or sites allocated for waste use which would prevent or prejudice the use of those sites for waste purposes will be resisted under the agency's principle unless design standards or other suitable mitigation measures are adopted to ensure that the amenity of any new residents would not be significantly adversely impacted by the continuation of waste use at the site. Suitable compensatory provision has been made for the waste use elsewhere within the Plan area.

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation	Score
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
1. To protect people's health, communities and local environmental quality from the adverse effects of waste management	(-ve) Amenity impacts from dust, particulates, noise, vibration, visual amenity, light pollution			X	High / medium / low / no effect / depends on use	(?) The policy seeks to prevent development proposals which would prejudice the use of safeguarded sites for waste purposes. This will ensure that the development of nearby sites does not have an adverse impact on the continued operation of existing sites but will also help ensure that new housing and other sensitive receptors does not take place in locations where the amenity of the occupiers of the development would be adversely affected by waste management operations. This would have a positive impact upon the objective.			?
						Nevertheless, the policy may also result in the safeguarding of existing sites which contain facilities that already have some adverse impact on amenity, although it is recognised that the impact of existing facilities may already be mitigated by planning conditions and site monitoring. It is also recognised that in such instances it may be the nature of the facility rather than the site itself which is causing amenity problems. In addition, the release of these sites may cause capacity management problems for the plan area. As such, no mitigation measures are suggested to address this.			
2. To maintain green infrastructure and open space	(+ve/-ve) Impact on open space (-ve) reduction of public access; effect on green infrastructure	N/A			High / medium / low / no effect / depends on use	(0) The policy seeks to safeguard existing waste management sites and, as a result, it would not result in any significant changes to green infrastructure or open space. Therefore, the policy is unlikely to have a significant impact on the objective.			0
3. To promote sustainable modes of transport, reduce the need to travel and improve choice of more sustainable	(+ve) Reduce distance waste travels; reduce waste-related car/lorry trips; increase use of			X	High / medium / low / no effect / depends on use	(+) The policy seeks to safeguard existing waste management sites which should help ensure that there are sufficient facilities in North London and thereby reduce the need for waste to be transported outside of the Plan area. This could have a positive impact on the element of the objective that relates to reducing the need	Secondary impacts on greenhouse gas emissions from the transport sector and air quality.		+

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation	Score
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)			
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
transport modes	sustainable transport (+ve/-ve) Impact on road congestion					to travel. However, there is a low level of certainty of this impact as the source of waste arisings is unknown and may originate from outside the plan area. It is also recognised that existing facilities may not be in the most sustainable locations.			
4. To conserve and enhance the historic environment, heritage assets and their settings	(-ve) Impact on heritage assets; impact on settings	N/A			High / medium / low / no effect / depends on use	(0) The policy seeks to safeguard existing waste management sites and, as a result, it would not result in any significant changes to the setting of heritage assets. Therefore, the policy is unlikely to have a significant impact on the objective.			0
5. To maintain and enhance the quality and character of North London's townscapes and landscapes	(+ve) Will development be sympathetic (+ve/-ve) Impact on landscape / townscape character (-ve) Openness of Green Belt; effect on open space	N/A			High / medium / low / no effect / depends on use	(0) The policy seeks to safeguard existing waste management sites and, as a result, it would not result in any significant changes to existing townscapes and landscapes. Therefore, the policy is unlikely to have a significant impact on the objective.			0
6. To maintain, protect and enhance biodiversity, protected species, habitats, geodiversity and features of geological interest	(+ve) Scope for habitat creation or restoration (-ve) Impact on nationally protected species / habitats; impact on or loss of BAP priority habitats and species	N/A			High / medium / low / no effect / depends on use	(0) The policy seeks to safeguard existing waste management sites and, as a result, it would not result in any significant new impacts on biodiversity. Therefore, the policy is unlikely to have a significant impact on the objective.			0
7. To reduce and manage flood risk	(+ve) Avoidance of inappropriate dev'tment in flood risk areas; reduce flood risk through SuDS / other measures (-ve) Exacerbate vulnerability to flooding	N/A			High / medium / low / no effect / depends on use	(0) The policy is unlikely to have a significant impact on the objective.			0
8. To adapt to, and reduce the impacts of climate change	(+ve) Reduction of vulnerability to climate change events	N/A			High / medium / low / no effect / depends on use	(0) The policy is unlikely to have a significant impact on the objective.			0
9. To reduce climate change	(+ve) Reduce waste- related			X	High / medium / low / no effect / depends on use	(+) The policy seeks to safeguard existing waste management sites which should help ensure that there			+

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation	Score
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
contributions, promote energy efficiency and increase use of energy from sustainable sources	car/lorry trips; increase sustainable transport use (+ve/-ve) Impact on greenhouse gas generation					are sufficient facilities in North London and thereby reduce the need for waste to be transported outside of the Plan area. This could have a positive impact on the greenhouse gas emissions from the transport sector (although this may be regarded as a secondary impact). However, there is a low level of certainty of this impact as the source of waste arisings is unknown and may originate from outside the plan area.			
10. To protect and improve air, water and soil quality	(+ve) Improvement of water quality; support land remediation (+ve/-ve) Impact on road congestion (-ve) Air quality impact; impact on soil quality; groundwater quality impact	N/A			High / medium / low / no effect / depends on use	(0) The policy seeks to safeguard existing waste management sites and, as a result, it would not result in any significant new impacts on air, water or soil quality. Therefore, the policy is unlikely to have a significant impact on the objective.			0
11. To manage waste sustainability, maximise self-sufficiency in the management of waste, minimise production of waste and increase re-use, recycling and recovery rates	(+ve) Minimise waste generation; promote sustainable waste management; help to move management up the Waste Hierarchy			X	High / medium / low / no effect / depends on use	(+) By safeguarding of existing waste management sites the policy will help ensure that there are sufficient waste management facilities to manage North London's waste in a sustainable manner. As a result, the policy will help maximise self-sufficiency in the management of waste and would have a positive impact on the objective. Nevertheless, it is recognised that existing facilities may not manage waste at the optimal level in the Waste Hierarchy.			+
12. To ensure efficient use of land and natural resources and the sustainable use of existing resources	(+ve) Use of previously developed buildings / land; incorporate or encourage water efficiency (-ve) Effect on water demand			X	High / medium / low / no effect / depends on use	(+) The safeguarding of existing waste management sites will reduce the likelihood of new sites needing to be identified to manage North London's waste. This would support the element of the objective that relates to the efficient use of land.			+
13. To encourage sustainable economic growth, exploit the growth potential of business sectors and improve productivity and competitiveness of local waste industry	(+ve) Encourage local economic growth thro' provision of adequate waste facilities; enable new and innovative waste management technologies; scope to diversify local waste sector; promotion of waste minimisation; help to maximise value recovery			X	High / medium / low / no effect / depends on use	(+) The policy would safeguard sites from other development which may prejudice the continued operation of the facility. This will provide greater certainty for existing waste uses and can provide the appropriate conditions for further investment. The policy therefore has the potential to have a positive impact on the competitiveness of local waste industry.	Increased employment opportunities		+

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation	Score
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
14. To reduce economic disparities, unemployment and deprivation	(+ve) Support for (and creation of) a broad range of employment opportunities	N/A			High / medium / low / no effect / depends on use	(0) The policy seeks to safeguard existing waste management sites. It does not promote the provision of new facilities and is unlikely to result in a significant reduction in unemployment or economic disparities. As a result, the policy is unlikely to have a significant impact on the objective.			0

Summary of Assessment
<p>This policy specifically deals with existing waste management facilities and seeks to safeguard them from redevelopment for non-waste uses and from development on neighbouring sites which may adversely affect the continued operation of the facility.</p> <p>By helping to ensure that there are sufficient waste management facilities to manage North London’s waste, the policy has the potential to have a positive impact on the objective of managing waste sustainability, maximising self-sufficiency in the management of waste, minimising the production of waste and increasing re-use, recycling and recovery rates. It is however recognised that the policy may safeguard sites which accommodate facilities that do not manage waste at the optimal level in the Waste Hierarchy. The policy also has the potential to have a positive effect on the objectives that relate to sustainable transport and mitigating climate change by reducing the need for waste to be transported outside of the Plan area. However, there is a low level of certainty of this impact as the source of waste arisings is unknown and may originate from outside the plan area. The policy could also have a positive effect on the objective of ensuring the efficient use of land and the sustainable use of existing resources by reducing the likelihood of new sites needing to be identified to manage North London’s waste.</p> <p>It is unlikely to have a negative impact on any of the objectives but the impact on the objective that relates to health and amenity is uncertain as the policy may result in the safeguarding of existing sites which already have some adverse impact on amenity. It is however recognised that in such instances it may be the nature of the facility rather than the site itself which is causing amenity problems. In addition, the release of these sites may cause capacity management problems for the plan area. As such, no mitigation measures are suggested to address this.</p>

Policy text:

Policy 2: Locations for new waste management facilities

Areas listed in *Schedule 2: Areas suitable for waste management* and *Schedule 3: Areas identified in LLDC Local Plan* are identified as suitable for built waste management facilities.

Applications for waste management development will be permitted on suitable land within the areas identified in Schedule 2 subject to other policies in the North London Waste Plan, the London Plan and Local Plans guidance.

Development proposals will need to manage waste as far up the waste hierarchy as practicable.

Applications for waste management development within the areas identified in Schedule 3 will be assessed by the London Legacy Development Corporation.

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic	
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary		
1. To protect people’s health, communities and local environmental quality from the adverse effects of waste management	(-ve) Amenity impacts from dust, particulates, noise, vibration, visual amenity, light pollution			X	High / medium / low / no effect / depends on use	(+) The policy directs waste management development to a series of areas, the majority of which are in relatively close proximity to sensitive receptors, including housing. Nevertheless, many of these areas are existing employment areas and conditions can be used to reduce potential negative impacts. In addition, the policy specifies that applications for waste management development on these areas will be required to demonstrate that they are in line with the aims and policies of the NLWP, the London Plan and relevant Local Plan Policies which should ensure that it does not have an unacceptable impact on people’s health, communities and local environmental quality. The policy should therefore have a positive impact on the objective.	Secondary impacts on quality of life	Page 209
2. To maintain green infrastructure and open space	(+ve/-ve) Impact on open space (-ve) reduction of public access; effect on green infrastructure			X	High / medium / low / no effect / depends on use	(+) The policy directs waste management development to a series of areas. None of these areas are within an area of open space and the majority are existing industrial estate and do not contain significant green infrastructure features or open space. In addition, the policy specifies that applications for waste management development within these areas will be required to demonstrate that they are in line with the aims and policies of the NLWP, the London Plan and relevant Local Plan Policies which should ensure that it does not have an unacceptable impact on the green infrastructure network and open space. The policy should therefore have a positive impact on the objective.		
3. To promote sustainable modes of transport, reduce the need to travel and improve choice of more sustainable transport modes	(+ve) Reduce distance waste travels; reduce waste-related car/lorry trips; increase use of sustainable transport (+ve/-ve) Impact on road congestion			X	High / medium / low / no effect / depends on use	(-)The majority of the areas are not located in close proximity to a navigable waterway with a wharf or a railway line with sidings. As a result, the waste management facilities in these areas are likely to receive waste principally by road. (+) The provision of waste facilities could reduce the need for waste to be transported outside of the plan area. This could have a positive impact on the element of the objective that relates to reducing the need to travel. However, there is a low level of certainty of this impact as the source of waste arisings is unknown and may originate from outside the plan area. (+) The proposed area allocations also provide scope for co-locating waste management facilities in close proximity to one another. which	Secondary positive effects on congestion, air quality and carbon dioxide emissions.	

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic	
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary		
						can provide additional benefits in reducing waste miles.		
4. To conserve and enhance the historic environment, heritage assets and their settings	(-ve) Impact on heritage assets; impact on settings			X	High / medium / low / no effect / depends on use	(+)The majority of the identified areas do not contain or adjoin any designated heritage assets and, as a result, their development for waste management facilities would be unlikely to have a significant impact on the objective. By specifying that applications for waste management development in these areas will be required to be in line with the aims and policies of the NLWP, the London Plan and relevant Local Plan Policies, the policy should ensure that waste management development in the other areas will only take place if it does not have an unacceptable impact on built heritage. As a result, the policy has the potential to have a positive impact on the objective.	Secondary impacts on the image of the area	
5. To maintain and enhance the quality and character of North London’s townscapes and landscapes	(+ve) Will development be sympathetic (+ve/-ve) Impact on landscape / townscape character (-ve) Openness of Green Belt; effect on open space			X	High / medium / low / no effect / depends on use	(+) The policy directs waste management development to a series of areas. None of these are within an area designated for its landscape value and the majority are existing industrial estates. In addition, the policy specifies that applications for waste management development within these areas will be required to demonstrate that they are in line with the aims and policies of the NLWP, the London Plan and relevant Local Plan Policies which should ensure that waste management facilities in these areas do not have an unacceptable impact on the landscapes and townscapes. The policy should therefore have a positive impact on the objective.	Secondary impacts on the image of the area	
6. To maintain, protect and enhance biodiversity, protected species, habitats, geodiversity and features of geological interest	(+ve) Scope for habitat creation or restoration (-ve) Impact on nationally protected species / habitats; impact on or loss of BAP priority habitats and species			X	High / medium / low / no effect / depends on use	(+)The policy directs waste management development to a series of areas. Most of these areas are not located in close proximity to any internationally or nationally designated sites and the majority are existing industrial estates. Several of the areas are located in close proximity to a Site of Importance for Nature Conservation. Nevertheless, the policy specifies that applications for waste management development in these areas will be required to be in line with the aims and policies of the NLWP, the London Plan and relevant Local Plan Policies. This should ensure that development proposals in these areas do not have an unacceptable impact on biodiversity. Accordingly, the policy has the potential to have a positive impact on the objective.		
7. To reduce and manage flood risk	(+ve) Avoidance of inappropriate dev’tment in flood risk areas; reduce flood risk through SuDS / other measures (-ve) Exacerbate vulnerability to flooding			X	High / medium / low / no effect / depends on use	(+)The majority of the areas identified by the policy are considered to be at a low risk of flooding from fluvial or tidal sources. In addition, the requirement for applications for waste management development in these areas to demonstrate that they are in line with the aims and policies of the NLWP, the London Plan and relevant Local Plan Policies should ensure that the developments are not at an unacceptable risk of flooding and do not increase the risk elsewhere. The policy should therefore have a positive impact on the objective.		

Page 210

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic	
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary		
8. To adapt to, and reduce the impacts of climate change	(÷ve) Reduction of vulnerability to climate change events			X	High / medium / low / no effect / depends on use	(+)The policy directs development to a number of areas, the majority of which are at a low risk of flooding from fluvial or tidal sources. In addition, the requirement for applications for waste management development in these areas to demonstrate that they are in line with the aims and policies of the NLWP, the London Plan and relevant Local Plan Policies should ensure that the developments are not at an unacceptable risk of flooding and do not increase the risk elsewhere.		
						(+) The majority of the areas are existing industrial estates / employment areas. The development of these areas is therefore unlikely to result in a loss of green infrastructure or any other features that could help alleviate the higher summer temperatures expected as a result of climate change.		

9. To reduce climate change contributions, promote energy efficiency and increase use of energy from sustainable sources	(+ve) Reduce waste-related car/lorry trips; increase sustainable transport use (+ve/-ve) Impact on greenhouse gas generation			X	High / medium / low / no effect / depends on use	<p>(-)The majority of the areas are not located in close proximity to a navigable waterway with a wharf or a railway line with sidings. As a result, the waste management facilities in these areas are likely to receive waste principally by road.</p> <p>(+) The provision of waste facilities could reduce the need for waste to be transported out of the plan area. This could have a positive impact on the objective by reducing greenhouse gas emissions generated by the transportation of waste. However, there is a low level of certainty of this impact as the source of waste arisings is unknown and may originate from outside the plan area.</p> <p>(+) The proposed area allocations also provide scope for co-locating waste management facilities in close proximity to one another, which can reduce waste miles and associated greenhouse gas emissions.</p> <p>(+) By requiring waste management facilities in these areas to achieve the highest practicable level of recycling and recovery, the policy could have a positive impact on recycling and recovery rates. This could help reduce contributions to climate change by, for example, reducing emissions associated with the decomposition of waste in landfill and by resulting in energy savings associated with a reduced need to extract and refine natural resources.</p>		
10. To protect and improve air, water and soil quality	(+ve) Improvement of water quality; support land remediation (+ve/-ve) Impact on road congestion (-ve) Air quality impact; impact on soil quality; groundwater quality impact			X	High / medium / low / no effect / depends on use	<p>(+) Each area identified by the policy is within an AQMA and several are over a major Aquifer. Directing waste management development to these locations may however provide opportunities to address any existing land contamination. In addition, the requirement for applications for waste management development in these areas to demonstrate that they are in line with the aims and policies of the NLWP, the London Plan and relevant Local Plan Policies should protect air, water and soil quality. The policy should therefore have a positive impact on the objective.</p>		
11. To manage waste sustainability, maximise self-sufficiency in the management of waste, minimise production of waste and increase re-use, recycling and recovery rates	(+ve) Minimise waste generation; promote sustainable waste management; help to move management up the Waste Hierarchy			X	High / medium / low / no effect / depends on use	<p>(++) The policy would support the development of new waste management facilities in North London which would support the element of the objective that relates to maximising self sufficiency in the management of waste. The policy also requires waste management development in these areas to result in the highest practicable level of recycling and recovery of materials in line with the principles of the Waste Hierarchy. The policy would therefore also support the aim of minimising the production of waste and increasing re-use, recycling and recovery rates. It therefore has the potential to have a major positive impact on the objective.</p>	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.	
12. To ensure efficient use of land and natural resources and the sustainable use of existing resources	(+ve) Use of previously developed buildings / land; incorporate or encourage water efficiency (-ve) Effect on water demand			X	High / medium / low / no effect / depends on use	<p>(+) The policy directs waste development to a series of areas, the majority of which comprise previously developed land. The policy would therefore have a positive impact on the element of the objective that relates to the efficient use of land.</p> <p>(++)The policy supports the development of new waste management facilities in North London and requires development in these areas to result in the highest practicable level of recycling and recovery of materials. It could therefore have a major positive effect on element of the objective that relates to the sustainable use of existing resources.</p>	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.	
13. To encourage sustainable economic	(+ve) Encourage local economic growth thro'			X	High / medium / low / no effect / depends on use	(+) The policy allocates areas for waste management development and has the potential to encourage economic growth and improve the		

growth, exploit the growth potential of business sectors and improve productivity and competitiveness of local waste industry	provision of adequate waste facilities; enable new and innovative waste management technologies; scope to diversify local waste sector; promotion of waste minimisation; help to maximise value recovery					productivity and competitiveness of the local waste industry by supporting the delivery of new, high quality waste facilities. The policy could therefore have a positive impact on the objective.		
14. To reduce economic disparities, unemployment and deprivation	(+ve) Support for (and creation of) a broad range of employment opportunities			X	High / medium / low / no effect / depends on use	(+) The development and operation of waste management facilities at the identified areas would create employment opportunities which could contribute towards reducing unemployment and economic disparities. The number of new employment opportunities that would be created would depend on the number and nature of the facilities that came forward.		

Summary of Assessment
<p>This policy identifies a series of areas and states that the development of waste management facilities in these areas will be permitted where it is demonstrated that the proposal is in line with relevant aims and policies in the North London Waste Plan, the London Plan, relevant Local Plan Policies and related guidance; and the development would result in the highest practicable level of recycling and recovery of materials in line with the principles of the Waste Hierarchy.</p> <p>The policy has the potential to have a positive impact on a wide range of objectives. In particular, by requiring waste management development in these areas to result in the highest practicable level of recycling and recovery of materials, the policy has the potential to have a major positive effect on the objectives that relate to managing waste sustainably and ensuring the efficient and sustainable use of resources. By specifying that applications for waste management development in these areas will be required to be in line with the aims and policies of the NLWP, the London Plan and relevant Local Plan Policies, the policy should also support the objectives that relate to protecting health and amenity; maintaining green infrastructure; conserving the historic environment; maintaining landscapes and townscape; protecting biodiversity; reducing flood risk; adapting to climate change; and protecting air, water and soil quality. The development and operation of waste management facilities in the identified areas would create employment opportunities which could therefore also have a positive effect on the objective of reducing unemployment and economic disparities. In addition, by reducing the need for waste to be transported outside of the plan area and by providing scope for the co-location waste management facilities in close proximity to one another, the policy has the potential to reduce waste miles and have a positive impact on the objective that relates to reducing the need to travel.</p> <p>It is envisaged that the policy would not have an uncertain or negative impact on any of the objectives.</p>

Policy text:	Policy 3 : Windfall Sites
	<p>Applications for waste development on windfall sites outside of the sites and areas identified in Schedules 1,2 and 3 will be permitted provided that the proposal can demonstrate that:</p> <p>a) the sites and areas identified in Schedules 1, 2 and 3 are not available or suitable for the proposed use or the proposed site would be better suited to meeting the identified need having regard to the Spatial Framework;</p> <p>b) the proposed site meets the criteria for built facilities used in the site selection process (see Table 10 of Section 8 of the NLWP) the proposal fits within the NLWP Spatial Framework, and contributes to the achievement of the aims and objectives;</p> <p>c) future potential development including Opportunity Areas identified in the London Plan, and transport infrastructure improvements such as West Anglia Main Line, Four Tracking and Crossrail 2 would not be adversely affected by the proposals;;</p> <p>d) it is in line with relevant aims and policies in the NLWP, London Plan, Opportunity Area Planning Frameworks, Local Plans and related guidance; and</p> <p>e) waste is being managed as far up the waste hierarchy as practicable</p>

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic	Nature / scope of impacts
		0-5 yrs	5-10 yrs	>10 yrs				
					[delete as appropriate]	Characterise the scale / severity for each impact as necessary		
1. To protect people's health, communities and local environmental quality from the adverse effects of waste management	(-ve) Amenity impacts from dust, particulates, noise, vibration, visual amenity, light pollution			X	High / medium / low / no effect / depends on use	(+) The policy requires applications on unallocated sites to fit within the spatial framework and be in a location consistent with the site assessment criteria. The spatial framework and the site assessment criteria seek to protect amenity and environmental quality. The site selection criteria direct waste management development to the most suitable sites/areas taking into account environmental and physical constraints, including locations where any impacts that may occur can be mitigated to an acceptable level. The policy should therefore have a positive impact upon the objective.	Secondary impacts on quality of life	
2. To maintain green infrastructure and open space	(+ve/-ve) Impact on open space (-ve) reduction of public access; effect on green infrastructure			X	High / medium / low / no effect / depends on use	(+)The policy requires applications on unallocated sites to be in a location consistent with the site assessment criteria, which take into account the need to protect open space. As a result, the policy should help ensure that applications for waste development on unallocated sites do not have an unacceptable impact on open space. Is therefore has the potential to have a positive impact upon the objective.		
3. To promote sustainable modes of transport, reduce the need to travel and improve choice of more sustainable transport modes	(+ve) Reduce distance waste travels; reduce waste-related car/lorry trips; increase use of sustainable transport (+ve/-ve) Impact on road congestion			X	High / medium / low / no effect / depends on use	(+)The policy requires applications on unallocated sites to fit within the spatial framework which seeks to reduce waste exports and increase the amount of waste managed in proximity to its source. The spatial framework also supports the use of sustainable modes of transport. As a result, the policy has the potential to have a positive impact upon the objective.	Secondary positive effects on congestion, air quality and carbon dioxide emissions.	
4. To conserve and enhance the historic environment, heritage assets and their settings	(-ve) Impact on heritage assets; impact on settings			X	High / medium / low / no effect / depends on use	(+)The policy requires applications on unallocated sites to fit within the spatial framework and be in a location consistent with the site assessment criteria, both of which take into account the need to protect North London's heritage assets. As a result, the policy should help ensure that applications for waste development on unallocated sites do not have an unacceptable impact on heritage assets and therefore has the potential to have a positive impact upon the objective.	Secondary impacts on the image of the area	
5. To maintain and enhance the quality and character of North London's townscapes and landscapes	(+ve) Will development be sympathetic (+ve/-ve) Impact on landscape / townscape character (-ve) Openness of			X	High / medium / low / no effect / depends on use	(+)The policy requires applications on unallocated sites to fit within the spatial framework and be in a location consistent with the site assessment criteria, both of which take into account the need to protect North London's townscapes and landscapes. As a result, the policy should help ensure that applications for waste development on unallocated sites do not have an unacceptable impact on townscapes and landscapes. The policy therefore has the potential to have a positive impact upon the objective.	Secondary impacts on the image of the area	

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of impact
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic	
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary		
	Green Belt; effect on open space							
6. To maintain, protect and enhance biodiversity, protected species, habitats, geodiversity and features of geological interest	(+ve) <i>Scope for habitat creation or restoration</i>			X	High / medium / low / no effect / depends on use	(+)The policy requires applications on unallocated sites to be in a location consistent with the site assessment criteria, which take into account biodiversity and sites of importance for nature conservation. As a result, the policy should help ensure that applications for waste development on unallocated sites do not have an unacceptable impact on natural assets. Is therefore has the potential to have a positive impact upon the objective.		
	(-ve) Impact on nationally protected species / habitats; impact on or loss of BAP priority habitats and species							
7. To reduce and manage flood risk	(+ve) Avoidance of inappropriate dev'tment in flood risk areas; reduce flood risk through SuDS / other measures			X	High / medium / low / no effect / depends on use	(+)The policy requires applications on unallocated sites to be in a location consistent with the site assessment criteria, which take into account flood risk. As a result, the policy should help ensure that applications for waste development on unallocated sites do not have an unacceptable impact on open space. Is therefore has the potential to have a positive impact upon the objective.		
	(-ve) Exacerbate vulnerability to flooding							

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of impact
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic	
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary		
8. To adapt to, and reduce the impacts of climate change	(+ve) Reduction of vulnerability to climate change events			X	High / medium / low / no effect / depends on use	(+)The policy requires applications on unallocated sites to be in a location consistent with the site assessment criteria, which take into account flood risk. As a result, the policy should help ensure that applications for waste development on unallocated sites do not have an unacceptable impact on open space. Is therefore has the potential to have a positive impact upon the objective.		Page 216
9. To reduce climate change contributions, promote energy efficiency and increase use of energy from sustainable sources	(+ve) Reduce waste-related car/lorry trips; increase sustainable transport use (+ve/-ve) Impact on greenhouse gas generation			X	High / medium / low / no effect / depends on use	(+)The policy requires applications on unallocated sites to fit within the spatial framework which seeks to reduce waste exports and increase the amount of waste managed in proximity to its source. The spatial framework also supports the use of sustainable modes of transport and promotes opportunities for decentralised heat and energy networks. As a result, the policy has the potential to have a positive impact upon the objective.	Secondary positive effects on congestion, air quality and carbon dioxide emissions.	
10. To protect and improve air, water and soil quality	(+ve) Improvement of water quality; support land remediation (+ve/-ve) Impact on road congestion (-ve) Air quality impact; impact on soil quality; groundwater quality impact			X	High / medium / low / no effect / depends on use	(+)The policy requires applications on unallocated sites to be in a location consistent with the site assessment criteria, which take into account water and soil quality. As a result, the policy has the potential to have a positive impact upon the objective.		
11. To manage waste sustainability, maximise self-sufficiency in the management of waste, minimise production of waste and increase re-use, recycling and recovery rates	(+ve) Minimise waste generation; promote sustainable waste management; help to move management up the Waste Hierarchy			X	High / medium / low / no effect / depends on use	(++) The policy provides a mechanism which will help maximise self-sufficiency by ensuring that there are sufficient sites to manage waste within North London. It also requires waste management facilities on unallocated sites to fit within the spatial framework and contribute to the delivery of the NLWP aim and objective. Moving waste up the Waste Hierarchy is a key aspect of the NLWP spatial framework, aims and objectives. As a result, by requiring applications on unallocated sites to comply with these, the policy has the potential to have a significant positive impact upon the objective and should ensure that such new development delivers at least the same contribution to local recycling and re-use rates as that anticipated on an allocated site or plot in an allocated area.	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.	
12. To ensure efficient use of land and natural resources and the sustainable use of existing resources	(+ve) Use of previously developed buildings / land; incorporate or encourage water efficiency (-ve) Effect on water demand			X	High / medium / low / no effect / depends on use	(+) The policy requires waste management facilities on unallocated sites to fit within the spatial framework and contribute to the delivery of the NLWP aim and objective. Moving waste up the Waste Hierarchy is a key aspect of the NLWP spatial framework, aims and objectives. As a result, by requiring applications on unallocated sites to comply with these, the policy has the potential to support the sustainable use of existing resources and could have a positive impact upon the objective.	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.	

13. To encourage sustainable economic growth, exploit the growth potential of business sectors and improve productivity and competitiveness of local waste industry	(+ve) Encourage local economic growth thro' provision of adequate waste facilities; enable new and innovative waste management technologies; scope to diversify local waste sector; promotion of waste minimisation; help to maximise value recovery			X	High / medium / low / no effect / depends on use	(+) The policy provides a mechanism which supports the delivery of additional waste management facilities in North London. While the Plan has sought to allocate sites and areas in the most sustainable locations, specific waste requirements may dictate that facilities are located elsewhere and the policy provides flexibility to ensure the Plan does not stifle such development provided it complies with the other requirements of the policy. This could help encourage economic growth and improve the competitiveness of the local waste industry.	Increased employment opportunities	
14. To reduce economic disparities, unemployment and deprivation	(+ve) Support for (and creation of) a broad range of employment opportunities			X	High / medium / low / no effect / depends on use	(+) The policy provides a mechanism which supports the delivery of additional waste management facilities in North London. The provision of any such facility would create employment opportunities and could help reduce unemployment and thereby have a positive impact on the objective. Nevertheless, the number of new employment opportunities that would be created would depend on the number and nature of the facilities that come forward.		

Summary of Assessment
<p>This policy provides a series of criteria for assessing applications for waste management development on sites/areas that have not been identified for this use by the NLWP.</p> <p>The policy therefore provides a mechanism to help ensure that there are sufficient sites to manage waste within North London and states that these proposals will need to fit within the spatial framework and contribute to the delivery of the NLWP aims and objectives. The requirement for waste up the Waste Hierarchy is a key aspect of the NLWP spatial framework, aims and objectives. As a result, the policy has the potential to have a major positive impact on the objective that relates to managing waste sustainably. The requirements for facilities on unallocated sites to fit within the spatial framework and be in a location consistent with the site assessment criteria should also ensure that the policy supports the objectives that relate to protecting health and amenity; maintaining green infrastructure; conserving built heritage; maintaining landscape and townscape character; protecting biodiversity; reducing flood risk; and adapting to climate change.</p> <p>The policy also has the potential to have a positive effect on the economic objectives that relate to encouraging sustainable economic growth and reducing unemployment. It also provides flexibility in supporting development at locations which may become waste use in the future provided other criteria preventing adverse impacts can be satisfied. The policy would not have a negative or uncertain impact on any of the objectives.</p>

Policy text:	Policy 4 – Re-use & Recycling Centres
	Proposals for Re-use & Recycling Centres will be permitted where: <ul style="list-style-type: none"> a) They are sited in an area of identified need for new facilities in Barnet or Enfield or elsewhere where they improve the coverage of centres across the North London Boroughs, and; b) They are in line with relevant aims and policies in the North London Waste Plan, London Plan, Local Plans and other related guidance.

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of m
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic	
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary		
1. To protect people’s health, communities and local environmental quality from the adverse effects of waste management	(-ve) Amenity impacts from dust, particulates, noise, vibration, visual amenity, light pollution	N/A			High / medium / low / no effect / depends on use	(0) The policy is unlikely to have a significant effect on the objective. Other policies will ensure that proposals for re-use and recycling centres do not have an unacceptable impact on amenity or local environmental quality.		
2. To maintain green infrastructure and open space	(+ve/-ve) Impact on open space (-ve) reduction of public access; effect on green infrastructure	N/A			High / medium / low / no effect / depends on use	(0) The policy is unlikely to have a significant effect on the objective. Other policies will ensure that proposals for re-use and recycling centres do not have an unacceptable impact on green infrastructure or open space.		
3. To promote sustainable modes of transport, reduce the need to travel and improve choice of more sustainable transport modes	(+ve) Reduce distance waste travels; reduce waste-related car/lorry trips; increase use of sustainable transport (+ve/-ve) Impact on road congestion			X	High / medium / low / no effect / depends on use	(+) The policy seeks to improve the coverage of re-use and recycling centres which will improve access to recycling facilities, including locations where bulky items can be dealt with. As a result, the policy should help to reduce the distances that members of the public have to travel in order to access these facilities and can thereby have a positive impact on the element of the objective that relates to reducing the need to travel. In addition, other policies in the NLWP and Local Plans will direct development to locations where any impact on road congestion is minimised or can be avoided.	Secondary impacts on congestion, air quality and greenhouse gas emissions from the transport sector.	Page 218
4. To conserve and enhance the historic environment, heritage assets and their settings	(-ve) Impact on heritage assets; impact on settings	N/A			High / medium / low / no effect / depends on use	(0) The policy is unlikely to have a significant effect on the objective. Other policies will ensure that proposals for re-use and recycling centres do not have an unacceptable impact on built heritage.		
5. To maintain and enhance the quality and character of North London’s townscapes and landscapes	(+ve) Will development be sympathetic (+ve/-ve) Impact on landscape / townscape character (-ve) Openness of Green Belt; effect on open space	N/A			High / medium / low / no effect / depends on use	(0) The policy is unlikely to have a significant effect on the objective. Other policies will ensure that proposals for re-use and recycling centres do not have an unacceptable impact on the quality and character of townscapes and landscapes.		
6. To maintain, protect and enhance biodiversity, protected species, habitats, geodiversity and features of geological interest	(+ve) Scope for habitat creation or restoration (-ve) Impact on nationally protected species / habitats; impact on or loss of BAP priority habitats and species	N/A			High / medium / low / no effect / depends on use	(0) The policy is unlikely to have a significant effect on the objective. Other policies will ensure that proposals for re-use and recycling centres do not have an unacceptable impact on biodiversity.		
7. To reduce and	(+ve) Avoidance of	N/A			High / medium / low / no effect / depends on use	(0) The policy is unlikely to have a significant effect on the objective. Other		

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of m
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic	
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary		
manage flood risk	inappropriate dev'ment in flood risk areas; reduce flood risk through SuDS / other measures (-ve) Exacerbate vulnerability to flooding					policies will ensure that proposals for re-use and recycling centres do not have an unacceptable impact on flood risk.		

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of m
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic	
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary		
8. To adapt to, and reduce the impacts of climate change	(+ve) Reduction of vulnerability to climate change events	N/A			High / medium / low / no effect / depends on use	(0) The policy is unlikely to have a significant effect on the objective.		
9. To reduce climate change contributions, promote energy efficiency and increase use of energy from sustainable sources	(+ve) Reduce waste-related car/lorry trips; increase sustainable transport use (+ve/-ve) Impact on greenhouse gas generation			X	High / medium / low / no effect / depends on use	(+) The policy seeks to improve the coverage of re-use and recycling centres which will improve access to recycling facilities, including locations where bulky items can be dealt with. As a result, the policy should help to reduce the distances that members of the public have to travel to access these facilities which would have some positive impact on contributions to climate change from the transport sector (although this effect may be regarded as secondary in nature). (+) By improving access to re-use and recycling centres, the policy has the potential to have a positive impact on re-use and recycling rates. This could make an important contribution to reducing contributions to climate change by, for example, reducing emissions associated with the decomposition of waste in landfill and by energy savings associated with a reduced need to extract and refine natural resources.		
10. To protect and improve air, water and soil quality	(+ve) Improvement of water quality; support land remediation (+ve/-ve) Impact on road congestion (-ve) Air quality impact; impact on soil quality; groundwater quality impact	N/A			High / medium / low / no effect / depends on use	(0) The policy is unlikely to have a significant effect on the objective. Other policies will ensure that proposals for re-use and recycling centres do not have an unacceptable impact on air, water and soil quality.		Page 220
11. To manage waste sustainability, maximise self-sufficiency in the management of waste, minimise production of waste and increase re-use, recycling and recovery rates	(+ve) Minimise waste generation; promote sustainable waste management; help to move management up the Waste Hierarchy			X	High / medium / low / no effect / depends on use	(++) The policy seeks to increase the coverage of re-use and recycling centres which will improve access to such facilities. This has the potential to have a significant positive impact on recycling rates and, as a result, the policy could have a major positive impact on the elements of the objective that relate to managing waste, minimising the production of waste and increasing re-use, recycling and recovery rates.	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.	
12. To ensure efficient use of land and natural resources and the sustainable use of existing resources	(+ve) Use of previously developed buildings / land; incorporate or encourage water efficiency (-ve) Effect on water demand			X	High / medium / low / no effect / depends on use	(++) The policy seeks to increase the coverage of re-use and recycling centres which will improve access to such facilities. This has the potential to have a significant positive impact on recycling rates and, as a result, the policy could have a major positive impact on the efficient and sustainable use of natural resources.	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.	
13. To encourage sustainable economic growth, exploit the growth potential of business sectors and improve productivity and competitiveness of local waste industry	(+ve) Encourage local economic growth thro’ provision of adequate waste facilities; enable new and innovative waste management technologies; scope to diversify local waste sector; promotion of			X	High / medium / low / no effect / depends on use	(+) By promoting the provision of a network of re-use and recycling centres, the policy has the potential to have some positive impact on investment in the waste sector and could have a positive effect on the element of the objective that relates to the competitiveness of local waste industry.		

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of m
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic	
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary		
	waste minimisation; help to maximise value recovery							
14. To reduce economic disparities, unemployment and deprivation	(+ve) Support for (and creation of) a broad range of employment opportunities	N/A			High / medium / low / no effect / depends on use	(0) Although some employment opportunities could be created at re-use and recycling centres, the policy is unlikely to have a significant effect on the objective.		

Summary of Assessment
This policy promotes the provision of re-use and recycling centres across the Plan area. By seeking to improve the coverage of these facilities the policy has the potential to improve recycling and recovery rates. It could therefore have a major positive effect on the objectives that relate to sustainable waste management and the efficient use of existing resources. Other objectives that the policy has the potential to have a positive impact on are those which relate to reducing unemployment; encouraging sustainable economic growth; mitigating climate change; and reducing the need to travel.

Policy text:**Policy 5: Assessment Criteria for Waste Management Facilities and Related Development**

Applications for waste management facilities and related development, including those replacing or expanding existing sites, will be required to demonstrate to the satisfaction of the relevant Borough that:

- a) the amenity of local residents is protected;
- b) the facility will be enclosed unless justification can be provided by the developer as to why that is not necessary;
- c) adequate means of controlling noise, vibration, dust, litter, vermin, odours, air and water-borne contaminants and other emissions are incorporated into the scheme;
- d) there is no significant adverse effect on any established, permitted or allocated land uses likely to be affected by the development;
- e) the development is of a scale, form and character in keeping with its location and incorporates appropriate high quality design;
- f) there is no significant adverse impact on the historic environment (heritage assets and their settings, and undesignated remains within Archaeological Priority Areas), open spaces or land in recreational use or the character of the area including the Lee Valley Regional Park;
- g) active consideration has been given to the transportation of waste by modes other than road, principally by water and rail;
- h) there are no significant adverse transport effects outside or inside the site as a result of the development;
- i) the development makes the fullest possible contribution to climate change adaptation and mitigation;
- j) the development has no adverse effect on the integrity of an area designated under the Habitats Directive and no significant adverse effect on local biodiversity or water quality;
- k) there will be no significant impact on the quality of underlying soils, surface or groundwater;
- l) the development has no adverse impact on Flood Risk on or off site and aims to reduce risk where possible;
- m) appropriate permits are held or have been applied for from the Environment Agency;
- n) there is no adverse impact on health
- o) there are no significant adverse effects resulting from cumulative impact of any proposed waste management development upon amenity, the economy, the natural and the built environment either in relation to the effect of different impacts of an individual proposal, or in relation to the effects of a number of waste developments occurring concurrently or successively.
- p) There are job creation and social value benefits, including skills, training and apprenticeship opportunities¹.
- q) The proposal is supported by a Circular Economy Statement

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic	
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary		
1. To protect people's health, communities and local environmental quality from the adverse effects of waste management	(-ve) Amenity impacts from dust, particulates, noise, vibration, visual amenity, light pollution			X	High / medium / low / no effect / depends on use	(+)The policy incorporates a range of requirements which will collectively protect people's health, the amenity of the wider community and local environmental quality from the adverse effects of waste management. For instance, it requires applications for waste management facilities to demonstrate that the amenity of local residents would be protected and that adequate means of controlling a full range of potential adverse impacts are incorporated into the scheme. The policy has safeguarding in place, clause o, to mitigate against negative impacts upon <i>features</i> laid		

¹ This requirement is an issue for all development and waste applications should provide details as to how they will meet these objectives.

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic	
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary		
						out in the objective. As a result, the policy has the potential to have a positive impact on the objective.		
2. To maintain green infrastructure and open space	(+ve/-ve) Impact on open space (-ve) reduction of public access; effect on green infrastructure			X	High / medium / low / no effect / depends on use	(+) The policy requires applications for waste management facilities to demonstrate that there would be no significant impact on open space regardless of its purpose. The policy should therefore have a positive impact on the objective.		
3. To promote sustainable modes of transport, reduce the need to travel and improve choice of more sustainable transport modes	(+ve) Reduce distance waste travels; reduce waste-related car/lorry trips; increase use of sustainable transport (+ve/-ve) Impact on road congestion			X	High / medium / low / no effect / depends on use	(+) The policy requires applications for waste management facilities to demonstrate that they have given active consideration to the transportation of waste by modes other than road. The policy does therefore promote sustainable modes of transport and could have a positive impact on the objective. There is however only a low level of certainty that any impact on this objective would be significant given that the policy does not require the use of alternative modes of transport waste. Nevertheless, it is recognised that the use of rail or water to transport waste will not be a viable option for many waste sites and, as such, no mitigation is suggested.	Secondary positive effects on congestion, air quality and carbon dioxide emissions.	
4. To conserve and enhance the historic environment, heritage assets and their settings	(-ve) Impact on heritage assets; impact on settings			X	High / medium / low / no effect / depends on use	(+)The policy requires applications for waste management facilities to demonstrate that there would be no significant adverse impact on the historic environment. As a result, the policy should help conserve the historic environment, heritage assets and their settings and thereby have a positive impact on the objective.	Secondary impacts on sense of place	
5. To maintain and enhance the quality and character of North London’s townscapes and landscapes	(+ve) Will development be sympathetic (+ve/-ve) Impact on landscape / townscape character (-ve) Openness of Green Belt; effect on open space			X	High / medium / low / no effect / depends on use	(+)The policy requires applications for waste management facilities to demonstrate that there would be no significant impact on the landscape character of the area. Although the policy does not have an equivalent reference to townscape character, it stipulates that proposed waste management facilities should be of a scale, form and character in keeping with its location and should incorporate a high quality of design. The policy should therefore also help to maintain and enhance the quality and character of North London’s townscapes.	Secondary impacts on sense of place	
6. To maintain, protect and enhance biodiversity, protected species, habitats, geodiversity and features of geological interest	(+ve) <i>Scope for habitat creation or restoration</i> (-ve) Impact on nationally protected species / habitats; impact on or loss of BAP priority habitats and species			X	High / medium / low / no effect / depends on use	(+)The policy requires applications for waste management facilities to demonstrate that there would be no significant adverse impact on local biodiversity or on the integrity of an area designated under the Habitats Directive. As a result, the policy should help maintain, protect and enhance biodiversity and thereby have a positive impact on the objective. The policy wording could however potentially be amended so that it is clear that protection is also provided to SSSIs and SINCs.		Consider amending the plan to make reference to avoid adverse impacts on the integrity of SSSIs and SINCs.
7. To reduce and manage flood risk	(+ve) Avoidance of inappropriate development in flood risk areas; reduce flood risk through SuDS / other measures (-ve) Exacerbate vulnerability to flooding			X	High / medium / low / no effect / depends on use	(+) The policy requires proposed waste management facilities to not increase flood risk and states that such development should aim to reduce risks. The policy therefore has the potential to have a positive impact on the objective. The policy does not explicitly state that waste management facilities should avoid areas of flood risk, although it is acknowledged that national planning policy does already require development to be directed away from areas at highest risk.		Consider amending the plan to require applications for waste management facilities to avoid areas of highest flood risk.

Page 223

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic	
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary		
8. To adapt to, and reduce the impacts of climate change	(+ve) Reduction of vulnerability to climate change events			X	High / medium / low / no effect / depends on use	(+)The policy requires applications for waste management facilities to make the fullest possible contribution to climate change adaptation. It also states that applications for waste management facilities should not increase flood risk and should aim to reduce risks.		
9. To reduce climate change contributions, promote energy efficiency and increase use of energy from sustainable sources	(+ve) Reduce waste-related car/lorry trips; increase sustainable transport use (+ve/-ve) Impact on greenhouse gas generation			X	High / medium / low / no effect / depends on use	(+)The policy requires applications for waste management facilities to make the fullest possible contribution to climate change mitigation, including the contributions to the development of decentralised energy networks, and also promotes the transportation of waste by sustainable modes. The policy therefore has the potential to make a positive contribution to reducing climate change contributions. The policy wording should however potentially be amended to require the fullest <i>practicable</i> contribution to climate change mitigation.		Consider amending the wording to require the <i>practicable</i> contribution to climate change mitigation.
10. To protect and improve air, water and soil quality	(+ve) Improvement of water quality; support land remediation (+ve/-ve) Impact on road congestion (-ve) Air quality impact; impact on soil quality; groundwater quality impact			X	High / medium / low / no effect / depends on use	(+)The policy requires applications for waste management facilities to demonstrate that there would be no significant impact on the quality of underlying soils, surface or groundwater. It also requires adequate means of controlling dust, air and water-borne contaminants and other emissions to be incorporated into schemes and promotes the use of non-road modes of transporting waste which could have a beneficial effect on air quality. As such, the policy has the potential to have a positive impact on the objective.	Limiting impact on air quality could have positive secondary impacts on health.	
11. To manage waste sustainability, maximise self-sufficiency in the management of waste, minimise production of waste and increase re-use, recycling and recovery rates	(+ve) Minimise waste generation; promote sustainable waste management; help to move management up the Waste Hierarchy	N/A			High / medium / low / no effect / depends on use	(0) The policy contains a range of criteria that applications for waste management facilities are expected to comply with. The range of requirements is not unduly onerous to the extent that it would restrict the development of waste management facilities. As a result, the policy is unlikely to have a significant effect on the objective.		

Page 224

12. To ensure efficient use of land and natural resources and the sustainable use of existing resources	(+ve) Use of previously developed buildings / land; incorporate or encourage water efficiency (-ve) Effect on water demand			X	High / medium / low / no effect / depends on use	(0) The policy contains a range of criteria that applications for waste management facilities are expected to comply with. The range of requirements is not unduly onerous to the extent that it would restrict the development of waste management facilities. As a result, the policy is unlikely to have a significant effect on the objective. (?) The policy does not specifically promote development on previously developed land in preference to greenfield sites. As a result, the extent to which it would impact on the element of the objective that relates to the efficient use of land is uncertain.		Consider amending the policy to prioritise the use of previously developed land in preference to greenfield sites.
13. To encourage sustainable economic growth, exploit the growth potential of business sectors and improve productivity and competitiveness of local waste industry	(+ve) Encourage local economic growth through provision of adequate waste facilities; enable new and innovative waste management technologies; scope to diversify local waste sector; promotion of waste minimisation; help to maximise value recovery	N/A			High / medium / low / no effect / depends on use	(0) The policy contains a range of criteria that applications for waste management facilities are expected to comply with. The range of requirements is not unduly onerous to the extent that it would restrict the development of waste management facilities and reflects the range of criteria required by relevant national, regional and local plans. As a result, the policy is unlikely to have a significant effect on the objective.		
14. To reduce economic disparities, unemployment and deprivation	(+ve) Support for (and creation of) a broad range of employment opportunities			X	High / medium / low / no effect / depends on use	(+) The policy contains a specific clause relating to job creation and social value benefits. As a result, the policy is likely to have a positive effect on the objective.		

Summary of Assessment
The policy contains a range of criteria for assessing proposals for waste management facilities and related development. The policy will help minimise the impact of waste management development in North London and will help ensure that it does not result in unacceptable social or environmental impacts. As a result, the policy could support a wide range of objectives, including those which relate to protecting health and amenity; maintaining green infrastructure; sustainable transport; conserving the historic environment; protecting biodiversity; maintaining townscapes and landscapes; reducing flood risk; reducing contributions to climate change; protecting air, water and soil quality and reduction of unemployment and deprivation. The policy does not specifically promote development on previously developed land in preference to greenfield sites. As a result, the extent to which it would impact on the objective that relates to the efficient use of land is uncertain. Consideration should therefore be given to the inclusion of a criteria which gives preference to the use of previously developed land when assessing applications for waste management facilities.

Policy text:

Policy 6: Energy Recovery and Decentralised Energy

Where waste cannot be managed at a higher level in the waste hierarchy and recovery of energy from waste is feasible, waste developments should generate energy and/or recover excess heat (including the recovery of gas) and provide a supply to networks including decentralised energy networks.

Where there is no available decentralised energy network and no network is planned within range of the development, as a minimum requirement the proposal should recover energy through electricity production and enable it to deliver heat and/or energy and connect to a Decentralised Energy Network in the future.

Developers must demonstrate how they meet these requirements, or provide evidence if it is not technically feasible or economically viable to achieve them, as part of a submitted Energy Statement.

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic	
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary		
1. To protect people’s health, communities and local environmental quality from the adverse effects of waste management	(-ve) Amenity impacts from dust, particulates, noise, vibration, visual amenity, light pollution	N/A			High / medium / low / no effect / depends on use	(0) The policy is unlikely to have a significant effect on the objective. Energy recovery can lead to emissions which could have secondary impacts on health.		Other policies in the Plan should mean that the incorporation of measures to minimise greenhouse gas emissions and maximise the use of lower-carbon energy sources/generation do not have an unacceptable impact on the objective.
2. To maintain green infrastructure and open space	(+ve/-ve) Impact on open space (-ve) reduction of public access; effect on green infrastructure	N/A			High / medium / low / no effect / depends on use	(0) The policy is unlikely to have a significant effect on the objective. Other policies will ensure that the incorporation of measures to minimise greenhouse gas emissions and maximise the use of lower-carbon energy sources/generation do not have an unacceptable impact on green infrastructure or open space.		
3. To promote sustainable modes of transport, reduce the need to travel and improve choice of more sustainable transport modes	(+ve) Reduce distance waste travels; reduce waste-related car/lorry trips; increase use of sustainable transport (+ve/-ve) Impact on road congestion	N/A			High / medium / low / no effect / depends on use	(0) The policy is unlikely to have a significant effect on the objective.		
4. To conserve and enhance the historic environment, heritage assets and their settings	(-ve) Impact on heritage assets; impact on settings	N/A			High / medium / low / no effect / depends on use	(0) The policy is unlikely to have a significant effect on the objective. Other policies will ensure that the incorporation of measures to minimise greenhouse gas emissions and maximise the use of lower-carbon energy sources/generation do not have an unacceptable impact on the historic environment.		
5. To maintain and enhance the quality and character of North London’s townscapes and landscapes	(+ve) Will development be sympathetic (+ve/-ve) Impact on landscape / townscape character (-ve) Openness of Green Belt; effect on open space	N/A			High / medium / low / no effect / depends on use	(0) The policy is unlikely to have a significant effect on the objective. Other policies will ensure that the incorporation of measures to minimise greenhouse gas emissions and maximise the use of lower-carbon energy sources/generation do not have an unacceptable impact on the quality and character of landscapes / townscapes.		
6. To maintain,	(+ve) Scope for	N/A			High / medium / low / no effect / depends on use	(0) The policy is unlikely to have a significant effect on the objective.		

Page 226

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic	
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary		
protect and enhance biodiversity, protected species, habitats, geodiversity and features of geological interest	habitat creation or restoration (-ve) Impact on nationally protected species / habitats; impact on or loss of BAP priority habitats and species					Other policies will ensure that the incorporation of measures to minimise greenhouse gas emissions and maximise the use of lower-carbon energy sources/generation do not have an unacceptable impact on biodiversity.		
7. To reduce and manage flood risk	(+ve) Avoidance of inappropriate dev'ment in flood risk areas; reduce flood risk through SuDS / other measures (-ve) Exacerbate vulnerability to flooding	N/A			High / medium / low / no effect / depends on use	(0) The policy is unlikely to have a significant effect on the objective.		

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic	
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary		
8. To adapt to, and reduce the impacts of climate change	(+ve) Reduction of vulnerability to climate change events	N/A			High / medium / low / no effect / depends on use	(0) The policy is unlikely to have a significant effect on the objective.		
9. To reduce climate change contributions, promote energy efficiency and increase use of energy from sustainable sources	(+ve) Reduce waste-related car/lorry trips; increase sustainable transport use (+ve/-ve) Impact on greenhouse gas generation			X	High / medium / low / no effect / depends on use	(++) The policy requires waste management facilities to incorporate measures to minimise greenhouse gas emissions. It also promotes the use of lower carbon energy sources/generation, district heating and Decentralised Energy Networks. The policy therefore has the potential to have a significant positive impact as it addresses the objective directly.	Secondary positive effects upon health	
10. To protect and improve air, water and soil quality	(+ve) Improvement of water quality; support land remediation (+ve/-ve) Impact on road congestion (-ve) Air quality impact; impact on soil quality; groundwater quality impact			X	High / medium / low / no effect / depends on use	(-) Depending on the nature of the facility proposed, energy recovery can lead to emissions which impact on air quality.	Secondary impacts on health.	Other policies in the Plan should mean that the incorporation of measures to minimise greenhouse gas emissions and maximise use of lower-carbon energy sources/generation does not have an unacceptable impact on air quality.
11. To manage waste sustainability, maximise self-sufficiency in the management of waste, minimise production of waste and increase re-use, recycling and recovery rates	(+ve) Minimise waste generation; promote sustainable waste management; help to move management up the Waste Hierarchy			X	High / medium / low / no effect / depends on use	(+) By supporting energy recovery, the policy would help move material up the Waste Hierarchy from landfill and increase waste recovery rates. In addition, the policy is flexible in that it specifies that developers do not necessarily need to comply with the requirements of the policy if it is not technically feasible or economically viable. As such, the requirements of the policy should not act as an impediment to the development of new waste facilities. As a result, the policy has the potential to have a positive impact on the objective. Nevertheless, the level of certainty is not high as the policy promotes recovery which is not as high up the Waste Hierarchy as reusing or recycling.	Positive secondary impacts on contributions to climate change.	Page 228
12. To ensure efficient use of land and natural resources and the sustainable use of existing resources	(+ve) Use of previously developed buildings / land; incorporate or encourage water efficiency (-ve) Effect on water demand			X	High / medium / low / no effect / depends on use	(++) The policy encourages waste management to minimise the use of non-renewable energy and promotes energy recovery, the use of lower-carbon energy sources and the development of decentralised energy networks. The policy therefore has the potential to have a significant impact on the objective by supporting the sustainable use of existing resources and minimising the need to consume new resources for energy production.	Positive secondary impacts on contributions to climate change.	
13. To encourage sustainable economic growth, exploit the growth potential of business sectors and improve productivity and competitiveness of local waste industry	(+ve) Encourage local economic growth through provision of adequate waste facilities; enable new and innovative waste management technologies; scope to diversify local waste sector; promotion of waste minimisation; help to maximise value recovery			X	High / medium / low / no effect / depends on use	(+) By promoting energy efficiency and providing support for the development of combined heat and power and decentralised energy networks, the policy could help deliver cost savings for local businesses and improve the competitiveness of local waste industry. (+) Such facilities are likely to make use of locally arising wastes in the first instance and will therefore contribute to better value recovery benefitting the local economy.	Secondary impacts on employment opportunities.	

14. To reduce economic disparities, unemployment and deprivation	(+ve) Support for (and creation of) a broad range of employment opportunities	N/A	High / medium / low / no effect / depends on use	(0) The policy is unlikely to have a significant effect on the objective.		

Summary of Assessment
<p>The policy promotes measures to minimise greenhouse gas emissions and to minimise the use of non-renewable energy and requires waste developments to maximise the use of lower-carbon energy sources/generation. As a result, the policy has the potential to have a significant positive impact on the objective or reducing climate change contributions, promoting energy efficiency and increasing the use of energy from sustainable sources. In addition, by supporting efforts to reduce the consumption of resources for energy generation, the policy could also have a major positive effect on the objective that relates to the efficient and sustainable use of natural resources.</p> <p>The policy could also have a positive impact on the objectives that relate to encouraging sustainable economic growth, value recovery, and managing waste sustainably, although the level of certainty that the policy would have a positive impact on the latter objective is not high as the policy promotes the management of waste by recovery which is not as high up the Waste Hierarchy as reusing or recycling.</p> <p>Depending on the nature of the facility proposed, energy recovery can lead to emissions which impact on air quality. As a result, the policy does have the potential to have a negative impact on the objective that relates to protecting air quality. Nevertheless, it is acknowledged that other policies in the Plan and stringent emission standards should mean that the incorporation of measures to minimise greenhouse gas emissions and maximise the use of lower-carbon energy sources / generation does not have unacceptable impact on air quality.</p>

Policy text:

Policy 7: Waste Water Treatment Works and Sewage Plant

Proposals for the provision of new facilities for the management, treatment and disposal of wastewater and sewage sludge will be permitted, provided that:

- it is demonstrated that there is an identified need for such a facility within the North London Waste Plan Area, which cannot be met through existing waste facilities; and
- the proposals meet the other policies of this North London Waste Plan together with all other relevant policies of the appropriate borough's Development Plan, and meet environmental standards set by the Environment Agency.

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation	Score
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
1. To protect people's health, communities and local environmental quality from the adverse effects of waste management	(-ve) Amenity impacts from dust, particulates, noise, vibration, visual amenity, light pollution			X	High / medium / low / no effect / depends on use	(?) The policy outlines that proposals will be permitted providing there is justification for the new facility; and that the relevant policies and standards are adhered to. This includes tighter environmental permitting set by the Environment Agency in 2017, and requires Thames Water to make improvements to the quality of discharged effluent. The policy states that any new waste water and sewage treatment plants will be supported where the location minimises environmental impact. In addition, the construction of the Thames Tideway Tunnel may have indirect benefits in terms of relieving pressure for further expansion of local Waste Water Treatment Works. Despite these potential benefits, it is unclear at this point as to whether the policy will readdress environmental inequalities in the plan area.			?
2. To maintain green infrastructure and open space	(+ve/-ve) Impact on open space (-ve) reduction of public access; effect on green infrastructure			X	High / medium / low / no effect / depends on use	(?) Following the construction of the Thames Tideway Tunnel, there may less of a need to expand existing facilities in the local area. This may result in potential for green infrastructure to expand, however this is uncertain at this stage.			?
3. To promote sustainable modes of transport, reduce the need to travel and improve choice of more sustainable transport modes	(+ve) Reduce distance waste travels; reduce waste-related car/lorry trips; increase use of sustainable transport (+ve/-ve) Impact on road congestion	N/A			High / medium / low / no effect / depends on use	(0) The policy is unlikely to have a significant effect on the objective.			0
4. To conserve and enhance the historic environment,	(-ve) Impact on heritage assets; impact on settings			X	High / medium / low / no effect / depends on use	(+) The policy states that any new facility will be supported where the location minimises any environmental or other impact that the development would likely to give rise to – it			+

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation	Score
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
heritage assets and their settings						is expected that this includes heritage assets.			
5. To maintain and enhance the quality and character of North London's townscapes and landscapes	(+ve) Will development be sympathetic (+ve/-ve) Impact on landscape / townscape character (-ve) Openness of Green Belt; effect on open space	N/A			High / medium / low / no effect / depends on use	(?) It is uncertain at this stage whether the townscape/landscape will be adversely affected.			?
6. To maintain, protect and enhance biodiversity, protected species, habitats, geodiversity and features of geological interest	(+ve) Scope for habitat creation or restoration (-ve) Impact on nationally protected species / habitats; impact on or loss of BAP priority habitats and species			X	High / medium / low / no effect / depends on use	(+) The policy states that any new facility will be supported where the location minimises any environmental or other impact that the development would likely to give rise to – it is expected that this includes ecology.			+
7. To reduce and manage flood risk	(+ve) Avoidance of inappropriate dev'tment in flood risk areas; reduce flood risk through SuDS / other measures (-ve) Exacerbate vulnerability to flooding	N/A			High / medium / low / no effect / depends on use	(0) The policy is unlikely to have a significant impact on the objective.			0
8. To adapt to, and reduce the impacts of climate change	(+ve) Reduction of vulnerability to climate change events	N/A			High / medium / low / no effect / depends on use	(0) The policy is unlikely to have a significant impact on the objective.			0
9. To reduce climate change contributions, promote energy efficiency and increase use of energy from sustainable sources	(+ve) Reduce waste- related car/lorry trips; increase sustainable transport use (+ve/-ve) Impact on greenhouse gas generation			X	High / medium / low / no effect / depends on use	(+) The policy encourages the development of existing waste management sites which should help ensure that there are sufficient facilities in North London and thereby reduce the need for waste to be transported outside of the Plan area. This could have a positive impact on the greenhouse gas emissions from the transport sector (although this may be regarded as a secondary impact). However, there is a low level of certainty of this impact as the source of waste arisings is unknown and may originate from outside the plan area.			+

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation	Score
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
10. To protect and improve air, water and soil quality	(+ve) Improvement of water quality; support land remediation (+ve/-ve) Impact on road congestion (-ve) Air quality impact; impact on soil quality; groundwater quality impact	N/A			High / medium / low / no effect / depends on use	(0) The policy encourages the development of existing facilities, as a result, it would not result in any significant new impacts on air, water or soil quality. Therefore, the policy is unlikely to have a significant impact on the objective.			0
11. To manage waste sustainability, maximise self-sufficiency in the management of waste, minimise production of waste and increase re-use, recycling and recovery rates	(+ve) Minimise waste generation; promote sustainable waste management; help to move management up the Waste Hierarchy			X	High / medium / low / no effect / depends on use	(+) Works to Deephams STW has started which will provide sufficient capacity to meet Thames Water's projections of future requirements into the next decade. Existing facilities may however not manage waste at the optimal level in the Waste Hierarchy.			+
12. To ensure efficient use of land and natural resources and the sustainable use of existing resources	(+ve) Use of previously developed buildings / land; incorporate or encourage water efficiency (-ve) Effect on water demand			X	High / medium / low / no effect / depends on use	(+) The will reduce the likelihood of new sites needing to be identified to manage North London's waste. This would support the element of the objective that relates to the efficient use of land.			+
13. To encourage sustainable economic growth, exploit the growth potential of business sectors and improve productivity and competitiveness of local waste industry	(+ve) Encourage local economic growth thro' provision of adequate waste facilities; enable new and innovative waste management technologies; scope to diversify local waste sector; promotion of waste minimisation; help to maximise value recovery			X	High / medium / low / no effect / depends on use	(+) The policy outlines that Deephams STW will continue to provide sufficient effluent treatment capacity to meet needs during the plan period. This should encourage sustainable growth.	Increased employment opportunities		+
14. To reduce economic disparities, unemployment and deprivation	(+ve) Support for (and creation of) a broad range of employment opportunities	N/A			High / medium / low / no effect / depends on use	(0) The policy is unlikely to result in a significant reduction in unemployment or economic disparities. As a result, the policy is unlikely to have a significant impact on the objective.			0

Summary of Assessment

This policy outlines the requirements for the provision of new facilities for the management, treatment and disposal of wastewater and sewage sludge. It emphasises that existing waste facilities, such as Deephams, are favoured and the relevant plans and standards should be adhered to.

By encouraging the use of existing facilities, the policy has the potential to have a positive impact on the objective of managing waste sustainability, maximising self-sufficiency in the management of waste. Moreover, it is expected that with the planned Thames Tideway Tunnel, pressure for further expansion of local Waste Water Treatment Works will be relieved. The policy also has the potential to have a positive effect on the objectives that relate to sustainable transport and mitigating climate change by reducing the need for waste to be transported outside of the Plan area. However, there is a low level of certainty of this impact as the source of waste arisings is unknown and may originate from outside the plan area. The policy could also have a positive effect on the objective of ensuring the efficient use of land and the sustainable use of existing resources by reducing the likelihood of new sites needing to be identified to manage North London's waste.

It is unlikely to have a negative impact on any of the objectives but the impact on the objective that relates to health and amenity is uncertain as the policy may result in the safeguarding of existing sites which already have some adverse impact on amenity. It is however recognised that in such instances it may be the nature of the facility rather than the site itself which is causing amenity problems. In addition, the release of these sites may cause capacity management problems for the plan area. As such, no mitigation measures are suggested to address this.

Policy text:**Policy 8: Control of inert waste**

Proposals for development using inert waste will be permitted where the proposal is both essential for, and involves the minimum quantity of waste necessary for:

- a) The purposes of restoring former mineral working sites; or
- b) Facilitating an improvement in the quality of land; or
- c) Facilitating the establishment of an appropriate use in line with other policies in the Local Plan; or
- d) Improving land damaged or degraded as a result of existing uses and where no other satisfactory means exist to secure the necessary improvement.

Where one or more of the above criteria (a-d) are met, all proposals using inert waste should:

- a) Incorporate finished levels that are compatible with the surrounding landscape. The finished levels should be the minimum required to ensure satisfactory restoration of the land for an agreed after-use; and
- b) Include proposals for high quality restoration and aftercare of the site, taking account of the opportunities for enhancing the overall quality of the environment and the wider benefits that the site may offer, including biodiversity enhancement, geological conservation and increased public accessibility.

Proposals for inert waste disposal to land will not be permitted if it can be demonstrated that the waste can be managed through recovery operations and that there is a need to dispose of waste.

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation	Score
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
1. To protect people's health, communities and local environmental quality from the adverse effects of waste management	(-ve) Amenity impacts from dust, particulates, noise, vibration, visual amenity, light pollution			X	High / medium / low / no effect / depends on use	(?) The policy states that all proposals for inert waste will take account of the opportunities for enhancing the overall quality of the environment and wider benefits that the site may offer.			?
						However, it is noted that there is likely to be disturbances to the local environment, due to the movement of HGVs. In such a case there should be wider benefits to the area, through environmental improvement or creation of new public rights of way.			
2. To maintain green infrastructure and open space	(+ve/-ve) Impact on open space	N/A			High / medium / low / no effect / depends on use	(0) The policy does not explicitly mention the potential for green infrastructure opportunities.			0
	(-ve) reduction of public access; effect on green infrastructure								
3. To promote	(+ve) Reduce			X	High / medium / low	(-) The policy does state that there is the potential for	Secondary impacts on greenhouse gas		-

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation	Score
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
sustainable modes of transport, reduce the need to travel and improve choice of more sustainable transport modes	distance waste travels; reduce waste-related car/lorry trips; increase use of sustainable transport (+ve/-ve) Impact on road congestion				/no effect / depends on use	disturbance to the local environment through the movement and congestion caused by HGVs.	emissions from the transport sector and air quality.		
4. To conserve and enhance the historic environment, heritage assets and their settings	(-ve) Impact on heritage assets; impact on settings			X	High / medium / low / no effect / depends on use	(+)The policy includes scope for high quality restoration and aftercare of the sites, taking account of the opportunities for enhancing overall quality of the environment and the wider benefits that the site may offer. There is potential for this to extend to heritage assets in North London.			+
5. To maintain and enhance the quality and character of North London's townscapes and landscapes	(+ve) Will development be sympathetic (+ve/-ve) Impact on landscape / townscape character (-ve) Openness of Green Belt; effect on open space			X	High / medium / low / no effect / depends on use	(+) The policy states that all proposals using inert waste should incorporate finished levels that are compatible with the surrounding landscape. There is potential therefore for landscape/townscape improvements.			+
6. To maintain, protect and enhance biodiversity, protected species, habitats, geodiversity and features of geological interest	(+ve) Scope for habitat creation or restoration (-ve) Impact on nationally protected species / habitats; impact on or loss of BAP priority habitats and species			X	High / medium / low / no effect / depends on use	(+) The policy states that al proposals for inert waste will take account of the opportunities for enhancing the overall quality of the environment and wider benefits that the site may offer – this extends to include biodiversity enhancement.			+
7. To reduce and manage flood risk	(+ve) Avoidance of inappropriate dev'ment in flood risk areas; reduce flood risk through SuDS / other measures (-ve) Exacerbate vulnerability to	N/A			High / medium / low / no effect / depends on use	(0) The policy is unlikely to have a significant impact on the objective.			0

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation	Score
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
	flooding								
8. To adapt to, and reduce the impacts of climate change	(+ve) Reduction of vulnerability to climate change events	N/A			High / medium / low / no effect / depends on use	(0) The policy is unlikely to have a significant impact on the objective.			0
9. To reduce climate change contributions, promote energy efficiency and increase use of energy from sustainable sources	(+ve) Reduce waste- related car/lorry trips; increase sustainable transport use (+ve/-ve) Impact on greenhouse gas generation			X	High / medium / low / no effect / depends on use	(+) Inert waste materials can be used for the restoration of mineral sites rather than disposed of at inert landfill sites. Increased use of recycled and secondary aggregates can reduce the need and demand for primary aggregates extraction. This could have the added benefit of reducing emissions associated with aggregates extraction.			+
10. To protect and improve air, water and soil quality	(+ve) Improvement of water quality; support land remediation (+ve/-ve) Impact on road congestion (-ve) Air quality impact; impact on soil quality; groundwater quality impact			X	High / medium / low / no effect / depends on use	(?) The policy states that al proposals for inert waste will take account of the opportunities for enhancing the overall quality of the environment and wider benefits that the site may offer. However, it is noted that there is likely to be disturbances to the local environment, due to the movement of HGVs. In such a case there should be wider benefits to the area, through environmental improvement or creation of new public rights of way.			?
11. To manage waste sustainability, maximise self-	(+ve) Minimise waste generation; promote			X	High / medium / low / no effect / depends on use	(+) The policy encourages the increased use of recycled and secondary aggregates, reducing the need and demand for primary aggregates extraction.			+

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation	Score
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
12. To ensure efficient use of land and natural resources and the sustainable use of existing resources	(+ve) Use of previously developed buildings / land; incorporate or encourage water efficiency (-ve) Effect on water demand			X	High / medium / low / no effect / depends on use	(+)The policy involves the restoration of former mineral working sites, improvement to quality of land and damaged land.			+
13. To encourage sustainable economic growth, exploit the growth potential of business sectors and improve productivity and competitiveness of local waste industry	(+ve) Encourage local economic growth thro' provision of adequate waste facilities; enable new and innovative waste management technologies; scope to diversify local waste sector; promotion of waste minimisation; help to maximise value recovery			X	High / medium / low / no effect / depends on use	(+) The policy will enable maximum value recovery from inert waste through the restoration projects.	Increased employment opportunities		+
14. To reduce economic disparities, unemployment and deprivation	(+ve) Support for (and creation of) a broad range of employment opportunities	N/A			High / medium / low / no effect / depends on use	(0). It does not promote the provision of new facilities and is unlikely to result in a significant reduction in unemployment or economic disparities. As a result, the policy is unlikely to have a significant impact on the objective.			0

Summary of Assessment
<p>This policy outlines the criteria for proposals using inert waste. Where such criteria are met, all proposals should be compatible with the surrounding environment and include high quality restoration and aftercare of the site. In this there will be wider opportunities for enhancing the overall quality of the environment, including biodiversity enhancement, geological conservation and increased public accessibility.</p> <p>There are benefits of using inert waste for restoration projects rather than disposing of at inert landfill sites. Moreover, increased use of recycled and secondary aggregates can reduce the need and demand for primary aggregates extraction. It is noted, however, that there may be disturbances to the local community and environment through the movement of HGVs. In such cases, proposals should incorporate wider benefits for the wider area, for example, through environmental improvement or the creation of new public rights of way.</p>

4. Sustainability Appraisal of the Strategy Policy for North London's Waste

Policy text:	Strategy Policy
	The North London Boroughs will identify sufficient capacity and land for the provision of waste facilities to manage the equivalent of 100% of waste arisings (net self-sufficiency) for Local Authority Collected Waste (LACW) and Commercial & Industrial (C&I) waste by 2026 and Construction & Demolition (C&D) waste by 2035, including hazardous waste. The North London Boroughs will plan to manage as much of North London’s excavation waste arisings within North London as practicable. To achieve this, the North London Boroughs will plan to manage the quantities of waste set out in Table 8 over the next 15 years.
	The North London Boroughs will encourage development on existing and new sites that promotes the movement of waste up the waste hierarchy, increases management of waste as close to the source as practicable, and reduces exports of waste to landfill.
	The North London Boroughs will continue to co-operate with waste planning authorities who receive significant quantities of waste exports from North London.

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation	Score
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
1. To protect people’s health, communities and local environmental quality from the adverse effects of waste management	(-ve) Amenity impacts from dust, particulates, noise, vibration, visual amenity, light pollution			x	High / medium / low / no effect / depends on use	(+)The act of identifying land for waste facilities is unlikely to have a significant impact on the objective; however, if the land is used to provide waste management facilities it may have a negative impact on people’s health. Transport of waste to an increased number of waste facilities, processing and keeping waste within the boroughs will increase exposure to dust particulates, noise, vibration and visual pollution which would impact people’s health and the local environment. Conversely, by ensuring there are sufficient facilities in North London and reducing the need for waste to be transported outside of the Plan area would have a positive impact on the objective by reducing overall waste transport. Nevertheless, the policy would also result in the safeguarding of existing sites which contain facilities that already have an adverse impact on amenity. However it is recognised that the impact of existing facilities may already be mitigated by planning conditions and site monitoring. It is also recognised that in such instances it may be the nature of the facility rather than the site itself which is causing amenity problems.			+
2. To maintain green infrastructure and open space	(+ve/-ve) Impact on open space			x	High / medium / low / no effect / depends on use	(--)The act of identifying land for waste facilities is unlikely to have a significant impact on the objective; however, land taken for waste management facilities would have a negative impact on this objective. Structures are likely to be erected and accessibility to the public may be restricted or blocked. Furthermore, the possibility of the land being used to create or enhance green infrastructure will be eliminated.			--
	(-ve) reduction of public access; effect on green infrastructure								
3. To promote sustainable modes of transport, reduce the need to travel and improve choice of more sustainable transport modes	(+ve) Reduce distance waste travels; reduce waste-related car/lorry trips; increase use of sustainable transport			x	High / medium / low / no effect / depends on use	(+)Ensuring there are sufficient facilities in North London and thereby reducing the need for waste to be transported outside of the Plan area would have a positive impact on the element of the objective that relates to reducing the distance waste travels as it will be staying within the 7 boroughs. (-)However, managing the equivalent of 100% of waste arisings within the Plan area may increase road congestion with vehicles transporting waste from one location to another within the Plan area.			?
	(+ve/-ve) Impact on								

Assessment framework		Permanence			Characteristics of impacts		Additional impacts		
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic	Nature / scope of mitigation	Score
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
	road congestion					This may have a negative impact on the element of the objective pertaining to road congestion.			
4. To conserve and enhance the historic environment, heritage assets and their settings	(-ve) Impact on heritage assets; impact on settings			x	High / medium / low / no effect / depends on use	(?) There would be a negative impact if chosen sites are located near heritage asset but that would be a site by site decision and at this time there is insufficient evidence to ascertain a final conclusion			?
5. To maintain and enhance the quality and character of North London’s townscapes and landscapes	(+ve) Will development be sympathetic			x	High / medium / low / no effect / depends on use	(?)The act of identifying land for waste facilities is unlikely to have a significant impact on the objective; however, land taken for waste management facilities would have a negative impact on the objective. Taking land for use as waste management facilities may constrict the Green Belt depending on site selection .Furthermore, an impact on the landscape or townscape character will increase from visual pollution and increased levels of dust, noise and vibrations. The impact would be on a site by site decision and at this time there is insufficient evidence to ascertain a final conclusion			?
	(+ve/-ve) Impact on landscape / townscape character (-ve) Openness of Green Belt; effect on open space								
6. To maintain, protect and enhance biodiversity, protected species, habitats, geodiversity and features of geological interest	(+ve) Scope for habitat creation or restoration			x	High / medium / low / no effect / depends on use	(?) The policy is unlikely to have a significant impact on the objective in relation to existing sites as protocols are already in place. Any new sites be developed shall be developed in accordance with the policy and other biodiversity protocols in accordance with standard development planning with principal aim of avoiding inappropriate development.			?
	(-ve) Impact on nationally protected species / habitats; impact on or loss of BAP priority habitats and species								
7. To reduce and manage flood risk	(+ve) Avoidance of inappropriate dev'ment in flood risk areas; reduce flood risk through SuDS / other measures	N/A			High / medium / low / no effect / depends on use	(?) The policy is unlikely to have a significant impact on the objective in relation to existing sites as protocols are already in place. Any new sites be developed shall be developed in accordance with the policy and other flood risk management protocols in accordance with standard development planning with principal aim of avoiding inappropriate development.			?
	(-ve) Exacerbate vulnerability to flooding								
8. To adapt to, and reduce the impacts of climate change	(+ve) Reduction of vulnerability to climate change events	N/A			High / medium / low / no effect / depends on use	(0) The policy is unlikely to have a significant impact on the objective.			0

Assessment framework		Permanence			Characteristics of impacts		Additional impacts		
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic	Nature / scope of mitigation	Score
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
9. To reduce climate change contributions, promote energy efficiency and increase use of energy from sustainable sources	(+ve) Reduce waste-related car/lorry trips; increase sustainable transport use			x	High / medium / low / no effect / depends on use	(+)Ensuring there are sufficient facilities in North London and thereby reducing the need for waste to be transported outside of the Plan area. Reducing waste transport could have a positive impact on the objective by reducing overall GHG emissions and potentially reducing waste car/lorry trips.			0
	(+ve/-ve) Impact on greenhouse gas (GHG) generation					(-)However, increased waste management within the area may necessitate increased numbers of car/lorry trips, should no sustainable alternative be ascertained, which would overall have a negative impact on GHG emissions.			
10. To protect and improve air, water and soil quality	(+ve) Improvement of water quality; support land remediation			x	High / medium / low / no effect / depends on use	(-)The act of identifying land for waste facilities is unlikely to have a significant impact on the objective; however, land taken for waste management facilities may have a negative impact on the objective. Road congestion may increase due to increase waste related car and lorry journey or it may decrease due to waste moving higher up the Waste Hierarchy. Air quality may become poorer due to increased car and lorry journeys and increase dust from waste management facilities.			-
	(+ve/-ve) Impact on road congestion (-ve) Air quality impact; impact on soil quality; groundwater quality impact								
11. To manage waste sustainability, maximise self-sufficiency in the management of waste, minimise production of waste and increase re-use, recycling and recovery rates	(+ve) Minimise waste generation; promote sustainable waste management; help to move management up the Waste Hierarchy			x	High / medium / low / no effect / depends on use	(++) The policy directly promotes the movement of waste up the Waste Hierarchy which correlates with the objective.			++
12. To ensure efficient use of land and natural resources and the sustainable use of existing resources	(+ve) Use of previously developed buildings / land; incorporate or encourage water efficiency			x	High / medium / low / no effect / depends on use	(-)The act of identifying land for waste facilities is unlikely to have a significant impact on the objective; however, land taken for waste management facilities may have a negative impact on the objective. Developing of existing sites could have a negative effect on water demand as will the development of new sites.			-
	(-ve) Effect on water demand								
13. To encourage sustainable economic growth, exploit the growth potential of business sectors and improve productivity and	(+ve) Encourage local economic growth thro' provision of adequate waste facilities; enable new and innovative waste management			x	High / medium / low / no effect / depends on use	(+)The act of identifying land for waste facilities is unlikely to have a significant impact on the objective; however, land taken for waste management facilities may have a positive impact on the objective. Developing existing sites and creating waste management facilities could provide opportunities to encourage local economic growth and enable innovation.			+

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation	Score
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
competitiveness of local waste industry	technologies; scope to diversify local waste sector; promotion of waste minimisation; help to maximise value recovery								
14. To reduce economic disparities, unemployment and deprivation	(+ve) Support for (and creation of) a broad range of employment opportunities			x	High / medium / low / no effect / depends on use	(+)The act of identifying land for waste facilities is unlikely to have a significant impact on the objective; however, land taken for waste management facilities may have a positive impact on the objective. The development of existing sites and the creation of new could create of employment opportunities.			+

Summary of Assessment
The policy outlines long term strategy for managing 100% of waste arisings within the plan area by identifying land with capacity for waste facilities, facilitating the movement of waste up the waste hierarchy and co-operation with waste receiving authorities until 2035.
The policy has the potential to have a positive impact on; health, communities and environment; sustainable transport modes; minimisation of waste generation; sustainable economic growth and reduction in economic disparities and unemployment in the plan area.
The policy may have negative impacts on; green infrastructure and open space; heritage assets; land and townscape character; air, water and soil quality; efficient use of land and natural resources.
Depending on the location of facilities there may be adverse effects upon Heritage assets though further investigation would be necessary upon confirmation of site selection.

5. Sustainability Appraisal of the Area Allocations

Site name:	Oakleigh Road	Site reference:	A02-BA	Date of visit:	11 th August 2014 [pm] 25 th June 2018	Assessor:	JM/ MM/ JE CW/ MH
-------------------	---------------	------------------------	--------	-----------------------	---	------------------	----------------------

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation	Score
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
1. To protect people's health, communities and local environmental quality from the adverse effects of waste management	(-ve) Amenity impacts from dust, particulates, noise, vibration, visual amenity, light pollution			X	High / medium / low / no effect / depends on use	(-) The area is immediately adjacent to residential properties lying to the northeast, southeast and south.	Secondary impacts on quality of life and perceptions of the area.	Enforce appropriate controls through planning conditions and environmental permitting.	—
						The area is occupied by existing industrial uses, including existing waste management facilities. However, there could be scope for a waste management facility to introduce new impacts (such as odour, vermin, etc.) on amenity. There could also be some increase in dust and emissions from traffic accessing the area. It is however uncertain whether a waste facility would generate more traffic/dust than existing industrial uses in the area and conditions could be used to mitigate other impacts. The extent to which a facility would impact on amenity could also depend on which part of the area it is located in.	Development of waste management facilities in the area could generate cumulative impacts alongside existing employment uses in the vicinity.	Ensure that only enclosed facilities are developed in the parts of the area that are adjacent to sensitive receptors.	
2. To maintain green infrastructure and open space	(+ve/-ve) Impact on open space (-ve) reduction of public access; effect on green infrastructure			X	High / medium / low / no effect / depends on use	(-) The area is an existing trading/industrial estate and is not within Metropolitan Open Land. Areas of Metropolitan Open Land do lie 10m to the east and 45m to the west and there are some areas of green/open space with a number of mature trees within the area itself. Directing waste management facilities to this area could have some negative impact on the green infrastructure network if it resulted in the loss of green/open space within the site.	Secondary impacts on perceptions of the area	Protect existing green infrastructure features or secure appropriate replacement landscaping / planting.	—
3. To promote sustainable modes of transport, reduce the need to travel and improve choice of more sustainable transport modes	(+ve) Reduce distance waste travels; reduce waste-related car/lorry trips; increase use of sustainable transport (+ve/-ve) Impact on road congestion			X	High / medium / low / no effect / depends on use	(-) The area is not located in close proximity to a navigable waterway or wharf. There is a railway to the south west but there are no sidings in this location. As such, any facility is likely to be reliant upon transporting waste by road.	Secondary impact on greenhouse gas emissions from the transport sector and air quality.		?
						(+) Any waste facility delivered in the area could however reduce the need for waste to be transported outside of the Plan area. This could have a positive impact on the element of the objective that relates to reducing the need to travel. However, there is a low level of certainty of this impact as the source of waste arising is unknown and may originate from outside the plan area.			
4. To conserve and enhance the historic environment, heritage assets and their settings	(-ve) Impact on heritage assets; impact on settings	N/A			High / medium / low / no effect / depends on use	(0) The area is an existing industrial/trading estate and there are no designated heritage assets or locally listed buildings within or adjacent to it. As a result, directing waste management facilities to this area is unlikely to have a significant impact on the objective.			0

5. To maintain and enhance the quality and character of North London's townscapes and landscapes	(+ve) Will development be sympathetic (+ve/-ve) Impact on landscape / townscape character (-ve) Openness of Green Belt; effect on open space			X	High / medium / low / no effect / depends on use	(0) The area is not within the Green Belt or Ancient Woodland. An area of Metropolitan Open Land lies 10m east of the area. However, the area is an existing industrial estate and there are existing waste management facilities in the area. Therefore the proposed use of the area for additional waste facilities is unlikely to impact upon the character of this Metropolitan Open Land. (?) Although the area comprises of existing industrial / employment units, it also contains some areas of green/open space with a number of mature trees, particularly along the areas eastern boundary. If these areas were developed it would have an impact on the local townscape.		Protect existing landscape features or secure appropriate replacement landscaping / planting.	?
6. To maintain, protect and enhance biodiversity, protected species, habitats, geodiversity and features of geological interest	(+ve) <i>Scope for habitat creation or restoration</i> (-ve) Impact on nationally protected species / habitats; impact on or loss of BAP priority habitats and species	X			High / medium / low / no effect / depends on use	(-) The area is not part of an internationally designated site or located within a SSSI. It is not located in close proximity to any Sites of Importance for Nature Conservation (SINCs). (?) Although the area is an existing industrial estate, in the absence of appropriate ecological surveys it is not known whether the area contains any protected species or habitats or whether there is any scope for habitat creation.		Allocate site for enclosed waste uses only and enforce appropriate controls through planning conditions and environmental permitting.	?
7. To reduce and manage flood risk	(+ve) Avoidance of inappropriate dev'tment in flood risk areas; reduce flood risk through SuDS / other measures (-ve) Exacerbate vulnerability to flooding			X	High / medium / low / no effect / depends on use	(+) The area is entirely within Flood Zone 1 and is therefore at a low risk of flooding from fluvial and tidal sources. It has also not been identified as being susceptible to surface water flooding. As such, directing waste management facilities to this location would help to avoid inappropriate development in areas at risk of flooding and could therefore have a positive impact on the objective.			+
8. To adapt to, and reduce the impacts of climate change	(+ve) Reduction of vulnerability to climate change events			X	High / medium / low / no effect / depends on use	(0) The area is entirely within Flood Zone 1 and is therefore at a low risk of flooding from fluvial and tidal sources. It has also not been identified as being susceptible to surface water flooding. (-)The use of the area for a waste facility could result in the loss of green space depending on which part of the area it is directed to. This would lead to the loss of green infrastructure features that could help alleviate the impacts of higher summer temperatures expected as a result of climate change		Incorporate appropriate boundary treatments / landscaping.	-

9. To reduce climate change contributions, promote energy efficiency and increase use of energy from sustainable sources	(+ve) Reduce waste- related car/lorry trips; increase sustainable transport use (+ve/-ve) Impact on greenhouse gas generation			X	High / medium / low / no effect / depends on use	(+) The proposed function could contribute to reduced emissions provided the site serves a relatively localised catchment and helps to raise recycling and/or recovery rates [quite likely, but depends on waste use]			?
						(?) There is little apparent scope for waste to be transported to the site by sustainable modes of transport. As such, any facility is likely to be reliant upon transporting waste by road. Nevertheless, any facility could help ensure that North London's waste is managed close to its source thereby reducing 'waste miles' and associated emissions. However, there is limited certainty about this impact as the source of waste arisings is unknown and may originate from outside the plan area.			
10. To protect and improve air, water and soil quality	(+ve) Improvement of water quality; support land remediation (+ve/-ve) Impact on road congestion (-ve) Air quality impact; impact on soil quality; groundwater quality impact			X	High / medium / low / no effect / depends on use	(?) The area is previously developed land. It is not contaminated as defined under Part 2A of the Environmental Protection Act but may contain contamination that would need to be remediated prior to re-development. The site is not within or adjacent to a Principal Aquifers or Source Protection Zones 1 and 2.	Any impact on air quality could have secondary effects on health, particularly amongst those who suffer from respiratory illnesses.	Allocate area for enclosed waste uses only	?
						(?) The area is within an Air Quality Management Area but it is not located in or close to an Air Quality Focus Area as defined by GLA. Any proposed waste facility would generate vehicular traffic which could impact on congestion and adversely affect air quality. However, the extent of this impact would depend on the proposed use and whether it generated a greater volume of traffic than the existing use. Scale of impact would also be dependent on whether the facility handled locally-arising waste or served a wider catchment. (-) Depending on the use, there could be some risk of dust emissions [limited likelihood but depends on use]	Development of waste management facilities in the area could generate cumulative impacts alongside existing employment uses in the vicinity.	Negative air pressure and rapid-closure doors on any enclosed facility in the area. Dust suppression and other measures such as wheel-washing.	
11. To manage waste sustainability, maximise self-sufficiency in the management of waste, minimise production of waste and increase re-use, recycling and recovery rates	(+ve) Minimise waste generation; promote sustainable waste management; help to move management up the Waste Hierarchy			X	High / medium / low / no effect / depends on use	(+) Any waste facility delivered in the area would help move waste up the Waste Hierarchy and would help ensure that there are sufficient waste management facilities to meet the Waste Plan's capacity needs. It would therefore help divert waste from landfill. As such, it has the potential to have a positive impact on the objective. The extent to which a waste management facility in the area would move waste up the Waste Hierarchy, and by extension the degree of impact on the objective, would depend on the type of facility. Policy 3 of the draft NLWP does however specify that waste management development in this area should result in highest practicable level of recycling and recovery materials in line with the principles of the Waste Hierarchy.	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.	Policy 3 of the draft NLWP will ensure that any waste management facility in the area results in highest practicable level of recycling and recovery materials in line with the principles of the Waste Hierarchy.	+

12. To ensure efficient use of land and natural resources and the sustainable use of existing resources	(+ve) Use of previously developed buildings / land; incorporate or encourage water efficiency (-ve) Effect on water demand			X	High / medium / low / no effect / depends on use	(+) The area comprises predominantly of previously developed land and directing waste management facilities to this location would therefore help ensure the efficient use of land [inevitable]. (+) Any waste facility delivered in the area would help move waste up the Waste Hierarchy and would help promote the reuse and recycling of waste thereby contributing to the efficient and sustainable use of resources. The extent to which the use of the area for waste management would move waste up the Waste Hierarchy would however depend on the type of waste management facility that would be located in the area [depends on use]. (?) Effect on water demand is uncertain and would depend on the type of waste management facility [depends on use].	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.		+
13. To encourage sustainable economic growth, exploit the growth potential of business sectors and improve productivity and competitiveness of local waste industry	(+ve) Encourage local economic growth thro' provision of adequate waste facilities; enable new and innovative waste management technologies; scope to diversify local waste sector; promotion of waste minimisation; help to maximise value recovery			X	High / medium / low / no effect / depends on use	(+) The use of the area for waste management would encourage local economic growth through the provision of adequate waste facilities and would provide scope to diversify local waste sector and could help maximise value recovery.			+
14. To reduce economic disparities, unemployment and deprivation	(+ve) Support for (and creation of) a broad range of employment opportunities			X	High / medium / low / no effect / depends on use	(?) The use of the area for waste management could create employment opportunities and contribute towards reducing unemployment. Nevertheless, the number of new employment opportunities that would be created would depend on the nature of the facility and whether it is occupied by a new venture rather than the expansion/re-location of an existing business. In addition, the area appears to be largely occupied. As a result, the provision of a waste management facility in the area may result in the displacement of an existing employment use. The impact on the objective is therefore considered to be uncertain.	Secondary impacts on deprivation.		?

Summary of Assessment

The proposed allocation has the potential to have a positive impact on a number of sustainability objectives. In particular, the development of a waste management facility in this location would help move waste up the Waste Hierarchy and help ensure that there are sufficient facilities to meet the Waste Plan's capacity needs. It would also encourage local economic growth and support the use of previously developed land. The allocation therefore has the potential to have a positive effect on the objectives that relate to managing waste sustainably, encouraging sustainable economic growth and ensuring the efficient use of land and resources. It would also result in development being directed to areas at a low risk of flooding and could therefore have a positive impact on the objective of reducing flood risk.

The proximity to sensitive receptors does however mean that there is the potential for a facility in this area to have a negative impact on the objective that relates to amenity. Enforcing appropriate controls through planning conditions and environmental permitting are therefore likely to be key mitigation measures. Depending on which part of the area is developed, directing waste management development to this location could result in the loss of green infrastructure features and have a negative effect on the objectives that relate to green infrastructure and adapting to climate change. Incorporating appropriate boundary treatments / landscaping are likely to be important mitigation measures. The proposed allocation would have an uncertain impact on the objectives that relate to sustainable transport, townscape character, flood risk, climate change, reducing unemployment and protecting air, water and soil quality.

Site name:	Brunswick Industrial Park	Site reference:	A03-BA	Date of visit:	11 th August 2014 25 th August 2018	[pm]	Assessor:	JM/MM/JE CW/ MH
-------------------	---------------------------	------------------------	--------	-----------------------	--	------	------------------	--------------------

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation	Score
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
1. To protect people's health, communities and local environmental quality from the adverse effects of waste management	(-ve) Amenity impacts from dust, particulates, noise, vibration, visual amenity, light pollution			X	High / medium / low / no effect / depends on use	(-) The area is immediately bordered by housing on all sides. As a result, there are sensitive receptors within the vicinity. The area is occupied by existing industrial uses, including existing waste management facilities. However, depending on the use, there could be some scope for a waste management facility to introduce new impacts (such as odour, vermin, etc.) on amenity. There could also be some increase in dust and emissions from traffic accessing the area which could impact on amenity, particularly as the area is accessed through residential areas. It is however uncertain whether a waste facility would generate more traffic/dust than existing industrial uses in the area and conditions could be used to mitigate other impacts. The extent to which a facility would impact on amenity could also depend on which part of the area it is located on.	Secondary impacts on quality of life and perceptions of the area. Development of waste management facilities in the area could generate cumulative impacts alongside existing employment uses in the vicinity.	Allocate area for enclosed waste uses only and enforce appropriate controls through planning conditions and environmental permitting.	—
2. To maintain green infrastructure and open space	(+ve/-ve) Impact on open space (-ve) reduction of public access; effect on green infrastructure	N/A			High / medium / low / no effect / depends on use	(0) The area is an existing trading/industrial estate. It is not located within Metropolitan Open Land and does not contain any areas of green/open space.			0
3. To promote sustainable modes of transport, reduce the need to travel and improve choice of more sustainable transport modes	(+ve) Reduce distance waste travels; reduce waste-related car/lorry trips; increase use of sustainable transport (+ve/-ve) Impact on road congestion			X	High / medium / low / no effect / depends on use	(-) The area is not located in close proximity to a navigable waterway, wharf or railway. As such, any facility is likely to be reliant upon transporting waste by road. (+) Any waste facility delivered in the area could however reduce the need for waste to be transported outside of the Plan area. This could have a positive impact on the element of the objective that relates to reducing the need to travel. However, there is a low level of certainty of this impact as the source of waste arising is unknown and may originate from outside the plan area.	Secondary impact on greenhouse gas emissions from the transport sector and air quality.		?
4. To conserve and enhance the historic environment, heritage assets and their settings	(-ve) Impact on heritage assets; impact on settings	N/A			High / medium / low / no effect / depends on use	(0) The area is an existing industrial/trading estate and there are no designated heritage assets or locally listed buildings within or adjacent to it. As a result, directing waste management facilities to this area is unlikely to have a significant impact on the objective.			0

5. To maintain and enhance the quality and character of North London's townscapes and landscapes	(±ve) Will development be sympathetic (±ve/-ve) Impact on landscape / townscape character (-ve) Openness of Green Belt; effect on open space	N/A			High / medium / low / no effect / depends on use	(0) The area is not within the Green Belt, Ancient Woodland or an area designated for its landscape value. There is an area of Metropolitan Open Land to the north but this is separated from the area by housing. As a result, a waste facility in the area is unlikely to impact on the character of this open space, particularly as the area is an existing trading/industrial estate (0) The area is in an existing industrial estate and if it is developed for waste management it is likely to accommodate structures similar to those around it. As a result, it is unlikely to have a significant impact on the character of the local townscape provided that the facility is housed in structures similar in scale and design to those already on the estate.			0
6. To maintain, protect and enhance biodiversity, protected species, habitats, geodiversity and features of geological interest	(±ve) <i>Scope for habitat creation or restoration</i> (-ve) Impact on nationally protected species / habitats; impact on or loss of BAP priority habitats and species			X	High / medium / low / no effect / depends on use	(0) The area is not part of an internationally designated site or located within a SSSI. Whilst a Borough SINC lies 25m north of the area, it is separated by housing. As a result, a waste facility in this area is unlikely to impact on this SINC, particularly as the area is an existing trading/industrial estate, unless there is airborne pollution. (?) Although the area is an existing industrial estate, in the absence of appropriate ecological surveys it is not known whether the area contains any protected species or habitats or whether there is any scope for habitat creation.		Allocate site for enclosed waste uses only and enforce appropriate controls through planning conditions and environmental permitting.	?
7. To reduce and manage flood risk	(±ve) Avoidance of inappropriate dev'tment in flood risk areas; reduce flood risk through SuDS / other measures (-ve) Exacerbate vulnerability to flooding			X	High / medium / low / no effect / depends on use	(0) The area is entirely within Flood Zone 1 and is therefore considered to be at a low risk of flooding from rivers or the sea. (-) Parts of the area are at a high risk of surface water flooding. However, as the site is already developed, it is uncertain whether directing waste facilities to this area would increase the proportion of the site that is covered by impermeable surfaces or exacerbate surface water flooding. (+) The development of a waste management facility in the area may provide opportunities to manage the risk of surface water flooding through the use of SuDS or other appropriate techniques.		Incorporate SuDS or other appropriate techniques to manage surface water runoff.	?

8. To adapt to, and reduce the impacts of climate change	(±ve) Reduction of vulnerability to climate change events			X	High / medium / low / no effect / depends on use	(0) The use of the area for a waste facility would be unlikely to result in the loss of green infrastructure or any other features that could help alleviate the impacts of higher summer temperatures expected as a result of climate change. (-) Parts of the area are at a high risk of surface water flooding. However, as the area is already developed, it is uncertain whether the use of the site for a waste facility would increase the proportion of the site that is covered by impermeable surfaces and whether it would exacerbate surface water flooding. (+) The development of a waste management facility in the area may provide opportunities to manage the risk of surface water flooding through the use of SuDS or other appropriate techniques.		Incorporate SuDS or other techniques to manage surface water runoff.	?
9. To reduce climate change contributions, promote energy efficiency and increase use of energy from sustainable sources	(±ve) Reduce waste- related car/lorry trips; increase sustainable transport use (±ve/-ve) Impact on greenhouse gas generation			X	High / medium / low / no effect / depends on use	(+) The proposed function could contribute to reduced emissions provided the site serves a relatively localised catchment and helps to raise recycling and/or recovery rates thereby reducing the proportion of waste going to landfill and associated methane emissions [quite likely, but depends on waste use] (?) There is little apparent scope for waste to be transported to the site by sustainable modes of transport. As such, any facility is likely to be reliant upon transporting waste by road. Nevertheless, any facility could help ensure that North London's waste is managed close to its source thereby reducing 'waste miles' and associated emissions. However, there is limited certainty about this impact as the source of waste arisings is unknown and may originate from outside the plan area.			?
10. To protect and improve air, water and soil quality	(±ve) Improvement of water quality; support land remediation (±ve/-ve) Impact on road congestion (-ve) Air quality impact; impact on soil quality; groundwater quality impact			X	High / medium / low / no effect / depends on use	(?) The site is previously developed land. It is not contaminated as defined under Part 2A of the Environmental Protection Act but may contain contamination that would need to be remediated prior to re-development. (-) The area is within a Source Protection Zone 1. (?) The area is within an Air Quality Management Area but it is not located in or close to an Air Quality Focus Area as defined by GLA. Any proposed waste facility would generate vehicular traffic which could impact on congestion and adversely affect air quality. However, the extent of this impact would depend on the nature of the proposed use and whether it generated a greater volume of traffic than the existing use. Scale of impact would also be dependent on whether the facility handled locally-arising waste or served a wider catchment. (-) Depending on the use, there could be some risk of dust emissions [limited likelihood but depends on use]	Any impact on air quality could have secondary effects on health, particularly amongst those who suffer from respiratory illnesses. Development of waste management facilities in the area could generate cumulative impacts alongside existing employment uses in the vicinity.	Allocate area for enclosed waste uses only Ensure appropriate measures are incorporated to prevent any contamination of groundwater or adjacent watercourses. Negative air pressure and rapid-closure doors on any enclosed facility in the area. Dust suppression and other measures such as wheel-washing.	—

11. To manage waste sustainability, maximise self-sufficiency in the management of waste, minimise production of waste and increase re-use, recycling and recovery rates	(+ve) Minimise waste generation; promote sustainable waste management; help to move management up the Waste Hierarchy			X	High / medium / low / no effect / depends on use	(+) Any waste facility delivered in the area would help move waste up the Waste Hierarchy and help ensure that there are sufficient waste management facilities to meet the Waste Plan's capacity needs. It would therefore help divert waste from landfill. As such, it has the potential to have a positive impact on the objective. The extent to which a waste management facility in the area would move waste up the Waste Hierarchy, and by extension the degree of impact on the objective, would dependent on the type of facility that would be located in the area. Policy 3 of the draft NLWP does however specify that waste management development in this area should result in highest practicable level of recycling and recovery materials in line with the principles of the Waste Hierarchy.	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.	Policy 3 of the draft NLWP will ensure that any waste management facility in the area results in highest practicable level of recycling and recovery materials in line with the principles of the Waste Hierarchy.	+
12. To ensure efficient use of land and natural resources and the sustainable use of existing resources	(+ve) Use of previously developed buildings / land; incorporate or encourage water efficiency (-ve) Effect on water demand			X	High / medium / low / no effect / depends on use	(+) The area comprises entirely of previously developed land and directing waste management facilities to this location would therefore help ensure the efficient use of land [inevitable]. (+) Any waste facility delivered in the area would help move waste up the Waste Hierarchy and would help promote the reuse and recycling of waste thereby contributing to the efficient and sustainable use of resources. The extent to which the use of the area for waste management would move waste up the Waste Hierarchy would however depend on the type of facility [depends on use]. (?) Effect on water demand is uncertain and would depend on the type of waste management facility [depends on use].	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.		+
13. To encourage sustainable economic growth, exploit the growth potential of business sectors and improve productivity and competitiveness of local waste industry	(+ve) Encourage local economic growth thro' provision of adequate waste facilities; enable new and innovative waste management technologies; scope to diversify local waste sector; promotion of waste minimisation; help to maximise value recovery			X	High / medium / low / no effect / depends on use	(+) The use of the area for waste management would encourage local economic growth through the provision of adequate waste facilities and would provide scope to diversify local waste sector and could help maximise value recovery.			+

14. To reduce economic disparities, unemployment and deprivation	(+ve) Support for (and creation of) a broad range of employment opportunities			X	High / medium / low / no effect / depends on use	<p>(?) The use of the area for waste management could create employment opportunities and contribute towards reducing unemployment. Nevertheless, the number of new employment opportunities that would be created would depend on the nature of the facility and whether it is occupied by a new venture rather than the expansion/re-location of an existing business.</p> <p>In addition, the area appears to be largely occupied. As a result, the provision of a waste management facility in the area may result in the displacement of an existing employment use. The impact on the objective is therefore considered to be uncertain.</p>	Secondary impacts on deprivation.		?

Summary of Assessment
<p>The proposed allocation has the potential to have a positive impact on a number of sustainability objectives. In particular, the development of a waste management facility in this location would help move waste up the Waste Hierarchy and help ensure that there are sufficient facilities to meet the Waste Plan's capacity needs. It would also encourage local economic growth and support the use of previously developed land. The allocation therefore has the potential to have a positive effect on the objectives that relate to managing waste sustainably, encouraging sustainable economic growth and ensuring the efficient use of land and resources.</p> <p>The proximity to sensitive receptors does however mean that there is the potential for a facility in this area to have a negative impact on the objective that relates to amenity. There could also be a negative impact on the objective of protecting air, water and soil quality. The extent of impact on this objective would be dependent on the nature of the proposed waste management facility but the use of measures such as negative air pressure and rapid-closure doors on any enclosed facility could help mitigate impacts. The proposed allocation would have an uncertain impact on the objectives that relate to sustainable transport, biodiversity; flood risk, climate change and unemployment.</p>

Site name:	Mill Hill Industrial Estate	Site reference:	A04-BA	Date of visit:	13 th August 2014 25 th June 2018	Assessor:	JM/MM CW / MH
-------------------	-----------------------------	------------------------	--------	-----------------------	--	------------------	------------------

<i>Assessment framework</i>		<i>Permanence</i>			<i>Characteristics of impacts</i>		<i>Additional impacts</i>	<i>Nature / scope of mitigation</i>	<i>Score</i>
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
1. To protect people's health, communities and local environmental quality from the adverse effects of waste management	(-ve) Amenity impacts from dust, particulates, noise, vibration, visual amenity, light pollution			X	High / medium / low / no effect / depends on use	(-) The area is immediately adjacent to residential properties lying to the north of the site. As a result, there are sensitive receptors within the vicinity.	Secondary impacts on quality of life and perceptions of the area. Development of waste management facilities in the area could generate cumulative impacts alongside existing employment uses in the vicinity.	Allocate site for enclosed waste uses only and enforce appropriate controls through planning conditions and environmental permitting.	—
						The area is occupied by existing industrial uses. However, depending on the use, there could be some scope for a waste management facility to introduce new impacts (such as odour, vermin, etc.) on amenity. There could also be some increase in dust and emissions from traffic accessing the area. It is however uncertain whether a waste facility would generate more traffic/dust than existing industrial uses in the area and conditions could be used to mitigate other impacts.			
2. To maintain green infrastructure and open space	(+ve/-ve) Impact on open space (-ve) reduction of public access; effect on green infrastructure	N/A			High / medium / low / no effect / depends on use	(0) The area is an existing trading/industrial estate. It is not located within Metropolitan Open Land and does not contain any areas of green/open space.			0
3. To promote sustainable modes of transport, reduce the need to travel and improve choice of more sustainable transport modes	(+ve) Reduce distance waste travels; reduce waste-related car/lorry trips; increase use of sustainable transport (+ve/-ve) Impact on road congestion			X	High / medium / low / no effect / depends on use	(-) The area is not located in close proximity to a navigable waterway or wharf. Although there is a railway line to the west, it is separated from the area by the M1 and there are no sidings at this location. As such, any waste management facility in this area is likely to be reliant upon transporting waste by road.	Secondary impact on greenhouse gas emissions from the transport sector.		?
						(+) Any waste facility delivered in the area could however reduce the need for waste to be transported outside of the Plan area. This could have a positive impact on the element of the objective that relates to reducing the need to travel. However, there is a low level of certainty of this impact as the source of waste arising is unknown and may originate from outside the plan area.			
4. To conserve and enhance the historic environment, heritage assets and their settings	(-ve) Impact on heritage assets; impact on settings	N/A			High / medium / low / no effect / depends on use	(0) The area is an existing industrial/trading estate and there are no designated heritage assets or locally listed buildings within or adjacent to it. As a result, directing waste management facilities to this area is unlikely to have a significant impact on the objective.			0

5. To maintain and enhance the quality and character of North London's townscapes and landscapes	(+ve) Will development be sympathetic (+ve/-ve) Impact on landscape / townscape character (-ve) Openness of Green Belt; effect on open space	N/A			High / medium / low / no effect / depends on use	(0) The area is not within the Green Belt or Ancient Woodland. It is not within or adjacent to any area designated for its local landscape importance.			0
						(0) The area is in an existing industrial estate and if it is developed for waste management it is likely to accommodate structures similar to those around it. As a result, it is unlikely to have a significant impact on the character of the local townscape provided that the facility is housed in structures similar in scale and design to those already on the estate.			
6. To maintain, protect and enhance biodiversity, protected species, habitats, geodiversity and features of geological interest	(+ve) <i>Scope for habitat creation or restoration</i> (-ve) Impact on nationally protected species / habitats; impact on or loss of BAP priority habitats and species	X			High / medium / low / no effect / depends on use	(0) The area is not part of an internationally designated site or located within a SSSI. It is also not within or adjacent to a Site of Importance for Nature Conservation (SINC)		Any planning application would, if necessary, be accompanied by a suitable assessment of the ecological value of the site/surrounding area and the impact of the proposed use on this ecological value.	?
						(?) Although the area is an existing industrial estate, in the absence of appropriate ecological surveys it is not known whether the area contains any protected species or habitats or whether there is any scope for habitat creation.			
7. To reduce and manage flood risk	(+ve) Avoidance of inappropriate dev'tment in flood risk areas; reduce flood risk through SuDS / other measures (-ve) Exacerbate vulnerability to flooding			X	High / medium / low / no effect / depends on use	(0) The area is entirely within Flood Zone 1 and is therefore considered to be at a low risk of flooding from rivers or the sea. (-) Parts of the area are at a high risk of surface water flooding. However, as the site is already developed, it is uncertain whether directing waste facilities to this area would increase the proportion of the site that is covered by impermeable surfaces or exacerbate surface water flooding. (+) The development of a waste management facility in the area may provide opportunities to manage the risk of surface water flooding through the use of SuDS or other appropriate techniques.		Incorporate SuDS or other appropriate techniques to manage surface water runoff.	?
8. To adapt to, and reduce the impacts of climate change	(+ve) Reduction of vulnerability to climate change events			X	High / medium / low / no effect / depends on use	(0) The use of the area for a waste facility would be unlikely to result in the loss of green infrastructure or any other features that could help alleviate the impacts of higher summer temperatures expected as a result of climate change. (-) Parts of the area are at a high risk of surface water flooding. However, as the area is already developed, it is uncertain whether the use of the site for a waste facility would increase the proportion of the site that is covered by impermeable surfaces and whether it would exacerbate surface water flooding. (+) The development of a waste management facility in the area may provide opportunities to manage the risk of surface water flooding through the use of SuDS or other appropriate techniques.		Incorporate SuDS or other appropriate techniques to manage surface water runoff.	?

9. To reduce climate change contributions, promote energy efficiency and increase use of energy from sustainable sources	(+ve) Reduce waste- related car/lorry trips; increase sustainable transport use (+ve/-ve) Impact on greenhouse gas generation			X	High / medium / low / no effect / depends on use	(+) The proposed function could contribute to reduced emissions provided the site serves a relatively localised catchment and helps to raise recycling and/or recovery rates thereby reducing the proportion of waste going to landfill and associated methane emissions [quite likely, but depends on waste use]			?
						(?) There is little apparent scope for waste to be transported to the site by sustainable modes of transport. As such, any facility is likely to be reliant upon transporting waste by road. Nevertheless, any facility could help ensure that North London's waste is managed close to its source thereby reducing 'waste miles' and associated emissions. However, there is limited certainty about this impact as the source of waste arisings is unknown and may originate from outside the plan area.			
10. To protect and improve air, water and soil quality	(+ve) Improvement of water quality; support land remediation (+ve/-ve) Impact on road congestion (-ve) Air quality impact; impact on soil quality; groundwater quality impact			X	High / medium / low / no effect / depends on use	(?)The site is previously developed land. It is not contaminated as defined under Part 2A of the Environmental Protection Act but may contain contamination that would need to be remediated prior to re-development. The area is also not within or adjacent to a Principal Aquifers or Source Protection Zones 1 and 2.	Development of the site would generate cumulative impacts on air quality alongside M1.	Allocate area for enclosed waste uses only	?
						(?) The area is within an Air Quality Management Area but it is not located in or close to an Air Quality Focus Area as defined by GLA. Any proposed waste facility would generate vehicular traffic which could impact on congestion and adversely affect air quality. However, the extent of this impact would depend on the proposed use and whether it generated a greater volume of traffic than the existing use. Scale of impact would also be dependent on whether the facility handled locally-arising waste or served a wider catchment. (-) Depending on the use, there could be some risk of dust emissions [limited likelihood but depends on use]	Any impact on air quality could have secondary effects on health, particularly amongst those who suffer from respiratory illnesses.	Negative air pressure and rapid-closure doors on any enclosed facility in the area. Dust suppression and other measures such as wheel-washing.	
11. To manage waste sustainability, maximise self-sufficiency in the management of waste, minimise production of waste and increase re-use, recycling and recovery rates	(+ve) Minimise waste generation; promote sustainable waste management; help to move management up the Waste Hierarchy			X	High / medium / low / no effect / depends on use	(+) Any waste facility delivered in the area would help move waste up the Waste Hierarchy and help ensure that there are sufficient waste management facilities to meet the Waste Plan's capacity needs. It would therefore help divert waste from landfill. As such, it has the potential to have a positive impact on the objective. The extent to which a waste management facility in the area would move waste up the Waste Hierarchy, and by extension the degree of impact on the objective, would depend on the type of facility that would be located in the area. Policy 3 of the draft NLWP does however specify that waste management development in this area should result in highest practicable level of recycling and recovery materials in line with the principles of the Waste Hierarchy.	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.	Policy 3 of the draft NLWP will ensure that any waste management facility in the area results in highest practicable level of recycling and recovery materials in line with the principles of the Waste Hierarchy.	+

12. To ensure efficient use of land and natural resources and the sustainable use of existing resources	(+ve) Use of previously developed buildings / land; incorporate or encourage water efficiency (-ve) Effect on water demand			X	High / medium / low / no effect / depends on use	(+) The area comprises entirely of previously developed land and directing waste management facilities to this location would therefore help ensure the efficient use of land [inevitable]. (+) Any waste facility delivered in the area would help move waste up the Waste Hierarchy and would help promote the reuse and recycling of waste thereby contributing to the efficient and sustainable use of resources. The extent to which the use of the area for waste management would move waste up the Waste Hierarchy would however depend on the type of facility [depends on use]. (?) Effect on water demand is uncertain and would depend on the type of waste management facility [depends on use].	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.		+
13. To encourage sustainable economic growth, exploit the growth potential of business sectors and improve productivity and competitiveness of local waste industry	(+ve) Encourage local economic growth thro' provision of adequate waste facilities; enable new and innovative waste management technologies; scope to diversify local waste sector; promotion of waste minimisation; help to maximise value recovery			X	High / medium / low / no effect / depends on use	(+) The use of the area for waste management would encourage local economic growth through the provision of adequate waste facilities and would provide scope to diversify local waste sector and could help maximise value recovery.			+
14. To reduce economic disparities, unemployment and deprivation	(+ve) Support for (and creation of) a broad range of employment opportunities			X	High / medium / low / no effect / depends on use	(?) The use of the area for waste management could create employment opportunities and contribute towards reducing unemployment. Nevertheless, the number of new employment opportunities that would be created would depend on the nature of the facility and whether it is occupied by a new venture rather than the expansion/re-location of an existing business. In addition, the area appears to be largely occupied. As a result, the provision of a waste management facility in the area may result in the displacement of an existing employment use. The impact on the objective is therefore considered to be uncertain.	Secondary impacts on deprivation.		?

Summary of Assessment

The proposed allocation has the potential to have a positive impact on a number of sustainability objectives. In particular, the development of a waste management facility in this location would help move waste up the Waste Hierarchy and help ensure that there are sufficient facilities to meet the Waste Plan's capacity needs. It would also encourage local economic growth and support the use of previously developed land. The allocation therefore has the potential to have a positive effect on the objectives that relate to managing waste sustainably, encouraging sustainable economic growth and ensuring the efficient use of land and resources.

The proximity to sensitive receptors does however mean that there is the potential for a facility in this area to have a negative impact on the objective that relates to amenity. The proposed allocation would have an uncertain impact on several objectives, including those which relate to sustainable transport, biodiversity, flood risk, climate change, unemployment and protecting air, water and soil quality.

Site name:	Connaught Business Centre	Site reference:	A05-BA	Date of visit:	13 August 2014 25 th June 2018	[am]	Assessor:	MM / JM / JE CW
-------------------	---------------------------	------------------------	--------	-----------------------	--	------	------------------	--------------------

<i>Assessment framework</i>		<i>Permanence</i>			<i>Characteristics of impacts</i>		<i>Additional impacts</i>	<i>Nature / scope of mitigation</i>	<i>Score</i>
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
1. To protect people's health, communities and local environmental quality from the adverse effects of waste management	(-ve) Amenity impacts from dust, particulates, noise, vibration, visual amenity, light pollution			X	High / medium / low / no effect / depends on use	(-) The area is immediately adjacent to residential properties lying to the north and 20m east of the site. As a result, there are sensitive receptors within the vicinity.	Secondary impacts on quality of life and perceptions of the area. Development of waste management facilities in the area could generate cumulative impacts alongside existing employment uses in the vicinity.	Allocate site for enclosed waste uses only and enforce appropriate controls through planning conditions and environmental permitting.	—
						The area is an existing trading/industrial estate. However, depending on the use, there is scope for a waste facility in this area to introduce new impacts (odour, vermin) on amenity. There could also be some increase in dust and emissions from traffic accessing the area. It is however uncertain whether a waste facility would generate more traffic than the existing uses of the site and conditions could be used to mitigate other impacts.			
2. To maintain green infrastructure and open space	(+ve/-ve) Impact on open space (-ve) reduction of public access; effect on green infrastructure	N/A			High / medium / low / no effect / depends on use	(0) The area contains a range of employment and commercial uses. It is not located within Metropolitan Open Land and does not contain any areas of green/open space. The proposed use of the area for waste facilities is therefore unlikely to impact on open space or green infrastructure.			0
3. To promote sustainable modes of transport, reduce the need to travel and improve choice of more sustainable transport modes	(+ve) Reduce distance waste travels; reduce waste-related car/lorry trips; increase use of sustainable transport (+ve/-ve) Impact on road congestion			X	High / medium / low / no effect / depends on use	(-) The area is not located in close proximity to a navigable waterway or wharf. Although there is a railway line to the east, it is separated from the area by residential properties and there are no sidings at this location. As such, any facility is likely to be reliant upon transporting waste by road. (+) Any waste facility delivered in the area could however reduce the need for waste to be transported outside of the Plan area. This could have a positive impact on the element of the objective that relates to reducing the need to travel. However, there is a low level of certainty of this impact as the source of waste arising is unknown and may originate from outside the plan area.	Secondary impact on greenhouse gas emissions from the transport sector.		?
4. To conserve and enhance the historic environment, heritage assets and their settings	(-ve) Impact on heritage assets; impact on settings	N/A			High / medium / low / no effect / depends on use	(0) The area is an existing industrial/trading estate and there are no designated heritage assets or locally listed buildings within or adjacent to it. As a result, directing waste management facilities to this area is unlikely to have a significant impact on the objective.			0

5. To maintain and enhance the quality and character of North London's townscapes and landscapes	(±ve) Will development be sympathetic (±ve/-ve) Impact on landscape / townscape character (-ve) Openness of Green Belt; effect on open space	N/A			High / medium / low / no effect / depends on use	(0) The area is not within the Green Belt or Ancient Woodland. It is not within or adjacent to any area designated for its local landscape importance and does not contain or adjoin any areas of public open space. (0) The area comprises of existing industrial / employment units. Directing waste management facilities to this location is therefore unlikely to have a significant impact on the townscape. The exact impact would however depend on the use.			0
6. To maintain, protect and enhance biodiversity, protected species, habitats, geodiversity and features of geological interest	(±ve) Scope for habitat creation or restoration (-ve) Impact on nationally protected species / habitats; impact on or loss of BAP priority habitats and species	X			High / medium / low / no effect / depends on use	(0) The area is not part of an internationally designated site or located within a SSSI. (-) Silk Stream, a Borough Site of Importance for Nature Conservation (SINC), is adjacent to the area. A waste management facility in the area could introduce new impacts and adversely affect this feature. It is however recognised that, in the absence of appropriate ecological surveys, there is only a limited level of certainty about any such impact. In addition, it is acknowledged that the likelihood of any impact could also depend on which part of the area any waste management facility was located in. (?) Although the area is an existing industrial estate, in the absence of appropriate ecological surveys it is not known whether the area contains any protected species or habitats or whether there is any scope for habitat creation.		Any planning application would, if necessary, be accompanied by a suitable assessment of the ecological value of the site/surrounding area and the impact of the proposed use on this ecological value. Implement appropriate measures to improve the biodiversity value of the site.	-
7. To reduce and manage flood risk	(±ve) Avoidance of inappropriate dev'tment in flood risk areas; reduce flood risk through SuDS / other measures (-ve) Exacerbate vulnerability to flooding			X	High / medium / low / no effect / depends on use	(- -) The area is within Flood Zone 2 and 3. As such, any waste facility directed to this location would be at a medium/high risk of flooding. (-) Parts of the area are at a high risk of surface water flooding. However, as the area is already developed, it is uncertain whether directing waste facilities to this area would increase the proportion of the area that is covered by impermeable surfaces or exacerbate surface water flooding. (+) The development of a waste management facility in the area may provide opportunities to manage the risk of surface water flooding through the use of SuDS or other appropriate techniques.		Any planning application would, if necessary, be accompanied by a suitable Flood Risk Assessment. Incorporate SuDS or other techniques to manage surface water runoff. Application of the Sequential Test.	- -

8. To adapt to, and reduce the impacts of climate change	(+ve) Reduction of vulnerability to climate change events			X	High / medium / low / no effect / depends on use	(0) The use of the area for a waste facility would be unlikely to result in the loss of green infrastructure or any other features that could help alleviate the impacts of higher summer temperatures expected as a result of climate change.		Incorporate SuDS or other techniques to manage surface water runoff.	- -
						(- -) The area is within Flood Zone 2 and 3. As such, any waste facility directed to this location would be at a medium/high risk of flooding. Parts of the area are also at a high risk of surface water flooding. Climate change is likely to exacerbate flood risk.			
9. To reduce climate change contributions, promote energy efficiency and increase use of energy from sustainable sources	(+ve) Reduce waste- related car/lorry trips; increase sustainable transport use (+ve/-ve) Impact on greenhouse gas generation			X	High / medium / low / no effect / depends on use	(+) The proposed function could contribute to reduced emissions provided the site serves a relatively localised catchment and helps to raise recycling and/or recovery rates thereby reducing the proportion of waste going to landfill and associated methane emissions [quite likely, but depends on waste use]			?
						(?) There is little apparent scope for waste to be transported to the site by sustainable modes of transport. As such, any facility is likely to be reliant upon transporting waste by road. Nevertheless, any facility could help ensure that North London's waste is managed close to its source thereby reducing 'waste miles' and associated emissions. However, there is limited certainty about this impact as the source of waste arisings is unknown and may originate from outside the plan area.			
10. To protect and improve air, water and soil quality	(+ve) Improvement of water quality; support land remediation (+ve/-ve) Impact on road congestion (-ve) Air quality impact; impact on soil quality; groundwater quality impact			X	High / medium / low / no effect / depends on use	(?)The site is previously developed land. It is not contaminated as defined under Part 2A of the Environmental Protection Act but may contain contamination that would need to be remediated prior to re-development.	Any impact on air quality could have secondary effects on health, particularly amongst those who suffer from respiratory illnesses. Development of waste management facilities in the area could generate cumulative impacts alongside existing employment uses in the vicinity.	Allocate area for enclosed waste uses only Ensure appropriate measures are incorporated to prevent any contamination of adjacent watercourses. Negative air pressure and rapid-closure doors on any enclosed facility in the area. Dust suppression and other measures such as wheel-washing.	-
						(-)The area is adjacent to Silk Stream and development in this area has the potential to impact the quality of this water course. Due to the area being at risk of flooding there is a potential risk of contamination of the adjacent watercourse as a result of future flood events even if development is restricted to enclosed waste facilities and on-site drainage measures (e.g. oil filters, silt traps) are installed. (?) The area is within an Air Quality Management Area but it is not located in or close to an Air Quality Focus Area as defined by GLA. Any proposed waste facility would generate vehicular traffic which could impact on congestion and adversely affect air quality. However, the extent of this impact would depend on the proposed use and whether it generated a greater volume of traffic than the existing use. Scale of impact would also be dependent on whether the facility handled locally-arising waste or served a wider catchment. (-) Depending on the use, there could be some risk of dust emissions [limited likelihood but depends on use]			

11. To manage waste sustainability, maximise self-sufficiency in the management of waste, minimise production of waste and increase re-use, recycling and recovery rates	(+ve) Minimise waste generation; promote sustainable waste management; help to move management up the Waste Hierarchy			X	High / medium / low / no effect / depends on use	(+) Any waste facility delivered in the area would help move waste up the Waste Hierarchy and help ensure that there are sufficient waste management facilities to meet the Waste Plan's capacity needs. It would therefore help divert waste from landfill. As such, it has the potential to have a positive impact on the objective. The extent to which a waste management facility in the area would move waste up the Waste Hierarchy, and by extension the degree of impact on the objective, would dependent on the type of facility that would be located in the area. Policy 3 of the draft NLWP does however specify that waste management development in this area should result in highest practicable level of recycling and recovery materials in line with the principles of the Waste Hierarchy.	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.	Policy 3 of the draft NLWP will ensure that any waste management facility in the area results in highest practicable level of recycling and recovery materials in line with the principles of the Waste Hierarchy.	+
12. To ensure efficient use of land and natural resources and the sustainable use of existing resources	(+ve) Use of previously developed buildings / land; incorporate or encourage water efficiency (-ve) Effect on water demand			X	High / medium / low / no effect / depends on use	(+) The area comprises entirely of previously developed land and directing waste management facilities to this location would therefore help ensure the efficient use of land [inevitable]. (+) Any waste facility delivered in the area would help move waste up the Waste Hierarchy and would help promote the reuse and recycling of waste thereby contributing to the efficient and sustainable use of resources. The extent to which the use of the area for waste management would move waste up the Waste Hierarchy would however depend on the type of facility [depends on use]. (?) Effect on water demand is uncertain and would depend on the type of waste management facility [depends on use].	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.		+
13. To encourage sustainable economic growth, exploit the growth potential of business sectors and improve productivity and competitiveness of local waste industry	(+ve) Encourage local economic growth thro' provision of adequate waste facilities; enable new and innovative waste management technologies; scope to diversify local waste sector; promotion of waste minimisation; help to maximise value recovery			X	High / medium / low / no effect / depends on use	(+) The use of the area for waste management would encourage local economic growth through the provision of adequate waste facilities and would provide scope to diversify local waste sector and could help maximise value recovery.			+

14. To reduce economic disparities, unemployment and deprivation	(÷ve) Support for (and creation of) a broad range of employment opportunities			X	High / medium / low / no effect / depends on use	(?) The use of the area for waste management could create employment opportunities and contribute towards reducing unemployment. Nevertheless, the number of new employment opportunities that would be created would depend on the nature of the facility and whether it is occupied by a new venture rather than the expansion/re-location of an existing business. In addition, the area appears to be largely occupied. As a result, the provision of a waste management facility in the area may result in the displacement of an existing employment use. The impact on the objective is therefore considered to be uncertain.	Secondary impacts on deprivation.		?

Summary of Assessment
<p>The proposed allocation has the potential to have a positive impact on a number of sustainability objectives. In particular, the development of a waste management facility in this location would help move waste up the Waste Hierarchy and help ensure that there are sufficient facilities to meet the Waste Plan's capacity needs. It would also encourage local economic growth and support the use of previously developed land. The allocation therefore has the potential to have a positive effect on the objectives that relate to managing waste sustainably, encouraging sustainable economic growth and ensuring the efficient use of land and resources.</p> <p>The proximity to sensitive receptors does however mean that there is the potential for a facility in this area to have a negative impact on the objective that relates to amenity. Enforcing appropriate controls through planning conditions and environmental permitting are therefore likely to be key mitigation measures. Due to the proximity of the area to a designated SINCR, the proposed allocation could have a negative effect on the objective of protecting biodiversity. Undertaking appropriate ecological surveys and implementing appropriate measures to improve the biodiversity value of the site are likely to be important mitigation measures. There could also be a negative impact on the objective of protecting air, water and soil quality. The extent of impact on this objective would be dependent on the nature of the proposed waste management facility but the use of measures such as negative air pressure and rapid-closure doors on any enclosed facility could help mitigate impacts. In addition, as parts of the area are at a medium/high risk of flooding, the proposed allocation would also have a significant negative impact on the objectives that relate to reducing flood risk and adapting to climate change. The completion of a suitable Flood Risk Assessment, application of the Sequential Test and the incorporation of SuDS or other techniques to manage surface water runoff will be key mitigation measures.</p> <p>The proposed allocation could also have an uncertain impact on the objectives relating to sustainable transport and reducing contributions to climate change.</p>

Site name:	Eley's Estate	Site reference:	A12-EN	Date of visit:	11 August 2014 25 th June 2018	[pm]	Assessor:	MM / JM CW/ MH
-------------------	---------------	------------------------	--------	-----------------------	--	------	------------------	-------------------

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation	Score
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
1. To protect people's health, communities and local environmental quality from the adverse effects of waste management	(-ve) Amenity impacts from dust, particulates, noise, vibration, visual amenity, light pollution			X	High / medium / low / no effect / depends on use	(?) Residential properties lie 50m west of the north western corner of the site and new residential development is proposed to the south of the site as part of the Meridian Water development. However, given the size of the area, waste management development could potentially take place in a part of the area that is a significant distance from these residential properties which could avoid impact on amenity.	Secondary impacts on quality of life and perceptions of the area. Development of a waste management facility in the area could generate cumulative impacts alongside existing employment uses in the vicinity.	Enforce appropriate controls through planning conditions and environmental permitting. Ensure that only enclosed facilities are developed in the parts of the area that are adjacent to sensitive receptors.	?
						The area is an existing industrial estate. However, depending on the use, there could be some scope for a waste facility to introduce new impacts (odour, vermin) on amenity. However, there are existing waste uses in the area and it is uncertain whether a new waste facility would generate more traffic than existing uses. Conditions could also be used to mitigate other impacts.			
2. To maintain green infrastructure and open space	(+ve/-ve) Impact on open space (-ve) reduction of public access; effect on green infrastructure	N/A			High / medium / low / no effect / depends on use	(0) The Green Belt and Lee Valley Regional Park is located to the east. However, the area is already in use as an industrial estate and there are existing waste management facilities on the site. Therefore, directing waste management facilities to this area is unlikely to have a significant impact upon the objective.			0
3. To promote sustainable modes of transport, reduce the need to travel and improve choice of more sustainable transport modes	(+ve) Reduce distance waste travels; reduce waste-related car/lorry trips; increase use of sustainable transport (+ve/-ve) Impact on road congestion			X	High / medium / low / no effect / depends on use	(-) The River Lee Navigation runs adjacent to the east of the area and could potentially be used to transport waste. However, for a facility to make use of this feature it would need to be on the eastern boundary of the area and a wharf would need to be established. A railway line runs adjacent to the west of the area however there are no sidings at this location. Consequently, any facility is likely to be reliant upon transporting waste by road.	Secondary impact on greenhouse gas emissions from the transport sector.		?
						(+) Any waste facility delivered in the area could however reduce the need for waste to be transported outside of the Plan area. This could have a positive impact on the element of the objective that relates to reducing the need to travel. However, there is a low level of certainty of this impact as the source of waste arisings is unknown and may originate from outside the plan area. (+) There are existing waste management facilities in the area. Consequently, the opportunities for co-location could result in some transport-related savings.			
4. To conserve and enhance the historic	(-ve) Impact on heritage assets;	N/A			High / medium / low / no effect / depends on use	(0) The area is an existing industrial/trading estate. The main archaeological constraints include the settings of			0

Assessment framework		Permanence			Characteristics of impacts		Additional impacts Secondary, Cumulative, Synergistic	Nature / scope of mitigation	Score
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)			
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
environment, heritage assets and their settings	impact on settings					Chingford Mill pumping station (grade II) and the Montagu Road cemeteries conservation area. However, it is not anticipated to have a significant impact on the objective.			
5. To maintain and enhance the quality and character of North London's townscapes and landscapes	(+ve) Will development be sympathetic	N/A			High / medium / low / no effect / depends on use	(0) The area is not within the Green Belt or Ancient Woodland. It is not designated for its local landscape importance and does not contain any areas of public open space. The Green Belt, Lee Valley Regional Park, and Area d Special Character are located to the east of the site. Nevertheless, the area is an industrial area which contains existing waste uses. As such, directing waste management facilities to this area is unlikely to have a significant impact on the character of the local townscape/landscape provided that the facility is housed in structures similar in scale and design to those already on the estate. The exact impact would however depend on the nature of the facility.			0
	(+ve/-ve) Impact on landscape / townscape character (-ve) Openness of Green Belt; effect on open space								
6. To maintain, protect and enhance biodiversity, protected species, habitats, geodiversity and features of geological interest	(+ve) Scope for habitat creation or restoration	X			High / medium / low / no effect / depends on use	(0) The area is not part of an internationally designated site or located within a SSSI. (-)The Lee Valley Metropolitan Site of Importance for Nature Conservation (SINC) is adjacent to the eastern boundary of the area. Although the area is occupied by existing industrial uses, directing waste facilities to the area could introduce new impacts on these features. Any impact would however depend on the type of facility and its location within the area. It is also recognised that, in the absence of appropriate ecological surveys, there is only a limited level of certainty about any such impact. (?) Although the area is an existing trading / industrial estate, it is not known whether it contains any protected species or habitats or whether there is any scope for habitat creation.		Any planning application would, if necessary, be accompanied by a suitable assessment of the ecological value of the site/surrounding area and the impact of the proposed use on this ecological value. Implement appropriate measures to improve the biodiversity value of the site.	-
	(-ve) Impact on nationally protected species / habitats; impact on or loss of BAP priority habitats and species								
7. To reduce and manage flood risk	(+ve) Avoidance of inappropriate dev'tment in flood risk areas; reduce flood risk through SuDS / other measures			X	High / medium / low / no effect / depends on use	(- -) The part of the area which is to the south and west of Salmon's Brook is largely within Flood Zones 2 and 3 and the south east of the area is within a Flood Zone 2. As such, any waste facility directed to this location would be at a medium/high risk of flooding.		Any planning application would, if necessary, be accompanied by a suitable Flood Risk Assessment. Incorporate SuDS or other techniques to manage surface water runoff. Application of the Sequential Test.	- -
	(-ve) Exacerbate vulnerability to flooding								

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation	Score
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
8. To adapt to, and reduce the impacts of climate change	(+ve) Reduction of vulnerability to climate change events			X	High / medium / low / no effect / depends on use	(0) The use of the area for an alternative waste facility would be unlikely to result in the loss of green infrastructure or any other features that could help alleviate the impacts of higher summer temperatures expected as a result of climate change.		Incorporate SuDS or other techniques to manage surface water runoff.	- -
						(- -) The part of the area which is to the south and west of Salmon's Brook is largely within Flood Zones 2 and 3 and the south east of the area is within a Flood Zone 2. As such, any waste facility directed to this location would be at a medium/high risk of flooding.			
9. To reduce climate change contributions, promote energy efficiency and increase use of energy from sustainable sources	(+ve) Reduce waste-related car/lorry trips; increase sustainable transport use (+ve/-ve) Impact on greenhouse gas generation			X	High / medium / low / no effect / depends on use	(+) The proposed function could contribute to reduced emissions provided the site serves a relatively localised catchment and helps to raise recycling and/or recovery rates thereby reducing the proportion of waste going to landfill and associated methane emissions [quite likely, but depends on waste use]			+
						(+) Development of the area could create an opportunity to recover energy from waste, depending on the type of facility developed. The area is identified by the GLA as an opportunity area for Decentralised Energy and a proposed District Heating transmission line runs along the eastern edge of the site. [limited likelihood, but depends on waste use] (?) There is little apparent scope for waste to be transported to the site by sustainable modes of transport. As such, any facility is likely to be reliant upon transporting waste by road. Nevertheless, any facility could help ensure that North London's waste is managed close to its source thereby reducing 'waste miles' and associated emissions. However, there is limited certainty about this impact as the source of waste arisings is unknown and may originate from outside the plan area.			

10. To protect and improve air, water and soil quality	(+ve) Improvement of water quality; support land remediation (+ve/-ve) Impact on road congestion (-ve) Air quality impact; impact on soil quality; groundwater quality impact			X	High / medium / low / no effect / depends on use	(?)The site is previously developed land. It is not contaminated as defined under Part 2A of the Environmental Protection Act but may contain contamination that would need to be remediated prior to re-development. (-)The eastern half of the area lies over a Secondary A Aquifer within the superficial deposits.The east and central parts of the area are within Source Protection Zone 1 with the remainder within Zone 2. Salmon's Brook cuts through the area and the River Lee Navigation is adjacent to it. Due to the area being at risk of flooding there is a potential risk of contamination of the adjacent watercourse as a result of future flood events even if development is restricted to enclosed waste facilities and on-site drainage measures (e.g. oil filters, silt traps) are installed. (?) The area is within an Air Quality Management Area but it is not located in or close to an Air Quality Focus Area as defined by GLA. Any proposed waste facility would generate vehicular traffic which could impact on congestion and adversely affect air quality. However, the extent of this impact would depend on the proposed use and whether it generated a greater volume of traffic than the existing use. Scale of impact would also be dependent on whether the facility handled locally-arising waste or served a wider catchment. (-) Depending on the use, there could be some risk of dust emissions [limited likelihood but depends on use]	Any impact on air quality could have secondary effects on health, particularly amongst those who suffer from respiratory illnesses. Development of waste management facilities in the area could generate cumulative impacts alongside existing employment uses in the vicinity.	Allocate area for enclosed waste uses only Ensure appropriate measures are incorporated to prevent any contamination of groundwater or adjacent watercourses. Negative air pressure and rapid-closure doors on any enclosed facility in the area. Dust suppression and other measures such as wheel-washing.	-
				X	High / medium / low / no effect / depends on use	(+) Any waste facility delivered in the area would help move waste up the Waste Hierarchy and help ensure that there are sufficient waste management facilities to meet the Waste Plan's capacity needs. It would therefore help divert waste from landfill. As such, it has the potential to have a positive impact on the objective. The extent to which a waste management facility in the area would move waste up the Waste Hierarchy, and by extension the degree of impact on the objective, would dependent on the type of facility that would be located in the area. Policy 3 of the draft NLWP does however specify that waste management development in this area should result in highest practicable level of recycling and recovery materials in line with the principles of the Waste Hierarchy.	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.	Policy 3 of the draft NLWP will ensure that any waste management facility in the area results in highest practicable level of recycling and recovery materials in line with the principles of the Waste Hierarchy.	+

12. To ensure efficient use of land and natural resources and the sustainable use of existing resources	(+)ve Use of previously developed buildings / land; incorporate or encourage water efficiency (-ve) Effect on water demand			X	High / medium / low / no effect / depends on use	(+) The area comprises entirely of previously developed land and directing waste management facilities to this location would therefore help ensure the efficient use of land [inevitable]. (+) Any waste facility delivered in the area would help move waste up the Waste Hierarchy and would help promote the reuse and recycling of waste thereby contributing to the efficient and sustainable use of resources. The extent to which the use of the area for waste management would move waste up the Waste Hierarchy would however depend on the type of facility [depends on use]. (?) Effect on water demand is uncertain and would depend on the type of waste management facility [depends on use].	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.		+
13. To encourage sustainable economic growth, exploit the growth potential of business sectors and improve productivity and competitiveness of local waste industry	(+)ve Encourage local economic growth thro' provision of adequate waste facilities; enable new and innovative waste management technologies; scope to diversify local waste sector; promotion of waste minimisation; help to maximise value recovery			X	High / medium / low / no effect / depends on use	(+) The use of the area for waste management would encourage local economic growth through the provision of adequate waste facilities and would provide scope to diversify local waste sector and could help maximise value recovery.			+
14. To reduce economic disparities, unemployment and deprivation	(+)ve Support for (and creation of) a broad range of employment opportunities			X	High / medium / low / no effect / depends on use	(?) The use of the area for waste management could create employment opportunities and contribute towards reducing unemployment. Nevertheless, the number of new employment opportunities that would be created would depend on the nature of the facility and whether it is occupied by a new venture rather than the expansion/re-location of an existing business. In addition, the area appears to be largely occupied. As a result, the provision of a waste management facility in the area may result in the displacement of an existing employment use. The impact on the objective is therefore considered to be uncertain.	Secondary impacts on deprivation.		?

Summary of Assessment
<p>The proposed allocation has the potential to have a positive impact on a number of sustainability objectives. In particular, the development of a waste management facility in this location would help move waste up the Waste Hierarchy and help ensure that there are sufficient facilities to meet the Waste Plan's capacity needs. It would also encourage local economic growth and support the use of previously developed land. The allocation therefore has the potential to have a positive effect on the objectives that relate to managing waste sustainably, encouraging sustainable economic growth and ensuring the efficient use of land and resources. It also has the potential to have some positive impact on the objective of reducing contributions to climate change.</p>
<p>Due to the proximity of the area to a designated SINC, the proposed allocation could have a negative effect on the objective of protecting biodiversity. Undertaking appropriate ecological surveys and implementing appropriate measures to improve the biodiversity value of the site are likely to be important mitigation measures. There could also be a negative impact on the objective of protecting air, water and soil quality. The extent of impact on this objective would be dependent on the nature of the proposed waste management facility but the use of measures such as negative air pressure and rapid-closure doors on any enclosed facility on the site could help mitigate impacts. In addition, as parts of the area are at a medium/high risk of flooding, the proposed allocation would also have a significant negative impact on the objectives that relate to reducing flood risk and adapting to climate change. The completion of a suitable Flood Risk Assessment, application of the Sequential Test and the incorporation of SuDS or other techniques to manage surface water runoff will be key mitigation measures.</p>
<p>The proposed allocation could also have an uncertain impact on the objective relating to sustainable transport. Although parts of the area are in close proximity to sensitive receptors, the impact of the allocation on the objective that relates to health and amenity is considered to be uncertain as given the size of the area, waste management development could potentially take place in a part of the area that is a significant distance from these residential properties which could avoid impact on amenity.</p>

Site name:	Millfields LSIS	Site reference:	A15-HC	Date of visit:	12 August 2014 [pm] 25 th June 2018	Assessor:	MM / JM / JP MH/ CW
-------------------	-----------------	------------------------	--------	-----------------------	--	------------------	------------------------

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation	Score
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
1. To protect people's health, communities and local environmental quality from the adverse effects of waste management	(-ve) Amenity impacts from dust, particulates, noise, vibration, visual amenity, light pollution			X	High / medium / low / no effect / depends on use	(-)Residential properties are approximately 15m south of the site and Clapton Park Lower School is also located to the south of the site. As a result, there are sensitive receptors within the vicinity. The site is an existing waste transfer station and depot. However, an alternative waste facility could introduce new impacts (odour, vermin) on amenity. There could also be some increase in dust and emissions from traffic accessing the site which could impact on amenity, particularly as the site is accessed through residential areas. There if however only a low level of certainty about this as it is unknown whether an alternative waste facility would generate more traffic than the existing use of the site. Conditions could be used to mitigate other impacts.	Secondary impacts on quality of life and perceptions of the area.	Enforce appropriate controls through planning conditions and environmental permitting.	—
2. To maintain green infrastructure and open space	(+ve/-ve) Impact on open space (-ve) reduction of public access; effect on green infrastructure	N/A			High / medium / low / no effect / depends on use	(0) An area of designated Metropolitan Open Land is located to the east of the site. This Open Land is however separated from the site by a watercourse. In addition, the site is an existing waste management/transfer station. As such, the site is unlikely to have a significant impact on green infrastructure or open space.			0
3. To promote sustainable modes of transport, reduce the need to travel and improve choice of more sustainable transport modes	(+ve) Reduce distance waste travels; reduce waste-related car/lorry trips; increase use of sustainable transport (+ve/-ve) Impact on road congestion			X	High / medium / low / no effect / depends on use	(+) The site is not located in close proximity to a railway. The River Lee Navigation is adjacent to the east of the site but there is no wharf in this location and the existing waste management facility on the site does not appear to receive waste via this waterway. As a result, any facility is likely to be reliant upon transporting waste by road. (+) Any waste facility on the site could however reduce the need for waste to be transported outside of the Plan area. This could have a positive impact on the element of the objective that relates to reducing the need to travel. However, there is a low level of certainty of this impact as the source of waste arisings is unknown and may originate from outside the plan area.	Secondary impact on greenhouse gas emissions from the transport sector.		?
4. To conserve and enhance the historic environment, heritage assets and their settings	(-ve) Impact on heritage assets; impact on settings			X	High / medium / low / no effect / depends on use	(0) There are three listed buildings to the west of the site – Hackney Borough Disinfecting Station, the Shelter House and Caretaker's Lodge, all grade II. Nevertheless, the site is an existing waste management facility and is separated, and largely screened, from these designated heritage assets by a vacant site/building. As such, it is uncertain whether the site would have a significant impact on the objective.	Secondary impacts on the image of the area.	Ensure appropriate heritage impact assessments are undertaken and that the design of any built facility is sympathetic to the setting of these heritage assets.	?

5. To maintain and enhance the quality and character of North London's townscapes and landscapes	(0) Will development be sympathetic (+ve/-ve) Impact on landscape / townscape character (-ve) Openness of Green Belt; effect on open space	N/A			High / medium / low / no effect / depends on use	(0) The site is not within the Green Belt or Ancient Woodland. Lea Valley Park is adjacent to the north of the site and Hackney Marshes are 20m east of the site. However, the site is an existing waste management facility and an alternative waste facility is unlikely to have a significant impact on the surrounding townscape and landscape. The exact impact would however depend on the use.			0
6. To maintain, protect and enhance biodiversity, protected species, habitats, geodiversity and features of geological interest	(0) <i>Scope for habitat creation or restoration</i> (-ve) Impact on nationally protected species / habitats; impact on or loss of BAP priority habitats and species	X			High / medium / low / no effect / depends on use	(0) The site is not part of an internationally designated site or located within a SSSI. (-) A SINC is adjacent to the site. Although the site is already occupied by a waste management use, an alternative waste management use could introduce new impacts on this feature. However, and in the absence of appropriate ecological surveys, there is only a limited level of certainty about any such impact. (?) Although the site is an existing waste management/transfer station, it is not known whether the site contains any protected species or habitats or whether there is any scope for habitat creation.		Any planning application would, if necessary, be accompanied by a suitable assessment of the ecological value of the site/surrounding area and the impact of the proposed use on this ecological value.	-
7. To reduce and manage flood risk	(0) Avoidance of inappropriate dev'tment in flood risk areas; reduce flood risk through SuDS (-ve) Exacerbate vulnerability to flooding			X	High / medium / low / no effect / depends on use	(+) The site is entirely within Flood Zone 1 and is therefore at a low risk of flooding from fluvial and tidal sources. The site is also not within an area which has been identified as being susceptible to surface water flooding. As such, directing waste management facilities to this location would help to avoid inappropriate development in areas at risk of flooding and could therefore have a positive impact on the objective.			+
8. To adapt to, and reduce the impacts of climate change	(0) Reduction of vulnerability to climate change events	N/A			High / medium / low / no effect / depends on use	(0) The site is entirely within Flood Zone 1 and is therefore at a low risk of fluvial flooding. It is also not within an area that has been identified as being susceptible to surface water flooding. The use of the site for a waste facility would be unlikely to result in the loss of green infrastructure or any other features that could help alleviate the impacts of higher summer temperatures expected as a result of climate change.			0

9. To reduce climate change contributions, promote energy efficiency and increase use of energy from sustainable sources	(+ve) Reduce waste-related car/lorry trips; increase sustainable transport use (+ve/-ve) Impact on greenhouse gas generation			X	High / medium / low / no effect / depends on use	<p>(+) The proposed function could contribute to reduced emissions provided the site serves a relatively localised catchment and helps to raise recycling and/or recovery rates [quite likely, but depends on waste use]. There may also be scope for waste to be transported to the site by alternative modes of transport although it is acknowledged that there is limited certainty about this.</p> <p>(?) There is little apparent scope for waste to be transported to the site by sustainable modes of transport. As such, any facility is likely to be reliant upon transporting waste by road. Nevertheless, any facility could help ensure that North London's waste is managed close to its source thereby reducing 'waste miles' and associated emissions. However, there is limited certainty about this impact as the source of waste arisings is unknown and may originate from outside the plan area.</p>			?
10. To protect and improve air, water and soil quality	(+ve) Improvement of water quality; support land remediation (+ve/-ve) Impact on road congestion (-ve) Air quality impact; impact on soil quality; groundwater quality impact			X	High / medium / low / no effect / depends on use	<p>(?) The site is previously developed land. It is not contaminated as defined under Part 2A of the Environmental Protection Act but may contain contamination that would need to be remediated prior to re-development.</p> <p>(-) There is a Source Protection Zone 1 25m north of the site and the River Lea Runs adjacent to the east of the site.</p> <p>(?) The site is within an Air Quality Management Area but not a Focus Area. Any proposed waste facility would generate vehicular traffic which could impact on congestion and adversely affect air quality. However, the extent of this impact would depend on the proposed use and whether it generated a greater volume of traffic than the existing use. Scale of impact would also be dependent on whether the facility handled locally-arising waste or serves a wider catchment.</p> <p>(-) Depending on the use, there could be some risk of dust emissions [limited likelihood but depends on use]</p>	Any impact on air quality could have secondary effects on health, particularly amongst those who suffer from respiratory illnesses. Development of the site would generate cumulative impacts alongside existing (mainly) employment uses in the vicinity.	Allocate site for enclosed waste uses only Ensure appropriate measures are incorporated to prevent any contamination of groundwater or nearby watercourses. Negative air pressure and rapid-closure doors on any enclosed facility on the site. Dust suppression and other measures such as wheel-washing.	—

11. To manage waste sustainability, maximise self-sufficiency in the management of waste, minimise production of waste and increase re-use, recycling and recovery rates	(+ve) Minimise waste generation; promote sustainable waste management; help to move management up the Waste Hierarchy			X	High / medium / low / no effect / depends on use	<p>(+) Any waste facility delivered on the site would help move waste up the Waste Hierarchy and help ensure that there are sufficient waste management facilities to meet the Waste Plan's capacity needs. It would therefore help divert waste from landfill. As such, the site has the potential to have a positive impact on the objective. The extent to which the use of the site would move waste up the Waste Hierarchy, and by extension the degree of impact on the objective, would depend on the type of waste management facility that would be located on the site. Policy 2 of the draft NLWP does however specify that waste management development on this site should result in highest practicable level of recycling and recovery materials in line with the principles of the Waste Hierarchy.</p>	<p>(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.</p>	<p>Policy 2 of the draft NLWP will ensure that any waste management facility on the site results in highest practicable level of recycling and recovery materials in line with the principles of the Waste Hierarchy.</p>	+
12. To ensure efficient use of land and natural resources and the sustainable use of existing resources	<p>(+ve) Use of previously developed buildings / land; incorporate or encourage water efficiency</p> <p>(-ve) Effect on water demand</p>			X	High / medium / low / no effect / depends on use	<p>(+) The site comprises entirely of previously developed land. The use of the site for a waste management facility would therefore help ensure the efficient use of land.</p> <p>(+) Any waste facility delivered on the site would help move waste up the Waste Hierarchy and would help promote the reuse and recycling of waste thereby contributing to the efficient and sustainable use of resources. The extent to which the use of the site would move waste up the Waste Hierarchy would however be dependent on the type of waste management facility that would be located on the site.</p> <p>(?) Effect on water demand is uncertain and would depend on the type of waste management facility.</p>	<p>(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.</p>		+
13. To encourage sustainable economic growth, exploit the growth potential of business sectors and improve productivity and competitiveness of local waste industry	<p>(+ve) Encourage local economic growth thro' provision of adequate waste facilities; enable new and innovative waste management technologies; scope to diversify local waste sector; promotion of waste minimisation; help to maximise value recovery</p>			X	High / medium / low / no effect / depends on use	<p>(+) The use of the site for waste management would encourage local economic growth through the provision of adequate waste facilities and would provide scope to diversify local waste sector and could help maximise value recovery. There is however on a low level of certainty that the proposed use of the site would have a significant impact on the objective given that the site is already occupied by a waste management use.</p>			+
14. To reduce economic disparities, unemployment and deprivation	<p>(+ve) Support for (and creation of) a broad range of employment opportunities</p>			X	High / medium / low / no effect / depends on use	<p>(?) The use of the site for waste management could create employment opportunities and contribute towards reducing unemployment. However, the site is already occupied by a waste facility. It is therefore uncertain whether any additional employment opportunities would be created and the impact on the objective is also uncertain.</p>			?

Summary of Assessment
<p>The proposed allocation has the potential to have a positive impact on a number of sustainability objectives. In particular, the development of a waste management facility in this location would help move waste up the Waste Hierarchy and help ensure that there are sufficient facilities to meet the Waste Plan’s capacity needs. It would also encourage local economic growth and support the use of previously developed land. The allocation therefore has the potential to have a positive effect on the objectives that relate to managing waste sustainably, encouraging sustainable economic growth and ensuring the efficient use of land and resources.</p> <p>The proximity of the site to sensitive receptors does however mean that there is the potential for a facility in this location to have a negative impact on the objective that relates to amenity. Enforcing appropriate controls through planning conditions and environmental permitting are therefore likely to be key mitigation measures. The allocation could also have a negative impact on the objective that relates to protecting and improving air, water and soil quality. The extent of impact on this objective would be dependent on the nature of the proposed waste management facility but the use of measures such as negative air pressure and rapid-closure doors on any enclosed facility on the site could help mitigate impacts. The proposed allocation would have an uncertain impact on the objectives that relate to sustainable transport, conserving the historic environment and reducing contributions to climate change. Due to the proximity of the site to a designated SINC, the proposed allocation could have a negative effect on the objective of protecting biodiversity. Undertaking appropriate ecological surveys is likely to be an important mitigation measure.</p>

Site name:	Brantwood Road (SIL 3)	Site reference:	A19-HR	Date of visit:	28 th October [am/pm] 25 th June 2018	Assessor:	JM CW / MH
-------------------	------------------------	------------------------	--------	-----------------------	---	------------------	---------------

<i>Assessment framework</i>		<i>Permanence</i>			<i>Characteristics of impacts</i>		<i>Additional impacts</i>	<i>Nature / scope of mitigation</i>	<i>Score</i>
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
1. To protect people's health, communities and local environmental quality from the adverse effects of waste management	(-ve) Amenity impacts from dust, particulates, noise, vibration, visual amenity, light pollution			X	High / medium / low / no effect / depends on use	(?) Residential properties are immediately adjacent to the area. However given the size of the area, waste management development could potentially take place in a part of the area that is a significant distance from these residential properties which could avoid impact on amenity. The area is an existing trading/industrial estate. However, depending on the use, there is scope for a waste facility in this area to introduce new impacts (odour, vermin) on amenity. There could also be some increase in dust and emissions from traffic accessing the area. It is however uncertain whether a waste facility would generate more traffic than the existing uses of the site and conditions could be used to mitigate other impacts.	Secondary impacts on quality of life and perceptions of the area. Development of a waste management facility in the area could generate cumulative impacts alongside existing employment uses in the vicinity.	Enforce appropriate controls through planning conditions and environmental permitting. Ensure that only enclosed facilities are developed in the parts of the area that are adjacent to sensitive receptors.	?
2. To maintain green infrastructure and open space	(+ve/-ve) Impact on open space (-ve) reduction of public access; effect on green infrastructure	N/A			High / medium / low / no effect / depends on use	(0) The area contains a range of employment uses. It is not located within Metropolitan Open Land and does not contain any areas of green/open space. The proposed use of the area for waste facilities is therefore unlikely to impact on open space or green infrastructure.			0
3. To promote sustainable modes of transport, reduce the need to travel and improve choice of more sustainable transport modes	(+ve) Reduce distance waste travels; reduce waste-related car/lorry trips; increase use of sustainable transport (+ve/-ve) Impact on road congestion			X	High / medium / low / no effect / depends on use	(-) The area is not located in close proximity to a navigable waterway, wharf or railway. As such, any facility is likely to be reliant upon transporting waste by road. (+) Any waste facility delivered in the area could however reduce the need for waste to be transported outside of the Plan area. This could have a positive impact on the element of the objective that relates to reducing the need to travel. However, there is a low level of certainty of this impact as the source of waste arising is unknown and may originate from outside the plan area.	Secondary impact on greenhouse gas emissions from the transport sector and air quality.		?
4. To conserve and enhance the historic environment, heritage assets and their settings	(-ve) Impact on heritage assets; impact on settings	N/A			High / medium / low / no effect / depends on use	(0) The area is an existing industrial estate and there are no designated heritage assets or locally listed buildings within or adjacent to it. As a result, directing waste management facilities to this area is unlikely to have a significant impact on the objective.			0

5. To maintain and enhance the quality and character of North London's townscapes and landscapes	(+ve) Will development be sympathetic (+ve/-ve) Impact on landscape / townscape character (-ve) Openness of Green Belt; effect on open space	N/A			High / medium / low / no effect / depends on use	(0) The area is not within the Green Belt or Ancient Woodland. It is not within or adjacent to any area designated for its local landscape importance and does not contain or adjoin any areas of public open space. (0) The area comprises of existing industrial / employment units. Directing waste management facilities to this location is therefore unlikely to have a significant impact on the townscape provided that the facility is housed in structures similar in scale and design to surrounding units. The exact impact would however depend on the use.			0
6. To maintain, protect and enhance biodiversity, protected species, habitats, geodiversity and features of geological interest	(+ve) <i>Scope for habitat creation or restoration</i> (-ve) Impact on nationally protected species / habitats; impact on or loss of BAP priority habitats and species	X			High / medium / low / no effect / depends on use	(0) The area is not part of an internationally designated site or located within a SSSI. It is not located in close proximity to any Sites of Importance for Nature Conservation (SINCs). (?) Although the area is an existing industrial estate, in the absence of appropriate ecological surveys it is not known whether the area contains any protected species or habitats or whether there is any scope for habitat creation.		Allocate site for enclosed waste uses only and enforce appropriate controls through planning conditions and environmental permitting.	?
7. To reduce and manage flood risk	(+ve) Avoidance of inappropriate dev'ment in flood risk areas; reduce flood risk through SuDS / other measures (-ve) Exacerbate vulnerability to flooding			X	High / medium / low / no effect / depends on use	(-) The eastern part of the area is within Flood Zone 2. As such, any waste facility in this part of the area would be at a medium risk of flooding. (-) Parts of the area are also susceptible to surface water flooding. However, as the area is already developed, it is uncertain whether directing waste facilities to this area would increase the proportion of the area that is covered by impermeable surfaces or exacerbate surface water flooding. (+) The development of a waste management facility in the area may provide opportunities to manage the risk of surface water flooding through the use of SuDS or other appropriate techniques.		Any planning application would, if necessary, be accompanied by a suitable Flood Risk Assessment. Incorporate SuDS or other techniques to manage surface water runoff. Application of the Sequential Test.	—

8. To adapt to, and reduce the impacts of climate change	(+ve) Reduction of vulnerability to climate change events			X	High / medium / low / no effect / depends on use	(0) The use of the area for a waste facility would be unlikely to result in the loss of green infrastructure or any other features that could help alleviate the impacts of higher summer temperatures expected as a result of climate change. (-) The eastern part of the area is within Flood Zone 2. The site has also been identified as being susceptible to surface water flooding. Climate change is likely to exacerbate flood risk.		Incorporate SuDS or other techniques to manage surface water runoff.	—
9. To reduce climate change contributions, promote energy efficiency and increase use of energy from sustainable sources	(+ve) Reduce waste-related car/lorry trips; increase sustainable transport use (+ve/-ve) Impact on greenhouse gas generation			X	High / medium / low / no effect / depends on use	(+) The proposed function could contribute to reduced emissions provided the site serves a relatively localised catchment and helps to raise recycling and/or recovery rates thereby reducing the proportion of waste going to landfill and associated methane emissions [quite likely, but depends on waste use] (+) Development of the area could create an opportunity to recover energy from waste, depending on the type of facility developed. A proposed District Heating transmission line runs through the area. [limited likelihood, but depends on waste use] (?) There is little apparent scope for waste to be transported to the site by sustainable modes of transport. As such, any facility is likely to be reliant upon transporting waste by road. Nevertheless, any facility could help ensure that North London's waste is managed close to its source thereby reducing 'waste miles' and associated emissions. However, there is limited certainty about this impact as the source of waste arisings is unknown and may originate from outside the plan area.			+

10. To protect and improve air, water and soil quality	(+ve) Improvement of water quality; support land remediation (+ve/-ve) Impact on road congestion (-ve) Air quality impact; impact on soil quality; groundwater quality impact			X	High / medium / low / no effect / depends on use	(?)The site is previously developed land. It is not contaminated as defined under Part 2A of the Environmental Protection Act but may contain contamination that would need to be remediated prior to re-development. (-) The area is within a Zone 1 and a Zone 2 groundwater source protection zones. Mitigation measures would need to be incorporated to ensure ground water is not adversely affected by waste facility development. (?) The area is within an Air Quality Management Area but it is not located in or close to an Air Quality Focus Area as defined by GLA. Any proposed waste facility would generate vehicular traffic which could impact on congestion and adversely affect air quality. However, the extent of this impact would depend on the proposed use and whether it generated a greater volume of traffic than the existing use. Scale of impact would also be dependent on whether the facility handled locally-arising waste or served a wider catchment. (-) Depending on the use, there could be some risk of dust emissions [limited likelihood but depends on use]	Any impact on air quality could have secondary effects on health, particularly amongst those who suffer from respiratory illnesses. Development of waste management facilities in the area could generate cumulative impacts alongside existing employment uses in the vicinity.	Allocate area for enclosed waste uses only Ensure appropriate measures are incorporated to prevent any contamination of groundwater or adjacent watercourses. Negative air pressure and rapid-closure doors on any enclosed facility in the area. Dust suppression and other measures such as wheel-washing.	—
11. To manage waste sustainability, maximise self-sufficiency in the management of waste, minimise production of waste and increase re-use, recycling and recovery rates	(+ve) Minimise waste generation; promote sustainable waste management; help to move management up the Waste Hierarchy			X	High / medium / low / no effect / depends on use	(+) Any waste facility delivered in the area would help move waste up the Waste Hierarchy and help ensure that there are sufficient waste management facilities to meet the Waste Plan's capacity needs. It would therefore help divert waste from landfill. As such, it has the potential to have a positive impact on the objective. The extent to which a waste management facility in the area would move waste up the Waste Hierarchy, and by extension the degree of impact on the objective, would depend on the type of facility that would be located in the area. Policy 3 of the draft NLWP does however specify that waste management development in this area should result in highest practicable level of recycling and recovery materials in line with the principles of the Waste Hierarchy.	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.	Policy 3 of the draft NLWP will ensure that any waste management facility in the area results in highest practicable level of recycling and recovery materials in line with the principles of the Waste Hierarchy.	+
12. To ensure efficient use of land and natural resources and the sustainable use of existing resources	(+ve) Use of previously developed buildings / land; incorporate or encourage water efficiency (-ve) Effect on water demand			X	High / medium / low / no effect / depends on use	(+) The area comprises entirely of previously developed land and directing waste management facilities to this location would therefore help ensure the efficient use of land [inevitable]. (+) Any waste facility delivered in the area would help move waste up the Waste Hierarchy and would help promote the reuse and recycling of waste thereby contributing to the efficient and sustainable use of resources. The extent to which the use of the area for waste management would move waste up the Waste Hierarchy would however depend on the type of facility [depends on use]. (?) Effect on water demand is uncertain and would depend on the type of waste management facility [depends on use].	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.		+

13. To encourage sustainable economic growth, exploit the growth potential of business sectors and improve productivity and competitiveness of local waste industry	(+ve) Encourage local economic growth thro' provision of adequate waste facilities; enable new and innovative waste management technologies; scope to diversify local waste sector; promotion of waste minimisation; help to maximise value recovery			X	High / medium / low / no effect / depends on use	(+) The use of the area for waste management would encourage local economic growth through the provision of adequate waste facilities and would provide scope to diversify local waste sector and could help maximise value recovery.			+
14. To reduce economic disparities, unemployment and deprivation	(+ve) Support for (and creation of) a broad range of employment opportunities			X	High / medium / low / no effect / depends on use	<p>(?) The use of the area for waste management could create employment opportunities and contribute towards reducing unemployment. Nevertheless, the number of new employment opportunities that would be created would depend on the nature of the facility and whether it is occupied by a new venture rather than the expansion/re-location of an existing business.</p> <p>In addition, the area appears to be fully occupied. As a result, the provision of a waste management facility in the area may result in the displacement of an existing employment use. The impact on the objective is therefore considered to be uncertain.</p>	Secondary impacts on deprivation.		?

Summary of Assessment
<p>The proposed allocation has the potential to have a positive impact on a number of sustainability objectives. In particular, the development of a waste management facility in this location would help move waste up the Waste Hierarchy and help ensure that there are sufficient facilities to meet the Waste Plan's capacity needs. It would also encourage local economic growth and support the use of previously developed land. The allocation therefore has the potential to have a positive effect on the objectives that relate to managing waste sustainably, encouraging sustainable economic growth and ensuring the efficient use of land and resources. It also has the potential to have some positive impact on the objective of reducing contributions to climate change.</p> <p>The proposed allocation could have a negative impact on the objective of protecting air, water and soil quality. The extent of impact on this objective would be dependent on the nature of the proposed waste management facility but the use of measures such as negative air pressure and rapid-closure doors on any enclosed facility on the site could help mitigate impacts. In addition, as parts of the area are at a medium risk of flooding, the proposed allocation would also have a negative impact on the objectives that relate to reducing flood risk and adapting to climate change. The completion of a suitable Flood Risk Assessment, application of the Sequential Test and the incorporation of SuDS or other techniques to manage surface water runoff will be key mitigation measures.</p> <p>The proposed allocation could also have an uncertain impact on the objectives relating to sustainable transport, biodiversity and unemployment. In addition, although parts of the area are in close proximity to sensitive receptors, the impact of the allocation on the objective that relates to health and amenity is considered to be uncertain as given the size of the area, waste management development could potentially take place in a part of the area that is a significant distance from these residential properties which could avoid impact on amenity.</p>

Site name:	North East Tottenham (SIL 12)	Site reference:	A21-HR	Date of visit:	28 th October 2014 [am/pm] 25 th June 2018	Assessor:	JM CW/ MH
-------------------	-------------------------------	------------------------	--------	-----------------------	--	------------------	--------------

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation	Score
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
1. To protect people's health, communities and local environmental quality from the adverse effects of waste management	(-ve) Amenity impacts from dust, particulates, noise, vibration, visual amenity, light pollution			X	High / medium / low / no effect / depends on use	(?) Residential properties are in close proximity to the area to the west and allotments are to the south. However given the size of the area, waste management development could potentially take place in a part of the area that is a significant distance from these residential properties which could avoid impact on amenity. The site is an existing trading/industrial estate. However, depending on the use, there is scope for a waste facility in this area to introduce new impacts (odour, vermin) on amenity. There could also be some increase in dust and emissions from traffic accessing the area. It is however uncertain whether a waste facility would generate more traffic than the existing uses of the site and conditions could be used to mitigate other impacts.	Secondary impacts on quality of life and perceptions of the area. Development of a waste management facility in the area could generate cumulative impacts alongside existing employment uses in the vicinity.	Enforce appropriate controls through planning conditions and environmental permitting. Ensure that only enclosed facilities are developed in the parts of the area that are adjacent to sensitive receptors.	?
2. To maintain green infrastructure and open space	(+ve/-ve) Impact on open space (-ve) reduction of public access; effect on green infrastructure	N/A			High / medium / low / no effect / depends on use	(0) The area contains a range of employment uses. It is not located within Metropolitan Open Land and does not contain any areas of green/open space. The proposed use of the area for waste facilities is therefore unlikely to impact on open space or green infrastructure.			0
3. To promote sustainable modes of transport, reduce the need to travel and improve choice of more sustainable transport modes	(+ve) Reduce distance waste travels; reduce waste-related car/lorry trips; increase use of sustainable transport (+ve/-ve) Impact on road congestion			X	High / medium / low / no effect / depends on use	(-) Pymme's Brook is immediately to the east of the area but is unlikely to be suitable for transporting waste and for a facility to make use of this feature it would need to be on the eastern boundary of the site and a wharf would need to be established. Although there is a railway line adjacent to the west of the area there are no sidings in this location. Consequently, any facility is likely to be reliant upon transporting waste by road. (+) Any waste facility delivered in the area could however reduce the need for waste to be transported outside of the Plan area. This could have a positive impact on the element of the objective that relates to reducing the need to travel. However, there is a low level of certainty of this impact as the source of waste arisings is unknown and may originate from outside the plan area.	Secondary impact on greenhouse gas emissions from the transport sector and air quality.		?
4. To conserve and enhance the historic environment, heritage assets and their settings	(-ve) Impact on heritage assets; impact on settings	N/A			High / medium / low / no effect / depends on use	(0) The area is an existing industrial/trading estate and there are no designated heritage assets or locally listed buildings within or adjacent to it. As a result, directing waste management facilities to this area is unlikely to have a significant impact on the objective.			0

5. To maintain and enhance the quality and character of North London’s townscapes and landscapes	(+ve) Will development be sympathetic (+ve/-ve) Impact on landscape / townscape character (-ve) Openness of Green Belt; effect on open space	N/A			High / medium / low / no effect / depends on use	(0) The area is not within the Green Belt or Ancient Woodland. It is not within or adjacent to any area designated for its local landscape importance and does not contain any areas of public open space. (0) The area comprises of existing industrial / employment units. Directing waste management facilities to this location is therefore unlikely to have a significant impact on the townscape provided that the facility is housed in structures which are similar in scale and design. The exact impact would however depend on the nature of the facility.			0
6. To maintain, protect and enhance biodiversity, protected species, habitats, geodiversity and features of geological interest	(+ve) Scope for habitat creation or restoration (-ve) Impact on nationally protected species / habitats; impact on or loss of BAP priority habitats and species	X			High / medium / low / no effect / depends on use	(0) The area is not part of an internationally designated site or located within a SSSI. (-) A Borough Site of Importance for Nature Conservation (SINC) is adjacent to the area. Although the area is occupied by existing industrial uses, directing waste facilities to the area could introduce new impacts on this SINC. Any impact would however depend on the type of facility and its location within the area. It is also recognised that, in the absence of appropriate ecological surveys, there is only a limited level of certainty about any such impact. (?) Although the area is an existing trading / industrial estate, it is not known whether it contains any protected species or habitats or whether there is any scope for habitat creation.		Any planning application would, if necessary, be accompanied by a suitable assessment of the ecological value of the site/surrounding area and the impact of the proposed use on this ecological value. Implement appropriate measures to improve the biodiversity value of the site.	—
7. To reduce and manage flood risk	(+ve) Avoidance of inappropriate dev'ment in flood risk areas; reduce flood risk through SuDS / other measures (-ve) Exacerbate vulnerability to flooding			X	High / medium / low / no effect / depends on use	(-) The majority of the area is within Flood Zone 2. As such, any waste facility in this part of the area would be at a medium risk of flooding. (-)The area is also susceptible to surface water flooding. However, as the area is already developed, it is uncertain whether directing waste facilities to this area would increase the proportion of the area that is covered by impermeable surfaces or exacerbate surface water flooding. (+) The development of a waste management facility in the area may provide opportunities to manage the risk of surface water flooding through the use of SuDS or other appropriate techniques.		Any planning application would, if necessary, be accompanied by a suitable Flood Risk Assessment. Incorporate SuDS or other techniques to manage surface water runoff. Application of the Sequential Test.	—
8. To adapt to, and reduce the impacts of climate change	(+ve) Reduction of vulnerability to climate change events			X	High / medium / low / no effect / depends on use	(0) The use of the area for a waste facility would be unlikely to result in the loss of green infrastructure or any other features that could help alleviate the impacts of higher summer temperatures expected as a result of climate change. (-) The majority of the area is within Flood Zone 2. As such, any waste facility in this part of the area would be at a medium risk of flooding. The area is also susceptible to surface water flooding. Climate change is likely to exacerbate flood risk.		Incorporate SuDS or other techniques to manage surface water runoff.	—

9. To reduce climate change contributions, promote energy efficiency and increase use of energy from sustainable sources	(+ve) Reduce waste-related car/lorry trips; increase sustainable transport use (+ve/-ve) Impact on greenhouse gas generation			X	High / medium / low / no effect / depends on use	<p>(+) The proposed function could contribute to reduced emissions provided the site serves a relatively localised catchment and helps to raise recycling and/or recovery rates thereby reducing the proportion of waste going to landfill and associated methane emissions [quite likely, but depends on waste use]</p> <p>(+) Development of the area could create an opportunity to recover energy from waste, depending on the type of facility developed. A proposed District Heating transmission line is adjacent to the area. [limited likelihood, but depends on waste use]</p> <p>(?) There is little apparent scope for waste to be transported to the site by sustainable modes of transport. As such, any facility is likely to be reliant upon transporting waste by road. Nevertheless, any facility could help ensure that North London's waste is managed close to its source thereby reducing 'waste miles' and associated emissions. However, there is limited certainty about this impact as the source of waste arisings is unknown and may originate from outside the plan area.</p>			+
10. To protect and improve air, water and soil quality	(+ve) Improvement of water quality; support land remediation (+ve/-ve) Impact on road congestion (-ve) Air quality impact; impact on soil quality; groundwater quality impact			X	High / medium / low / no effect / depends on use	<p>(?) The site is previously developed land. It is not contaminated as defined under Part 2A of the Environmental Protection Act but may contain contamination that would need to be remediated prior to re-development.</p> <p>(-) The area is within a Zone 1 groundwater source protection zone. It is also within a Secondary A Aquifer and Pymme's Brook lies approximately 10m to the east. Mitigation measures would need to be incorporated to ensure ground water is not adversely affected by waste facility development.</p> <p>(?) The site is within an Air Quality Management Area but it is not located in or close to an Air Quality Focus Area as defined by GLA. Any proposed waste facility would generate vehicular traffic which could impact on congestion and adversely affect air quality. However, the extent of this impact would depend on the proposed use and whether it generated a greater volume of traffic than the existing use. Scale of impact would also be dependent on whether the facility handled locally-arising waste or served a wider catchment.</p> <p>(-) Depending on the use, there could be some risk of dust emissions [limited likelihood but depends on use]</p>	<p>Any impact on air quality could have secondary effects on health, particularly amongst those who suffer from respiratory illnesses.</p> <p>Development of waste management facilities in the area could generate cumulative impacts alongside existing employment uses in the vicinity.</p>	<p>Allocate area for enclosed waste uses only</p> <p>Ensure appropriate measures are incorporated to prevent any contamination of groundwater or adjacent watercourses.</p> <p>Negative air pressure and rapid-closure doors on any enclosed facility in the area.</p> <p>Dust suppression and other measures such as wheel-washing.</p>	-

11. To manage waste sustainability, maximise self-sufficiency in the management of waste, minimise production of waste and increase re-use, recycling and recovery rates	(+ve) Minimise waste generation; promote sustainable waste management; help to move management up the Waste Hierarchy			X	High / medium / low / no effect / depends on use	(+) Any waste facility delivered in the area would help move waste up the Waste Hierarchy and help ensure that there are sufficient waste management facilities to meet the Waste Plan's capacity needs. It would therefore help divert waste from landfill. As such, it has the potential to have a positive impact on the objective. The extent to which a waste management facility in the area would move waste up the Waste Hierarchy, and by extension the degree of impact on the objective, would depend on the type of facility that would be located in the area. Policy 3 of the draft NLWP does however specify that waste management development in this area should result in highest practicable level of recycling and recovery materials in line with the principles of the Waste Hierarchy.	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.	Policy 3 of the draft NLWP will ensure that any waste management facility in the area results in highest practicable level of recycling and recovery materials in line with the principles of the Waste Hierarchy.	+
12. To ensure efficient use of land and natural resources and the sustainable use of existing resources	(+ve) Use of previously developed buildings / land; incorporate or encourage water efficiency (-ve) Effect on water demand			X	High / medium / low / no effect / depends on use	(+) The area comprises entirely of previously developed land and directing waste management facilities to this location would therefore help ensure the efficient use of land [inevitable]. (+) Any waste facility delivered in the area would help move waste up the Waste Hierarchy and would help promote the reuse and recycling of waste thereby contributing to the efficient and sustainable use of resources. The extent to which the use of the area for waste management would move waste up the Waste Hierarchy would however depend on the type of facility [depends on use]. (?) Effect on water demand is uncertain and would depend on the type of waste management facility [depends on use].	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.		+
13. To encourage sustainable economic growth, exploit the growth potential of business sectors and improve productivity and competitiveness of local waste industry	(+ve) Encourage local economic growth thro' provision of adequate waste facilities; enable new and innovative waste management technologies; scope to diversify local waste sector; promotion of waste minimisation; help to maximise value recovery			X	High / medium / low / no effect / depends on use	(+) The use of the area for waste management would encourage local economic growth through the provision of adequate waste facilities and would provide scope to diversify local waste sector and could help maximise value recovery.			+
14. To reduce economic disparities, unemployment and deprivation	(+ve) Support for (and creation of) a broad range of employment opportunities			X	High / medium / low / no effect / depends on use	(?) The use of the area for waste management could create employment opportunities and contribute towards reducing unemployment. Nevertheless, the number of new employment opportunities that would be created would depend on the nature of the facility and whether it is occupied by a new venture rather than the expansion/re-location of an existing business. In addition, the area appears to be fully occupied. As a result, the provision of a waste management facility in the area may result in the displacement of an existing employment use. The impact on the objective is therefore considered to be uncertain.	Secondary impacts on deprivation.		?

Summary of Assessment

The proposed allocation has the potential to have a positive impact on a number of sustainability objectives. In particular, the development of a waste management facility in this location would help move waste up the Waste Hierarchy and help ensure that there are sufficient facilities to meet the Waste Plan's capacity needs. It would also encourage local economic growth and support the use of previously developed land. The allocation therefore has the potential to have a positive effect on the objectives that relate to managing waste sustainably, encouraging sustainable economic growth and ensuring the efficient use of land and resources. It also has the potential to have some positive impact on the objective of reducing contributions to climate change.

Due to the proximity of the area to a designated SINC, the proposed allocation could have a negative effect on the objective of protecting biodiversity. Undertaking appropriate ecological surveys and implementing appropriate measures to improve the biodiversity value of the site are likely to be important mitigation measures. There could also be a negative impact on the objective of protecting air, water and soil quality. The extent of impact on this objective would be dependent on the nature of the proposed waste management facility but the use of measures such as negative air pressure and rapid-closure doors on any enclosed facility on the site could help mitigate impacts. In addition, as parts of the area are at a medium risk of flooding, the proposed allocation would also have a negative impact on the objectives that relate to reducing flood risk and adapting to climate change. The completion of a suitable Flood Risk Assessment, application of the Sequential Test and the incorporation of SuDS or other techniques to manage surface water runoff will be key mitigation measures.

The proposed allocation could also have an uncertain impact on the objective relating to sustainable transport. Although parts of the area are in close proximity to sensitive receptors, the impact of the allocation on the objective that relates to health and amenity is considered to be uncertain as given the size of the area, waste management development could potentially take place in a part of the area that is a significant distance from these residential properties which could avoid impact on amenity.

Site name:	Friern Barnet Sewage	Site reference:	A22-HR	Date of visit:	12 August 2014 25 th June 2018	[pm]	Assessor:	MM / JM / JE CW / MH
-------------------	----------------------	------------------------	--------	-----------------------	--	------	------------------	-------------------------

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation	Score
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
1. To protect people's health, communities and local environmental quality from the adverse effects of waste management	(-ve) Amenity impacts from dust, particulates, noise, vibration, visual amenity, light pollution			X	High / medium / low / no effect / depends on use	(-) The area is immediately adjacent to a golf club and Hollickwood Park. There are residential properties to the west beyond the park. As a result, there are sensitive receptors within the vicinity.	Secondary impacts on quality of life and perceptions of the area. Development of the site would generate cumulative impacts alongside existing (mainly) employment uses in the vicinity.	Enforce appropriate controls through planning conditions and environmental permitting. Consider the creation of an appropriate buffer between waste management facility and nearby sensitive receptors.	—
						Depending on the use, there could be some scope for a waste facility to introduce impacts (odour, vermin) on amenity. There could be some increase in dust and from emissions from traffic accessing the site. However the north circular is to the north of the site. It is therefore uncertain whether any increase in traffic, and associated emissions, would be significant in comparison to the existing situation.			
2. To maintain green infrastructure and open space	(+ve/-ve) Impact on open space (-ve) reduction of public access; effect on green infrastructure			X	High / medium / low / no effect / depends on use	(-) Although the site has previously accommodated development, it is almost completely revegetated and contains numerous mature trees and vegetation. There is currently no public access to the area but its development for a waste facility could result in a loss of a site that has potential to form part of the green infrastructure network. It is therefore considered that the proposed use of the area could have a negative impact on the objective.		Retention of mature trees, sympathetic boundary treatment and enhancement of remaining area.	—
3. To promote sustainable modes of transport, reduce the need to travel and improve choice of more sustainable transport modes	(+ve) Reduce distance waste travels; reduce waste-related car/lorry trips; increase use of sustainable transport (+ve/-ve) Impact on road congestion			X	High / medium / low / no effect / depends on use	(-) The site is not located in close proximity to a navigable waterway or wharf. Although there is a railway line to the east, there are no sidings at this location and it is unlikely to provide an opportunity to transport waste to the area. As a result, any facility in the area is likely to be reliant upon transporting waste by road. (+) Any waste facility delivered on the site could however reduce the need for waste to be transported outside of the Plan area. This could have a positive impact on the element of the objective that relates to reducing the need to travel. However, there is a low level of certainty of this impact as the source of waste arisings is unknown and may originate from outside the plan area.	Secondary impact on greenhouse gas emissions from the transport sector and air quality.		?
4. To conserve and enhance the historic environment, heritage assets and their settings	(-ve) Impact on heritage assets; impact on settings	N/A			High / medium / low / no effect / depends on use	(0) There are no designated heritage assets or locally listed buildings within or adjacent to the area. As a result, the use of the area for waste management development is unlikely to have a significant impact on the objective.			0

5. To maintain and enhance the quality and character of North London's townscapes and landscapes	(+ve) Will development be sympathetic (+ve/-ve) Impact on landscape / townscape character (-ve) Openness of Green Belt; effect on open space			X	High / medium / low / no effect / depends on use	(-) The area is not within the Green Belt or Ancient Woodland. It is not within or adjacent to any area designated for its local landscape importance. The area is however adjacent to a golf course and a park. The area is currently over grown with trees and vegetation and its redevelopment for a waste management facility would be likely to result in the loss of a significant number of trees and could have some impact on the impact on the local landscape/townscape.		Protect existing green infrastructure features or secure appropriate replacement landscaping / planting.	—
6. To maintain, protect and enhance biodiversity, protected species, habitats, geodiversity and features of geological interest	(+ve) <i>Scope for habitat creation or restoration</i> (-ve) Impact on nationally protected species / habitats; impact on or loss of BAP priority habitats and species	X			High / medium / low / no effect / depends on use	(0) The area is not part of an internationally designated site or located within a SSSI. (-) It is within a Borough Site of Importance for Nature Conservation (SINCs) and, although it previously contained a sewage treatment works, the area has almost completely revegetated and contains numerous mature trees. The use of the area for a waste management facility is likely to result in the loss of trees and other features that provide habitat. As such, developing the site for a waste management facility could have a negative impact on the objective. (+) The use of the area for a waste management facility could provide an opportunity to decontaminate the site and enhance biodiversity.		Any planning application would, if necessary, be accompanied by a suitable assessment of the ecological value of the site/surrounding area and the impact of the proposed use on this ecological value. Retention of mature trees. Habitat replacement.	—
7. To reduce and manage flood risk	(+ve) Avoidance of inappropriate dev'tment in flood risk areas; reduce flood risk through SuDS / other measures (-ve) Exacerbate vulnerability to flooding			X	High / medium / low / no effect / depends on use	(0) The area is entirely within Flood Zone 1 and is not within an area that has been identified as being susceptible to surface water flooding. (?) Although the area has historically been used as a sewage works, it is substantially revegetated and the redevelopment of the site could increase the proportion of the area that is covered by impermeable surfaces and therefore increase surface water runoff. (+) The development of a waste management facility in the area may provide opportunities to manage the risk of surface water flooding through the use of SuDS or other appropriate techniques			?
8. To adapt to, and reduce the impacts of climate change	(+ve) Reduction of vulnerability to climate change events			X	High / medium / low / no effect / depends on use	(0) The area is entirely within Flood Zone 1 and is not within an area that has been identified as being susceptible to surface water flooding. (-) The use of the area for a waste facility would result in the loss of green infrastructure which could help alleviate the impacts of higher summer temperatures expected as a result of climate change.		Incorporate appropriate boundary treatments / landscaping.	—

9. To reduce climate change contributions, promote energy efficiency and increase use of energy from sustainable sources	(+ve) Reduce waste-related car/lorry trips; increase sustainable transport use (+ve/-ve) Impact on greenhouse gas generation			X	High / medium / low / no effect / depends on use	<p>(+) The proposed function could contribute to reduced emissions provided the site serves a relatively localised catchment and helps to raise recycling and/or recovery rates thereby reducing the proportion of waste going to landfill and associated methane emissions [quite likely, but depends on waste use]</p> <p>(?) There is little apparent scope for waste to be transported to the site by sustainable modes of transport. As such, any facility is likely to be reliant upon transporting waste by road. Nevertheless, any facility could help ensure that North London's waste is managed close to its source thereby reducing 'waste miles' and associated emissions. However, there is limited certainty about this impact as the source of waste arisings is unknown and may originate from outside the plan area.</p>			?
10. To protect and improve air, water and soil quality	(+ve) Improvement of water quality; support land remediation (+ve/-ve) Impact on road congestion (-ve) Air quality impact; impact on soil quality; groundwater quality impact			X	High / medium / low / no effect / depends on use	<p>(+) Although the site has previously been a sewage works, the remains of the permanent structure or fixed surface structure have seemingly blended into the landscape in the process of time and, as such, it is unlikely to be considered to be previously developed land. Nevertheless, it is understood that the historical use of the area as a sewage works has resulted in some ground contamination and the redevelopment of the site would provide the opportunity to address this contamination</p> <p>(+) Bounds Green Brook lies 40m north of the site, a pond lies 10m to the west of the site and an unnamed water course is 20m south of the site. The redevelopment of the site may present opportunities to remediate land contamination which could also have a positive impact on the quality of this watercourse. It is however acknowledged that it is uncertain whether any contamination on the site is having an impact on the quality of nearby watercourses.</p> <p>(?) The site is within an Air Quality Management Area but it is not located in or close to an Air Quality Focus Area as defined by GLA. Any proposed waste facility would generate vehicular traffic which could impact on congestion and adversely affect air quality. Scale of impact would be dependent on whether the facility handled locally-arising waste or whether it serves a wider catchment. In addition, the north circular is to the north of the site. It is therefore uncertain whether any increase in traffic, and associated emissions, would be significant in comparison to the existing situation.</p> <p>(-) Depending on the use, there could be some risk of dust emissions [limited likelihood but depends on use]</p>	Any impact on air quality could have secondary effects on health, particularly amongst those who suffer from respiratory illnesses.		+

11. To manage waste sustainability, maximise self-sufficiency in the management of waste, minimise production of waste and increase re-use, recycling and recovery rates	(+ve) Minimise waste generation; promote sustainable waste management; help to move management up the Waste Hierarchy			X	High / medium / low / no effect / depends on use	(+) Any waste facility delivered in the area would help move waste up the Waste Hierarchy and help ensure that there are sufficient waste management facilities to meet the Waste Plan's capacity needs. It would therefore help divert waste from landfill. As such, it has the potential to have a positive impact on the objective. The extent to which a waste management facility in the area would move waste up the Waste Hierarchy, and by extension the degree of impact on the objective, would depend on the type of facility that would be located in the area. Policy 3 of the draft NLWP does however specify that waste management development in this area should result in highest practicable level of recycling and recovery materials in line with the principles of the Waste Hierarchy.	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.	Policy 3 of the draft NLWP will ensure that any waste management facility on the site results in highest practicable level of recycling and recovery materials in line with the principles of the Waste Hierarchy.	+
12. To ensure efficient use of land and natural resources and the sustainable use of existing resources	(+ve) Use of previously developed buildings / land; incorporate or encourage water efficiency (-ve) Effect on water demand			X	High / medium / low / no effect / depends on use	(-) Although the area has previously been a sewage works, the remains of the permanent / fixed surface structures have seemingly blended into the landscape in the process of time and, as such, it is unlikely to be considered to be previously developed land. As such, the use of the area for a waste facility would result in the loss of greenfield land. (+) Any waste facility delivered in the area would help move waste up the Waste Hierarchy and would help promote the reuse and recycling of waste thereby contributing to the efficient and sustainable use of resources. The extent to which the use of the area for waste management would move waste up the Waste Hierarchy would however depend on the type of facility [depends on use]. (?) Effect on water demand is uncertain and would depend on the type of waste management facility.			?
13. To encourage sustainable economic growth, exploit the growth potential of business sectors and improve productivity and competitiveness of local waste industry	(+ve) Encourage local economic growth thro' provision of adequate waste facilities; enable new and innovative waste management technologies; scope to diversify local waste sector; promotion of waste minimisation; help to maximise value recovery			X	High / medium / low / no effect / depends on use	(+) The use of the area for waste management would encourage local economic growth through the provision of adequate waste facilities and would provide scope to diversify local waste sector and could help maximise value recovery.			+

14. To reduce economic disparities, unemployment and deprivation	(+)ve Support for (and creation of) a broad range of employment opportunities			X	High / medium / low / no effect / depends on use	Secondary impacts on deprivation.		+
					(+) The area is not within a regeneration area. It is however presently vacant and it use for a waste management facility would provide employment opportunities. As a result, the proposed use of the area could help reduce unemployment and thereby have a positive impact on the objective. Nevertheless, the number of new employment opportunities that would be created would depend on the nature of the facility and whether it is occupied by a new venture rather than the expansion/re-location of an existing business. As a result, there is only a low level of certainty that any impact on the objective would be significant.			

Summary of Assessment
<p>The proposed allocation has the potential to have a positive impact on a number of sustainability objectives. In particular, the development of a waste management facility in this location would help move waste up the Waste Hierarchy and help ensure that there are sufficient facilities to meet the Waste Plan's capacity needs. It would also encourage local economic growth and could also support the creation of additional employment opportunities. The allocation therefore has the potential to have a positive effect on the objectives that relate to managing waste sustainably, encouraging sustainable economic growth and reducing unemployment. In addition, as the redevelopment of the site may present opportunities to remediate land contamination, the proposed allocation also has the potential to have a positive impact on the objective that relates to protecting air, water and soil quality.</p> <p>The proximity to sensitive receptors does however mean that there is the potential for a facility in this area to have a negative impact on the objective that relates to amenity. Enforcing appropriate controls through planning conditions and environmental permitting are therefore likely to be key mitigation measures. The area, although it previously accommodated a sewage treatment works, has been significantly revegetated, contains a number of mature trees and is designated as a SINCE. As a result, its redevelopment has the potential to have some negative impact on the objectives that relate to biodiversity, green infrastructure, townscape character and adapting to climate change. Incorporating appropriate boundary treatments / landscaping, protecting existing green infrastructure features, undertaking appropriate ecological surveys and creating replacement habitat are likely to be important mitigation measures.</p> <p>The proposed allocation would have an uncertain impact on the objectives that relate to sustainable transport, flood risk, reducing contributions to climate change and ensuring the efficient use of land and natural resources.</p>

Site name:	Argall Avenue (SEA5)	Site reference:	A24-WF	Date of visit:	12 August 2014 25 th June 2018	[am]	Assessor:	MM / JM / JP MH / CW
-------------------	----------------------	------------------------	--------	-----------------------	--	------	------------------	-------------------------

Assessment framework		Permanence			Characteristics of impacts		Additional impacts	Nature / scope of mitigation	Score
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
1. To protect people's health, communities and local environmental quality from the adverse effects of waste management	(-ve) Amenity impacts from dust, particulates, noise, vibration, visual amenity, light pollution			X	High / medium / low / no effect / depends on use	(-) The area is immediately adjacent to residential properties. As a result, there are sensitive receptors within the vicinity.	Secondary impacts on quality of life and perceptions of the area. Development of waste management facilities in the area could generate cumulative impacts alongside existing employment uses in the vicinity.	Enforce appropriate controls through planning conditions and environmental permitting. Ensure that only enclosed facilities are developed in the parts of the area that are adjacent to sensitive receptors.	—
						The area is occupied by existing industrial uses. However, depending on the use, there could be some scope for a waste management facility to introduce new impacts (such as odour, vermin, etc.) on amenity. There could also be some increase in dust and emissions from traffic accessing the area. It is however uncertain whether a waste facility would generate more traffic/dust than existing industrial uses in the area and conditions could be used to mitigate other impacts. The extent to which a facility would impact on amenity could also depend on which part of the area it is located on.			
2. To maintain green infrastructure and open space	(+ve/-ve) Impact on open space (-ve) reduction of public access; effect on green infrastructure	N/A			High / medium / low / no effect / depends on use	(0) Walthamstow Marshes Metropolitan Open Land is adjacent to the area. However, the area is already in use as an industrial estate and directing waste management facilities to it is unlikely to have a significant impact upon the objective.			0
3. To promote sustainable modes of transport, reduce the need to travel and improve choice of more sustainable transport modes	(+ve) Reduce distance waste travels; reduce waste-related car/lorry trips; increase use of sustainable transport (+ve/-ve) Impact on road congestion			X	High / medium / low / no effect / depends on use	(-) The area is not located in close proximity to a navigable waterway or wharf. Although there is a railway line to the west, it is separated from the area by existing highways infrastructure and there are no sidings in this location. As such, any waste management facility is likely to be reliant upon transporting waste by road.	Secondary impact on greenhouse gas emissions from the transport sector and air quality.		?
						(+) Any waste facility delivered in the area could however reduce the need for waste to be transported outside of the Plan area. This could have a positive impact on the element of the objective that relates to reducing the need to travel. However, there is a low level of certainty of this impact as the source of waste arisings is unknown and may originate from outside the plan area.			
4. To conserve and enhance the historic environment, heritage assets and their settings	(-ve) Impact on heritage assets; impact on settings	N/A			High / medium / low / no effect / depends on use	(0) The area is an existing industrial estate and there are no designated heritage assets or locally listed buildings within or adjacent to it. As a result, directing waste management development to this area is unlikely to have a significant impact on the objective.			0

5. To maintain and enhance the quality and character of North London’s townscapes and landscapes	(+ve) Will development be sympathetic (+ve/-ve) Impact on landscape / townscape character (-ve) Openness of Green Belt; effect on open space	N/A			High / medium / low / no effect / depends on use	(0) The area is not within the Green Belt or Ancient Woodland. Walthamstow Marshes Metropolitan Open Land is adjacent to the area. However, the area is an existing industrial estate. Therefore the proposed use of the area for additional waste facilities is unlikely to impact upon the character of this area. (0) The area comprises of existing industrial / employment units. Directing waste management facilities to this location is therefore unlikely to have a significant impact on the townscape provided that the facility is housed in structures which are similar in scale and design. The exact impact would however depend on the nature of the facility.			0
6. To maintain, protect and enhance biodiversity, protected species, habitats, geodiversity and features of geological interest	(+ve) Scope for habitat creation or restoration (-ve) Impact on nationally protected species / habitats; impact on or loss of BAP priority habitats and species	X			High / medium / low / no effect / depends on use	(-) Low Hall Farm is a local Site of Importance for Nature Conservation (SINC) which is adjacent to east of the area. Although the area is already in use as an industrial estate, a waste management facility in the area could introduce new impacts and adversely affect this SINC. It is however recognised that, in the absence of appropriate ecological surveys, there is only a limited level of certainty about any such impact. In addition, it is acknowledged that the likelihood of any impact could also depend on which part of the area any waste management facility was located in. (?) Although the area is an existing industrial estate, in the absence of appropriate ecological surveys it is not known whether it contains any protected species or habitats or whether there is any scope for habitat creation.		Any planning application would, if necessary, be accompanied by a suitable assessment of the ecological value of the site/surrounding area and the impact of the proposed use on this ecological value. Implement appropriate measures to improve the biodiversity value of the site.	—
7. To reduce and manage flood risk	(+ve) Avoidance of inappropriate dev’ment in flood risk areas; reduce flood risk through SuDS / other measures (-ve) Exacerbate vulnerability to flooding			X	High / medium / low / no effect / depends on use	(- -) The majority of the area is within Flood Zone 2 and 3. As such, any waste facility directed to this location would be at a medium/high risk of flooding.		Any planning application would, if necessary, be accompanied by a suitable Flood Risk Assessment. Incorporate SuDS or other techniques to manage surface water runoff. Application of the Sequential Test.	- -
8. To adapt to, and reduce the impacts of climate change	(+ve) Reduction of vulnerability to climate change events			X	High / medium / low / no effect / depends on use	(- -) The majority of the area is within Flood Zone 2 and 3. As such, any waste facility directed to this location would be at a medium/high risk of flooding. (0) The use of the area for a waste facility would be unlikely to result in the loss of green infrastructure or any other features that could help alleviate the impacts of higher summer temperatures expected as a result of climate change.		Any planning application would, if necessary, be accompanied by a suitable Flood Risk Assessment. Incorporate SuDS or other techniques to manage surface water runoff.	- -

9. To reduce climate change contributions, promote energy efficiency and increase use of energy from sustainable sources	(+ve) Reduce waste-related car/lorry trips; increase sustainable transport use (+ve/-ve) Impact on greenhouse gas generation			X	High / medium / low / no effect / depends on use	(+) The proposed function could contribute to reduced emissions provided the site serves a relatively localised catchment and helps to raise recycling and/or recovery rates thereby reducing the proportion of waste going to landfill and associated methane emissions [quite likely, but depends on waste use]			+
						(+) There is scope for waste to be transported to the area by sustainable modes of transport through rail.			
10. To protect and improve air, water and soil quality	(+ve) Improvement of water quality; support land remediation (+ve/-ve) Impact on road congestion (-ve) Air quality impact; impact on soil quality; groundwater quality impact			X	High / medium / low / no effect / depends on use	(?)The site is previously developed land. It is not contaminated as defined under Part 2A of the Environmental Protection Act but may contain contamination that would need to be remediated prior to re-development. (-)The area is underlain by a Secondary A Aquifer within the Bedrock. Mitigation measures would need to be incorporated to ensure ground water is not adversely affected by waste facility development. (-) The area is within an Air Quality Management Area and is partly within an Air Quality Focus Area which covers a section of Lea Bridge Road. Any proposed waste facility would generate vehicular traffic which could impact on congestion and adversely affect air quality. The extent of this impact would be dependent on the proposed use and whether this generated a greater volume of traffic than the existing use. Scale of impact would also be dependent on whether the facility handled locally-arising waste or whether it serves a wider catchment. (-) Depending on the use, there could be some risk of dust emissions [limited likelihood but depends on use]	Any impact on air quality could have secondary effects on health, particularly amongst those who suffer from respiratory illnesses. Development of waste management facilities in the area could generate cumulative impacts alongside existing employment uses in the vicinity.	Allocate area for enclosed waste uses only Ensure appropriate measures are incorporated to prevent any contamination of groundwater or adjacent watercourses. Negative air pressure and rapid-closure doors on any enclosed facility in the area. Dust suppression and other measures such as wheel-washing.	-
11. To manage waste sustainability, maximise self-sufficiency in the management of waste, minimise production of waste and increase re-use, recycling and recovery rates	(+ve) Minimise waste generation; promote sustainable waste management; help to move management up the Waste Hierarchy			X	High / medium / low / no effect / depends on use	(+) Any waste facility delivered in the area would help move waste up the Waste Hierarchy and help ensure that there are sufficient waste management facilities to meet the Waste Plan's capacity needs. It would therefore help divert waste from landfill. As such, it has the potential to have a positive impact on the objective. The extent to which a waste management facility in the area would move waste up the Waste Hierarchy, and by extension the degree of impact on the objective, would depend on the type of facility that would be located in the area. Policy 3 of the draft NLWP does however specify that waste management development in this area should result in highest practicable level of recycling and recovery materials in line with the principles of the Waste Hierarchy.	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.	Policy 3 of the draft NLWP will ensure that any waste management facility in the area results in highest practicable level of recycling and recovery materials in line with the principles of the Waste Hierarchy.	+

12. To ensure efficient use of land and natural resources and the sustainable use of existing resources	(+ve) Use of previously developed buildings / land; incorporate or encourage water efficiency (-ve) Effect on water demand			X	High / medium / low / no effect / depends on use	(+) The area comprises entirely of previously developed land and directing waste management facilities to this location would therefore help ensure the efficient use of land [inevitable]. (+) Any waste facility delivered in the area would help move waste up the Waste Hierarchy and would help promote the reuse and recycling of waste thereby contributing to the efficient and sustainable use of resources. The extent to which the use of the area for waste management would move waste up the Waste Hierarchy would however depend on the type of facility [depends on use]. (?) Effect on water demand is uncertain and would depend on the type of waste management facility [depends on use].	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.		+
13. To encourage sustainable economic growth, exploit the growth potential of business sectors and improve productivity and competitiveness of local waste industry	(+ve) Encourage local economic growth thro' provision of adequate waste facilities; enable new and innovative waste management technologies; scope to diversify local waste sector; promotion of waste minimisation; help to maximise value recovery			X	High / medium / low / no effect / depends on use	(+) The use of the area for waste management would encourage local economic growth through the provision of adequate waste facilities and would provide scope to diversify local waste sector and could help maximise value recovery.			+
14. To reduce economic disparities, unemployment and deprivation	(+ve) Support for (and creation of) a broad range of employment opportunities			X	High / medium / low / no effect / depends on use	(?) The use of the area for waste management could create employment opportunities and contribute towards reducing unemployment. Nevertheless, the number of new employment opportunities that would be created would depend on the nature of the facility and whether it is occupied by a new venture rather than the expansion/re-location of an existing business. In addition, the area appears to be fully occupied. As a result, the provision of a waste management facility in the area may result in the displacement of an existing employment use. The impact on the objective is therefore considered to be uncertain.	Secondary impacts on deprivation.		?

Summary of Assessment
<p>The proposed allocation has the potential to have a positive impact on a number of sustainability objectives. In particular, the development of a waste management facility in this location would help move waste up the Waste Hierarchy and help ensure that there are sufficient facilities to meet the Waste Plan's capacity needs. It would also encourage local economic growth and support the use of previously developed land. The allocation therefore has the potential to have a positive effect on the objectives that relate to managing waste sustainably, encouraging sustainable economic growth and ensuring the efficient use of land and resources. It also has the potential to have some positive impact on the objective of reducing contributions to climate change.</p> <p>The proximity to sensitive receptors does however mean that there is the potential for a facility in this area to have a negative impact on the objective that relates to amenity. Enforcing appropriate controls through planning conditions and environmental permitting are therefore likely to be key mitigation measures. Due to the proximity of the area to a designated SINC, the proposed allocation could have a negative effect on the objective of protecting biodiversity. Undertaking appropriate ecological surveys and implementing appropriate measures to improve the biodiversity value of the site are likely to be important mitigation measures. There could also be a negative impact on the objective of protecting air, water and soil quality. The extent of impact on this objective would be dependent on the nature of the proposed waste management facility but the use of measures such as negative air pressure and rapid-closure doors on any enclosed facility on the site could help mitigate impacts. In addition, as parts of the area are at a medium/high risk of flooding, the proposed allocation would also have a significant negative impact on the objectives that relate to reducing flood risk and adapting to climate change. The completion of a suitable Flood Risk Assessment, application of the Sequential Test and the incorporation of SuDS or other techniques to manage surface water runoff will be key mitigation measures.</p> <p>The proposed allocation could also have an uncertain impact on the objective relating to sustainable transport.</p>

Site name:	Bartrip Street LSIS	Site reference:	LLDC1-HC	Date of visit:	27 th October 2014 [am/pm]	Assessor:	JM
					25 th June 2018		MH / CW

<i>Assessment framework</i>		<i>Permanence</i>			<i>Characteristics of impacts</i>		<i>Additional impacts</i>	<i>Nature / scope of mitigation</i>	<i>Score</i>
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
1. To protect people's health, communities and local environmental quality from the adverse effects of waste management	(-ve) Amenity impacts from dust, particulates, noise, vibration, visual amenity, light pollution			X	High / medium / low / no effect / depends on use	(-) Residential properties and a church are in close proximity to the area. There is also a proposed gypsy and traveller site allocation in the LLDC Local Plan to the south of the area. As a result, there are sensitive receptors within the vicinity.	Secondary impacts on quality of life and perceptions of the area.	Enforce appropriate controls through planning conditions and environmental permitting.	—
						The area contains small scale industrial, storage and distribution uses. However, depending on the use, there could be some scope for a waste facility to introduce new impacts (odour, vermin) on amenity. There could also be increases in dust and emissions from traffic accessing the area. It is however uncertain whether a waste facility would generate more traffic than the existing uses of the site and conditions could be used to mitigate other impacts. As such, there is only a low level of certainty that the use of the area for waste management would have a significant impact on the objective.			
2. To maintain green infrastructure and open space	(+ve/-ve) Impact on open space (-ve) reduction of public access; effect on green infrastructure	N/A			High / medium / low / no effect / depends on use	(0) The area contains small scale industrial, storage and distribution uses. There is Metropolitan Open Land 100m from the north west tip of the area but this is separated by built development. The proposed use of the area for waste facilities is therefore unlikely to impact on open space or green infrastructure.			0
3. To promote sustainable modes of transport, reduce the need to travel and improve choice of more sustainable transport modes	(+ve) Reduce distance waste travels; reduce waste-related car/lorry trips; increase use of sustainable transport (+ve/-ve) Impact on road congestion			X	High / medium / low / no effect / depends on use	(-) The area is not located in close proximity to a navigable waterway or wharf. A railway line is adjacent to the north and east of the area but there are no sidings in this location. As such, any facility is likely to be reliant upon transporting waste by road.	Secondary impact on greenhouse gas emissions from the transport sector and air quality		?
						(+) Any waste facility delivered in the area could however reduce the need for waste to be transported outside of the Plan area. This could have a positive impact on the element of the objective that relates to reducing the need to travel. However, there is a low level of certainty of this impact as the source of waste arisings is unknown and may originate from outside the plan area.			

4. To conserve and enhance the historic environment, heritage assets and their settings	(-ve) Impact on heritage assets; impact on settings			X	High / medium / low / no effect / depends on use	(-) There are four listed buildings within 100m of the area to the north east: Grade II listed Church of St Mary of Eton with St Augustine, Grade II listed Eton House, Grade II listed Mission Hall to North of Church of St Mary of Eton and Grade II listed Tower to North of Church of St Mary of Eton. The development of a waste management facility in the area could have a negative impact on the setting of these heritage assets. In addition, there is a registered park and garden conservation area – Victoria Park, to the south. Nevertheless the area already contains industrial, storage and distribution uses and is separated from these heritage assets by a railway line. As such, there is only a low level of certainty that waste management facilities in this area would have a significant impact on their setting.	Secondary impacts on the image of the area.	Ensure appropriate heritage impact assessments are undertaken and that the design of any built facility is sympathetic to the setting of these heritage assets.	—
5. To maintain and enhance the quality and character of North London's townscapes and landscapes	(+ve) Will development be sympathetic (+ve/-ve) Impact on landscape / townscape character (-ve) Openness of Green Belt; effect on open space	N/A			High / medium / low / no effect / depends on use	(0) The area is not within the Green Belt or Ancient Woodland. Metropolitan Open Land lies 100m from the north west point of the site. However, this is separated from the area by built development. (0) The area comprises of existing industrial / employment units. Directing waste management facilities to this location is therefore unlikely to have a significant impact on the townscape provided that the facility is housed in structures which are similar in scale and design. The exact impact would however depend on the nature of the facility.			0
6. To maintain, protect and enhance biodiversity, protected species, habitats, geodiversity and features of geological interest	(+ve) <i>Scope for habitat creation or restoration</i> (-ve) Impact on nationally protected species / habitats; impact on or loss of BAP priority habitats and species	X			High / medium / low / no effect / depends on use	(0) The area is not part of an internationally designated site or located within a SSSI. It is also not within or adjacent to a Site of Importance for Nature Conservation (SINCs) (Metropolitan, Borough or Local). (?) Although the area is an existing employment area, in the absence of appropriate ecological surveys it is not known whether the area contains any protected species or habitats or whether there is any scope for habitat creation.		Any planning application would, if necessary, be accompanied by a suitable assessment of the ecological value of the site/surrounding area and the impact of the proposed use on this ecological value.	?
7. To reduce and manage flood risk	(+ve) Avoidance of inappropriate dev'tment in flood risk areas; reduce flood risk through SuDS / other measures (-ve) Exacerbate vulnerability to flooding			X	High / medium / low / no effect / depends on use	(-) Part of the area is within Flood Zone 2 and, as such, any waste management facility in this part of the area would be considered to be at a medium risk of flooding. (-) Parts of the area are at a high risk of surface water flooding. However, as the area is already developed, it is uncertain whether the use of the site for a waste facility would increase the proportion of the site that is covered by impermeable surfaces and whether it would exacerbate surface water flooding. Redeveloping the site for a waste facility may also provide opportunities to manage the risk of surface water flooding through the use of SuDS or other appropriate techniques.		Any planning application would, if necessary, be accompanied by a suitable Flood Risk Assessment. Incorporate SuDS or other techniques to manage surface water runoff. Application of the Sequential Test.	—

8. To adapt to, and reduce the impacts of climate change	(+ve) Reduction of vulnerability to climate change events			X	High / medium / low / no effect / depends on use	(0) The use of the area for a waste facility would be unlikely to result in the loss of green infrastructure or any other features that could help alleviate the impacts of higher summer temperatures expected as a result of climate change.		Any planning application would, if necessary, be accompanied by a suitable Flood Risk Assessment.	—
						(-) Part of the area is within Flood Zone 2 and as such any waste facility would be considered to be at a medium risk of flooding. Parts of the area are also at a high risk of surface water flooding.		Incorporate SuDS or other techniques to manage surface water runoff.	
9. To reduce climate change contributions, promote energy efficiency and increase use of energy from sustainable sources	(+ve) Reduce waste-related car/lorry trips; increase sustainable transport use (+ve/-ve) Impact on greenhouse gas generation			X	High / medium / low / no effect / depends on use	(+) The proposed function could contribute to reduced emissions provided the site serves a relatively localised catchment and helps to raise recycling and/or recovery rates thereby reducing the proportion of waste going to landfill and associated methane emissions [quite likely, but depends on waste use]			+
						(?) There is little apparent scope for waste to be transported to the site by sustainable modes of transport. As such, any facility is likely to be reliant upon transporting waste by road. Nevertheless, any facility could help ensure that North London's waste is managed close to its source thereby reducing 'waste miles' and associated emissions. However, there is limited certainty about this impact as the source of waste arisings is unknown and may originate from outside the plan area. (+)The site is partly within Hackney Wick potential Decentralised Energy area. The use of the site for a waste facility could support this aspiration and thereby help meet London Mayoral Targets for decentralised energy and help reduce contributions to climate change. Whether any waste facility would contribute to this would however depend on the use and, given the relatively small size of the area, it is considered that there is only a limited likelihood of this [limited likelihood, but depends on waste use].			

10. To protect and improve air, water and soil quality	(+ve) Improvement of water quality; support land remediation (+ve/-ve) Impact on road congestion (-ve) Air quality impact; impact on soil quality; groundwater quality impact			X	High / medium / low / no effect / depends on use	(?)The site is previously developed land. It is not contaminated as defined under Part 2A of the Environmental Protection Act but may contain contamination that would need to be remediated prior to re-development. (-)The area is within Source Protection Zones 1 and 2. The bedrock and superficial deposits underlying site are both designated as Secondary A Aquifer (undifferentiated). Mitigation measures would need to be incorporated to ensure ground water is not adversely affected by waste facility development. (-)The area is within an Air Quality Management Area and an Air Quality Focus Area as defined by GLA is located 75m west of the site. Any proposed waste facility would generate vehicular traffic which could impact on congestion and adversely affect air quality. However, the extent of this impact would depend on the proposed use and whether it generated a greater volume of traffic than the existing use. Scale of impact would also be dependent on whether the facility handled locally-arising waste or served a wider catchment. (-) Depending on the use, there could be some risk of dust emissions [limited likelihood but depends on use]	Any impact on air quality could have secondary effects on health, particularly amongst those who suffer from respiratory illnesses. Development of waste management facilities in the area could generate cumulative impacts alongside existing employment uses in the vicinity.	Allocate area for enclosed waste uses only Ensure appropriate measures are incorporated to prevent any contamination of groundwater or adjacent watercourses. Negative air pressure and rapid-closure doors on any enclosed facility in the area. Dust suppression and other measures such as wheel-washing.	—
11. To manage waste sustainability, maximise self-sufficiency in the management of waste, minimise production of waste and increase re-use, recycling and recovery rates	(+ve) Minimise waste generation; promote sustainable waste management; help to move management up the Waste Hierarchy			X	High / medium / low / no effect / depends on use	(+) Any waste facility delivered in the area would help move waste up the Waste Hierarchy and help ensure that there are sufficient waste management facilities to meet the Waste Plan's capacity needs. It would therefore help divert waste from landfill. As such, it has the potential to have a positive impact on the objective. The extent to which a waste management facility in the area would move waste up the Waste Hierarchy, and by extension the degree of impact on the objective, would depend on the type of facility that would be located in the area. Policy 3 of the draft NLWP does however specify that waste management development in this area should result in highest practicable level of recycling and recovery materials in line with the principles of the Waste Hierarchy.	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.	Policy 3 of the draft NLWP will ensure that any waste management facility in the area results in highest practicable level of recycling and recovery materials in line with the principles of the Waste Hierarchy.	+

12. To ensure efficient use of land and natural resources and the sustainable use of existing resources	(+ve) Use of previously developed buildings / land; incorporate or encourage water efficiency (-ve) Effect on water demand			X	High / medium / low / no effect / depends on use	(+) The area comprises entirely of previously developed land and directing waste management facilities to this location would therefore help ensure the efficient use of land [inevitable]. (+) Any waste facility delivered in the area would help move waste up the Waste Hierarchy and would help promote the reuse and recycling of waste thereby contributing to the efficient and sustainable use of resources. The extent to which the use of the area for waste management would move waste up the Waste Hierarchy would however depend on the type of facility [depends on use]. (?) Effect on water demand is uncertain and would depend on the type of waste management facility [depends on use].	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.		+
13. To encourage sustainable economic growth, exploit the growth potential of business sectors and improve productivity and competitiveness of local waste industry	(+ve) Encourage local economic growth thro' provision of adequate waste facilities; enable new and innovative waste management technologies; scope to diversify local waste sector; promotion of waste minimisation; help to maximise value recovery			X	High / medium / low / no effect / depends on use	(+) The use of the area for waste management would encourage local economic growth through the provision of adequate waste facilities and would provide scope to diversify local waste sector and could help maximise value recovery.			+
14. To reduce economic disparities, unemployment and deprivation	(+ve) Support for (and creation of) a broad range of employment opportunities			X	High / medium / low / no effect / depends on use	(?) The use of the area for waste management could create employment opportunities and contribute towards reducing unemployment. Nevertheless, the number of new employment opportunities that would be created would depend on the nature of the facility and whether it is occupied by a new venture rather than the expansion/re-location of an existing business. In addition, the area appears to be largely occupied. As a result, the provision of a waste management facility in the area may result in the displacement of an existing employment use. The impact on the objective is therefore considered to be uncertain.	Secondary impacts on deprivation.		?

Summary of Assessment

The proposed allocation has the potential to have a positive impact on a number of sustainability objectives. In particular, the development of a waste management facility in this location would help move waste up the Waste Hierarchy and help ensure that there are sufficient facilities to meet the Waste Plan's capacity needs. It would also encourage local economic growth and support the use of previously developed land. The allocation therefore has the potential to have a positive effect on the objectives that relate to managing waste sustainably, encouraging sustainable economic growth and ensuring the efficient use of land and resources. It also has the potential to have some positive impact on the objective of reducing contributions to climate change.

The proximity of the area to sensitive receptors does however mean that there is the potential for a facility in this area to have a negative impact on the objective that relates to amenity. Enforcing appropriate controls through planning conditions and environmental permitting are therefore likely to be key mitigation measures. Due to the proximity of the area to designated heritage assets, waste management development in this location has the potential to have a negative effect on the objective of conserving the historic environment. A key mitigation measure will be to ensure that appropriate heritage impact assessments are undertaken and that the design of any built facility is sympathetic to the setting of these heritage assets. Other objectives that the proposed allocation has the potential to have a negative impact on include those which relate to flood risk, adapting to climate change and protecting air, water and soil quality. The completion of a suitable Flood Risk Assessment, application of the Sequential Test, the incorporation of SuDS or other techniques to manage surface water runoff and the use of measures such as negative air pressure and rapid-closure doors will be key mitigation measures.

The proposed allocation would have an uncertain impact on the objectives that relate to sustainable transport, biodiversity and unemployment.

Site name:	Site at Chapman Road LSIS, formerly Palace Close SIL	Site reference:	LLDC2-HC	Date of visit:	27 th October [am/pm] 25 th June 2018	Assessor:	JM MH / CW
-------------------	--	------------------------	----------	-----------------------	---	------------------	-------------------

<i>Assessment framework</i>		<i>Permanence</i>			<i>Characteristics of impacts</i>		<i>Additional impacts</i>	<i>Nature / scope of mitigation</i>	<i>Score</i>
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
1. To protect people's health, communities and local environmental quality from the adverse effects of waste management	(-ve) Amenity impacts from dust, particulates, noise, vibration, visual amenity, light pollution			X	High / medium / low / no effect / depends on use	(-) Part of the area is a permanent gypsy and traveller site and there are other residential properties to the north of the area. As a result, there are sensitive receptors within the vicinity.	Secondary impacts on quality of life and perceptions of the area.	Enforce appropriate controls through planning conditions and environmental permitting. Ensure that only enclosed facilities are developed in the parts of the area that are adjacent to sensitive receptors.	—
						Although part of the area is occupied by existing industrial/ employment uses, depending on the nature of the facility, there could be some scope for a waste facility to introduce new impacts (odour, vermin) on amenity. There could also be some increase in dust and emissions from traffic accessing the site. It is however uncertain whether a waste facility would generate more traffic than the existing uses of the site and conditions could be used to mitigate other impacts.			
2. To maintain green infrastructure and open space	(+ve/-ve) Impact on open space (-ve) reduction of public access; effect on green infrastructure	N/A			High / medium / low / no effect / depends on use	(0) The area is not located within Metropolitan Open Land and does not contain any areas of green/open space. The proposed use of the area for waste management facilities is therefore unlikely to impact on open space or green infrastructure.			0
3. To promote sustainable modes of transport, reduce the need to travel and improve choice of more sustainable transport modes	(+ve) Reduce distance waste travels; reduce waste-related car/lorry trips; increase use of sustainable transport (+ve/-ve) Impact on road congestion			X	High / medium / low / no effect / depends on use	(-) The area is not located in close proximity to a navigable waterway or wharf. Although there is a railway line adjacent to the north of the area, there are no sidings in this location. As a result, any facility is likely to be reliant upon transporting waste by road.	Secondary impact on greenhouse gas emissions from the transport sector and air quality.		?
						(+) Any waste facility delivered in the area could however reduce the need for waste to be transported outside of the Plan area. This could have a positive impact on the element of the objective that relates to reducing the need to travel. However, there is a low level of certainty of this impact as the source of waste arising is unknown and may originate from outside the plan area.			
4. To conserve and enhance the historic environment, heritage assets and their settings	(-ve) Impact on heritage assets; impact on settings			X	High / medium / low / no effect / depends on use	(-) There is a Conservation Area situated 30m to the north and another 140m to the west. Although there are existing employment uses in the area, the development of a waste management facility in the area could have a negative impact on the setting of these heritage assets. In addition, there is a registered park and garden conservation area – Victoria Park, to the south. However, the exact impact would depend on the nature of this facility.	Secondary impacts on the image of the area.	Ensure appropriate heritage impact assessments are undertaken and that the design of any built facility is sympathetic to the setting of these heritage assets.	—

5. To maintain and enhance the quality and character of North London's townscapes and landscapes	(+ve) Will development be sympathetic (+ve/-ve) Impact on landscape / townscape character (-ve) Openness of Green Belt; effect on open space	N/A			High / medium / low / no effect / depends on use	(0) The area is not within the Green Belt or Ancient Woodland or Metropolitan Open Land. (0) The site comprises mainly of existing industrial units. As a consequence, directing waste facilities to this area is unlikely to have a significant impact on the townscape. The exact impact would however depend on the use.			0
6. To maintain, protect and enhance biodiversity, protected species, habitats, geodiversity and features of geological interest	(+ve) <i>Scope for habitat creation or restoration</i> (-ve) Impact on nationally protected species / habitats; impact on or loss of BAP priority habitats and species	X			High / medium / low / no effect / depends on use	(0) The area is not part of an internationally designated site or located within a SSSI. It is also not within or adjacent to a Site of Importance for Nature Conservation (SINCs) (Metropolitan, Borough or Local). (?) In the absence of appropriate ecological surveys, it is not known whether the site contains any protected species or habitats or whether there is any scope for habitat creation.		Any planning application would, if necessary, be accompanied by a suitable assessment of the ecological value of the site/surrounding area and the impact of the proposed use on this ecological value.	?
7. To reduce and manage flood risk	(+ve) Avoidance of inappropriate dev'tment in flood risk areas; reduce flood risk through SuDS / other measures (-ve) Exacerbate vulnerability to flooding			X	High / medium / low / no effect / depends on use	(-) Part of the area is within Flood Zone 2 and, as such, if a waste facility was directed to this part of the area it would be at a medium risk of flooding. (-) Parts of the area have been identified as being susceptible to surface water flooding. However, as the area is already developed, it is uncertain whether directing waste facilities to this area would increase the proportion of the area that is covered by impermeable surfaces or exacerbate surface water flooding. (+) The development of a waste management facility in the area may provide opportunities to manage the risk of surface water flooding through the use of SuDS or other appropriate techniques		Any planning application would, if necessary, be accompanied by a suitable Flood Risk Assessment. Incorporate SuDS or other techniques to manage surface water runoff. Application of the Sequential Test.	—
8. To adapt to, and reduce the impacts of climate change	(+ve) Reduction of vulnerability to climate change events			X	High / medium / low / no effect / depends on use	(0) The use of the area for a waste facility would be unlikely to result in the loss of green infrastructure or any other features that could help alleviate the impacts of higher summer temperatures expected as a result of climate change. (-) Part of the area is within Flood Zone 2 and, as such, if a waste facility was directed to this part of the area it would be at a medium risk of flooding. Parts of the area have also been identified as being susceptible to surface water flooding.		Incorporate SuDS or other techniques to manage surface water runoff.	—

9. To reduce climate change contributions, promote energy efficiency and increase use of energy from sustainable sources	(+ve) Reduce waste-related car/lorry trips; increase sustainable transport use (+ve/-ve) Impact on greenhouse gas generation			X	High / medium / low / no effect / depends on use	(+) The proposed function could contribute to reduced emissions provided the site serves a relatively localised catchment and helps to raise recycling and/or recovery rates thereby reducing the proportion of waste going to landfill and associated methane emissions [quite likely, but depends on waste use]			+
						(?) There is little apparent scope for waste to be transported to the site by sustainable modes of transport. As such, any facility is likely to be reliant upon transporting waste by road. Nevertheless, any facility could help ensure that North London's waste is managed close to its source thereby reducing 'waste miles' and associated emissions. However, there is limited certainty about this impact as the source of waste arisings is unknown and may originate from outside the plan area. (+)The area is within Hackney Wick potential Decentralised Energy area and is approximately 500m from an existing District Heating Network. The use of the site for a waste facility could support this aspiration and thereby help meet London Mayoral Targets for decentralised energy and help reduce contributions to climate change. Whether any waste facility would contribute to this would however depend on the use and, given the relatively small size of the area, it is considered that there is only a limited likelihood of this [limited likelihood, but depends on waste use].			
10. To protect and improve air, water and soil quality	(+ve) Improvement of water quality; support land remediation (+ve/-ve) Impact on road congestion (-ve) Air quality impact; impact on soil quality; groundwater quality impact			X	High / medium / low / no effect / depends on use	(?)The site is previously developed land. It is not contaminated as defined under Part 2A of the Environmental Protection Act but may contain contamination that would need to be remediated prior to re-development. The site is not within or adjacent to a Principal Aquifers or Source Protection Zone.	Any impact on air quality could have secondary effects on health, particularly amongst those who suffer from respiratory illnesses	Allocate area for enclosed waste uses only	?
						(?) The area is within an Air Quality Management Area but it is not located in or close to an Air Quality Focus Area as defined by GLA. Any proposed waste facility would generate vehicular traffic which could impact on congestion and adversely affect air quality. However, the extent of this impact would depend on the proposed use and whether it generated a greater volume of traffic than the existing use. Scale of impact would also be dependent on whether the facility handled locally-arising waste or served a wider catchment. (-) Depending on the use, there could be some risk of dust emissions [limited likelihood but depends on use]	Development of waste management facilities in this area would generate cumulative impacts alongside existing (mainly) employment uses in the vicinity.	Negative air pressure and rapid-closure doors on any enclosed facility on the site. Dust suppression and other measures such as wheel-washing.	

11. To manage waste sustainability, maximise self-sufficiency in the management of waste, minimise production of waste and increase re-use, recycling and recovery rates	(±ve) Minimise waste generation; promote sustainable waste management; help to move management up the Waste Hierarchy			X	High / medium / low / no effect / depends on use	(+) Any waste facility delivered in the area would help move waste up the Waste Hierarchy and help ensure that there are sufficient waste management facilities to meet the Waste Plan's capacity needs. It would therefore help divert waste from landfill. As such, it has the potential to have a positive impact on the objective. The extent to which a waste management facility in the area would move waste up the Waste Hierarchy, and by extension the degree of impact on the objective, would depend on the type of facility that would be located in the area. Policy 3 of the draft NLWP does however specify that waste management development in this area should result in highest practicable level of recycling and recovery materials in line with the principles of the Waste Hierarchy.	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.	Policy 3 of the draft NLWP will ensure that any waste management facility in the area results in highest practicable level of recycling and recovery materials in line with the principles of the Waste Hierarchy.	+
12. To ensure efficient use of land and natural resources and the sustainable use of existing resources	(±ve) Use of previously developed buildings / land; incorporate or encourage water efficiency (-ve) Effect on water demand			X	High / medium / low / no effect / depends on use	(+) The area comprises of previously developed land and directing waste management facilities to this location would therefore help ensure the efficient use of land [inevitable]. (+) Any waste facility delivered in the area would help move waste up the Waste Hierarchy and would help promote the reuse and recycling of waste thereby contributing to the efficient and sustainable use of resources. The extent to which the use of the area for waste management would move waste up the Waste Hierarchy would however depend on the type of facility [depends on use]. (?) Effect on water demand is uncertain and would depend on the type of waste management facility [depends on use].	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.		+
13. To encourage sustainable economic growth, exploit the growth potential of business sectors and improve productivity and competitiveness of local waste industry	(±ve) Encourage local economic growth thro' provision of adequate waste facilities; enable new and innovative waste management technologies; scope to diversify local waste sector; promotion of waste minimisation; help to maximise value recovery			X	High / medium / low / no effect / depends on use	(+) The use of the area for waste management would encourage local economic growth through the provision of adequate waste facilities and would provide scope to diversify local waste sector and could help maximise value recovery.			+

14. To reduce economic disparities, unemployment and deprivation	(±ve) Support for (and creation of) a broad range of employment opportunities			X	High / medium / low / no effect / depends on use	<p>(?) The use of the area for waste management could create employment opportunities and contribute towards reducing unemployment. Nevertheless, the number of new employment opportunities that would be created would depend on the nature of the facility and whether it is occupied by a new venture rather than the expansion/re-location of an existing business.</p> <p>In addition, if any waste management development took place on the western part of the area it could result in the displacement of an existing employment use. The impact on the objective is therefore considered to be uncertain.</p>	Secondary impacts on deprivation.		?

Summary of Assessment
<p>The proposed allocation has the potential to have a positive impact on a number of sustainability objectives. In particular, the development of a waste management facility in this location would help move waste up the Waste Hierarchy and help ensure that there are sufficient facilities to meet the Waste Plan's capacity needs. It would also encourage local economic growth and support the use of previously developed land. The allocation therefore has the potential to have a positive effect on the objectives that relate to managing waste sustainably, encouraging sustainable economic growth and ensuring the efficient use of land and resources. It also has the potential to have some positive impact on the objective of reducing contributions to climate change.</p>
<p>The proximity of the area to sensitive receptors does however mean that there is the potential for a facility in this area to have a negative impact on the objective that relates to amenity. Enforcing appropriate controls through planning conditions and environmental permitting are therefore likely to be key mitigation measures. Due to the proximity of the area to designated heritage assets, waste management development in this location has the potential to have a negative effect on the objective of conserving the historic environment. A key mitigation measure will be to ensure that appropriate heritage impact assessments are undertaken and that the design of any built facility is sympathetic to the setting of these heritage assets. Other objectives that the proposed allocation has the potential to have a negative impact on include those which relate to flood risk and adapting to climate change. The completion of a suitable Flood Risk Assessment, application of the Sequential Test and the incorporation of SuDS or other techniques to manage surface water runoff will be key mitigation measures.</p>
<p>The proposed allocation would have an uncertain impact on the objectives that relate to sustainable transport, biodiversity, unemployment and protecting air, water and soil quality.</p>

Site name:	Bus Depot, Temple Mill Lane	Site reference:	LLDC3-HC	Date of visit:	25 th June 2018	Assessor:	CW / MH
-------------------	-----------------------------	------------------------	----------	-----------------------	----------------------------	------------------	---------

<i>Assessment framework</i>		<i>Permanence</i>			<i>Characteristics of impacts</i>		<i>Additional impacts</i>	<i>Nature / scope of mitigation</i>	<i>Score</i>
SA Objective	Evaluation criteria	Duration			Certainty	Scale of impact(s)	Secondary, Cumulative, Synergistic		
		0-5 yrs	5-10 yrs	>10 yrs	[delete as appropriate]	Characterise the scale / severity for each impact as necessary			
1. To protect people's health, communities and local environmental quality from the adverse effects of waste management	(-ve) Amenity impacts from dust, particulates, noise, vibration, visual amenity, light pollution			X	High / medium / low / no effect / depends on use	(-) There are a number of sensitive receptors within the vicinity of the area, including residential properties and allotments to the north.	Secondary impacts on quality of life and perceptions of the area.	Enforce appropriate controls through planning conditions and environmental permitting. Ensure that only enclosed facilities are developed in the parts of the area that are adjacent to sensitive receptors.	—
						The area is occupied by a bus depot. However, depending on the use, there could be some scope for a waste management facility in this area to introduce new impacts (such as odour, vermin, etc.) on amenity. There could also be some increase in dust and emissions from traffic accessing the area, which could impact on amenity. It is however uncertain whether a waste facility would generate more traffic/dust than existing use of the site as a bus depot and conditions could be used to mitigate other impacts. In addition, it is noted that the sensitive receptors are separated from the site by a railway line. As such, there is only a low level of certainty that the proposed use of the site would have a negative impact on the objective.	Development of waste management facilities in the area could generate cumulative impacts alongside existing employment uses in the vicinity.		
2. To maintain green infrastructure and open space	(+ve/-ve) Impact on open space (-ve) reduction of public access; effect on green infrastructure	N/A			High / medium / low / no effect / depends on use	(0) The area is an existing bus depot. It does not contain or immediately adjoin any areas of open space and it is considered that directing waste uses to this area is unlikely to have a significant impact on green infrastructure or open space.			0
3. To promote sustainable modes of transport, reduce the need to travel and improve choice of more sustainable transport modes	(+ve) Reduce distance waste travels; reduce waste-related car/lorry trips; increase use of sustainable transport (+ve/-ve) Impact on road congestion			X	High / medium / low / no effect / depends on use	(-) The area is not located in close proximity to a navigable waterway or wharf. There is a railway line to the north of the area. However, there are no sidings at this location. As such, any waste management facility in this area is likely to be reliant upon transporting waste by road.	Secondary impact on greenhouse gas emissions from the transport sector and air quality.		?
						(+) Any waste facility delivered in the area could however reduce the need for waste to be transported outside of the Plan area. This could have a positive impact on the element of the objective that relates to reducing the need to travel. However, there is a low level of certainty of this impact as the source of waste arising is unknown and may originate from outside the plan area.			
4. To conserve and enhance the historic environment, heritage assets and their settings	(-ve) Impact on heritage assets; impact on settings	N/A			High / medium / low / no effect / depends on use	(0) There are no designated heritage assets or locally listed buildings within or adjacent to the area. As a result, directing waste management facilities to this area is unlikely to have a significant impact on the objective.			0

5. To maintain and enhance the quality and character of North London's townscapes and landscapes	(+ve) Will development be sympathetic (+ve/-ve) Impact on landscape / townscape character (-ve) Openness of Green Belt; effect on open space	N/A			High / medium / low / no effect / depends on use	(0) The site is not within the Green Belt or Ancient Woodland. It is not within or adjacent to any area designated for its local landscape importance. (0) There are areas of Metropolitan Open Lane in relatively close proximity to the area. However, the area is already in use as a bus depot and there are sites in industrial use on close proximity to the area. As a result, directing waste management facilities to this area is unlikely to have a significant impact on the character of the local landscape/townscape.			0
6. To maintain, protect and enhance biodiversity, protected species, habitats, geodiversity and features of geological interest	(+ve) Scope for habitat creation or restoration (-ve) Impact on nationally protected species / habitats; impact on or loss of BAP priority habitats and species	X			High / medium / low / no effect / depends on use	(0) The area is not part of an internationally designated site or located within a SSSI. It is also not within or adjacent to a Site of Importance for Nature Conservation. (?) Although the area is an existing bus depot, in the absence of appropriate ecological surveys it is not known whether the area contains any protected species or habitats or whether there is any scope for habitat creation.		Any planning application would, if necessary, be accompanied by a suitable assessment of the ecological value of the site/surrounding area and the impact of the proposed use on this ecological value.	?
7. To reduce and manage flood risk	(+ve) Avoidance of inappropriate dev'tment in flood risk areas; reduce flood risk through SuDS / other measures (-ve) Exacerbate vulnerability to flooding			X	High / medium / low / no effect / depends on use	(- -) The eastern half of the area is in Flood Zone 2 and western part is in Flood Zone 3. As a result, any waste facility directed to this location would be at a medium/high risk of flooding.		Any planning application would, if necessary, be accompanied by a suitable Flood Risk Assessment. Incorporate SuDS or other techniques to manage surface water runoff. Application of the Sequential Test.	- -
8. To adapt to, and reduce the impacts of climate change	(+ve) Reduction of vulnerability to climate change events			X	High / medium / low / no effect / depends on use	(- -) The eastern half of the area is in Flood Zone 2 and western part is in Flood Zone. As such, any waste facility directed to this location would be at a medium/high risk of flooding. (0) The use of the area for waste management development would be unlikely to result in the loss of green infrastructure or any other features that could help alleviate the impacts of higher summer temperatures expected as a result of climate change.		Any planning application would, if necessary, be accompanied by a suitable Flood Risk Assessment. Incorporate SuDS or other techniques to manage surface water runoff.	- -

9. To reduce climate change contributions, promote energy efficiency and increase use of energy from sustainable sources	(+)ve Reduce waste-related car/lorry trips; increase sustainable transport use (+ve/-ve) Impact on greenhouse gas generation			X	High / medium / low / no effect / depends on use	<p>(+) The proposed function could contribute to reduced emissions provided the site serves a relatively localised catchment and helps to raise recycling and/or recovery rates thereby reducing the proportion of waste going to landfill and associated methane emissions [quite likely, but depends on waste use]</p> <p>(?) There is little apparent scope for waste to be transported to the site by sustainable modes of transport. As such, any facility is likely to be reliant upon transporting waste by road. Nevertheless, any facility could help ensure that North London's waste is managed close to its source thereby reducing 'waste miles' and associated emissions. However, there is limited certainty about this impact as the source of waste arisings is unknown and may originate from outside the plan area.</p>			?
10. To protect and improve air, water and soil quality	(+)ve Improvement of water quality; support land remediation (+ve/-ve) Impact on road congestion (-ve) Air quality impact; impact on soil quality; groundwater quality impact			X	High / medium / low / no effect / depends on use	<p>(?)The site is previously developed land. It is not contaminated as defined under Part 2A of the Environmental Protection Act but may contain contamination that would need to be remediated prior to re-development. The area is also not within or adjacent to a Principal Aquifers or Source Protection Zones 1 and 2.</p> <p>(-) The area is underlain by a Secondary (undifferentiated) Aquifer within the superficial deposits and a Secondary A Aquifer within the bedrock.</p> <p>(?) The area is within an Air Quality Management Area but it is not located in or close to an Air Quality Focus Area as defined by GLA. Any proposed waste facility would generate vehicular traffic which could impact on congestion and adversely affect air quality. However, the extent of this impact would depend on the proposed use and whether it generated a greater volume of traffic than the existing use. Scale of impact would also be dependent on whether the facility handled locally-arising waste or served a wider catchment.</p> <p>(-) Depending on the use, there could be some risk of dust emissions [limited likelihood but depends on use]</p>	<p>Development of the site would generate cumulative impacts on air quality alongside M1.</p> <p>Any impact on air quality could have secondary effects on health, particularly amongst those who suffer from respiratory illnesses.</p>	<p>Allocate area for enclosed waste uses only</p> <p>Ensure appropriate measures are incorporated to prevent any contamination of groundwater</p> <p>Negative air pressure and rapid-closure doors on any enclosed facility in the area.</p> <p>Dust suppression and other measures such as wheel-washing.</p>	?
11. To manage waste sustainability, maximise self-sufficiency in the management of waste, minimise production of waste and increase re-use, recycling and recovery rates	(+)ve Minimise waste generation; promote sustainable waste management; help to move management up the Waste Hierarchy			X	High / medium / low / no effect / depends on use	<p>(+) Any waste facility delivered in the area would help move waste up the Waste Hierarchy and help ensure that there are sufficient waste management facilities to meet the Waste Plan's capacity needs. It would therefore help divert waste from landfill. As such, it has the potential to have a positive impact on the objective. The extent to which a waste management facility in the area would move waste up the Waste Hierarchy, and by extension the degree of impact on the objective, would depend on the type of facility that would be located in the area. Policy 3 of the draft NLWP does however specify that waste management development in this area should result in highest practicable level of recycling and recovery materials in line with the principles of the Waste Hierarchy.</p>	<p>(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.</p>	<p>Policy 3 of the draft NLWP will ensure that any waste management facility in the area results in highest practicable level of recycling and recovery materials in line with the principles of the Waste Hierarchy.</p>	+

12. To ensure efficient use of land and natural resources and the sustainable use of existing resources	(+ve) Use of previously developed buildings / land; incorporate or encourage water efficiency (-ve) Effect on water demand			X	High / medium / low / no effect / depends on use	(+) The area comprises entirely of previously developed land and directing waste management facilities to this location would therefore help ensure the efficient use of land [inevitable]. (+) Any waste facility delivered in the area would help move waste up the Waste Hierarchy and would help promote the reuse and recycling of waste thereby contributing to the efficient and sustainable use of resources. The extent to which the use of the area for waste management would move waste up the Waste Hierarchy would however depend on the type of facility [depends on use]. (?) Effect on water demand is uncertain and would depend on the type of waste management facility [depends on use].	(+) Reduced need to identify sites for landfill within the Plan area or use existing landfills outside it.		+
13. To encourage sustainable economic growth, exploit the growth potential of business sectors and improve productivity and competitiveness of local waste industry	(+ve) Encourage local economic growth thro' provision of adequate waste facilities; enable new and innovative waste management technologies; scope to diversify local waste sector; promotion of waste minimisation; help to maximise value recovery			X	High / medium / low / no effect / depends on use	(+) The use of the area for waste management would encourage local economic growth through the provision of adequate waste facilities and would provide scope to diversify local waste sector and could help maximise value recovery.			+
14. To reduce economic disparities, unemployment and deprivation	(+ve) Support for (and creation of) a broad range of employment opportunities			X	High / medium / low / no effect / depends on use	(?) The use of the area for waste management could create employment opportunities and contribute towards reducing unemployment. Nevertheless, the number of new employment opportunities that would be created would depend on the nature of the facility and whether it is occupied by a new venture rather than the expansion/re-location of an existing business. In addition, the area is occupied by a bus depot and the provision of a waste facility in this location would result in the displacement of this existing use. The impact on the objective is therefore considered to be uncertain.	Secondary impacts on deprivation.		?

Summary of Assessment

The proposed allocation has the potential to have a positive impact on a number of sustainability objectives. In particular, the development of a waste management facility in this location would help move waste up the Waste Hierarchy and help ensure that there are sufficient facilities to meet the Waste Plan's capacity needs. It would also encourage local economic growth and support the use of previously developed land. The allocation therefore has the potential to have a positive effect on the objectives that relate to managing waste sustainably, encouraging sustainable economic growth and ensuring the efficient use of land and resources.

The proximity to sensitive receptors does however mean that there is the potential for a facility in this area to have a negative impact on the objective that relates to amenity. Enforcing appropriate controls through planning conditions and environmental permitting are therefore likely to be key mitigation measures. There could also be a negative impact on the objective of protecting air, water and soil quality. The extent of impact on this objective would be dependent on the nature of the proposed waste management facility but the use of measures such as negative air pressure and rapid-closure doors on any enclosed facility on the site could help mitigate impacts. In addition, as parts of the area are at a medium/high risk of flooding, the proposed allocation would also have a significant negative impact on the objectives that relate to reducing flood risk and adapting to climate change. The completion of a suitable Flood Risk Assessment, application of the Sequential Test and the incorporation of SuDS or other techniques to manage surface water runoff will be key mitigation measures.

The proposed allocation could also have an uncertain impact on the objectives relating to sustainable transport, biodiversity, reducing contributions to climate change and protecting air, water and soil quality.

North London Waste Plan Site/Area Assessment Sheets

Site Reference: A19-HR

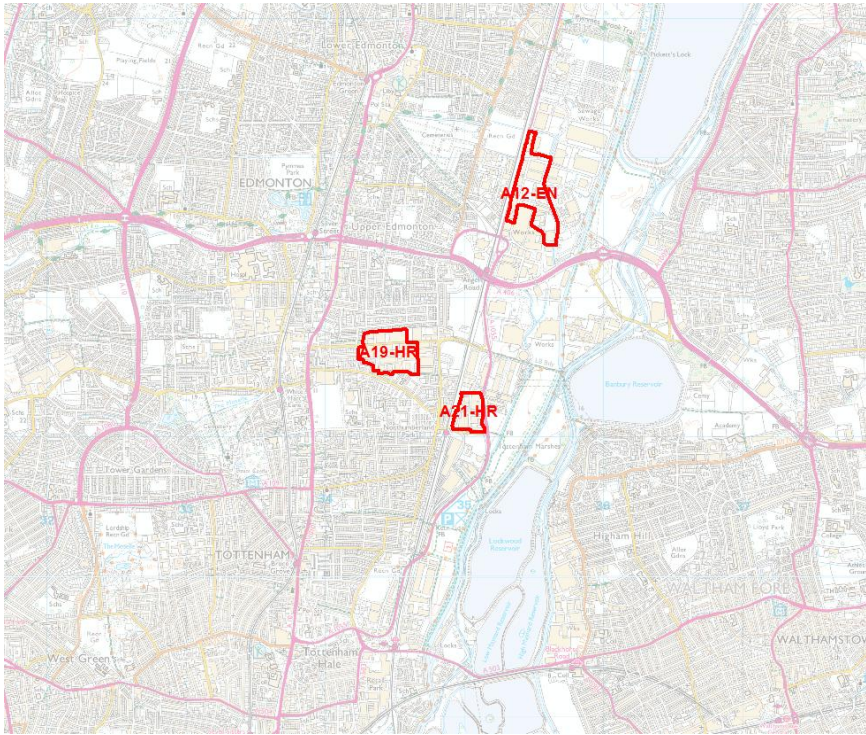
Site Name: Brantwood Road (SIL 3)

The proforma is structured as follows:

1. **Introduction** (provides basic information including site name, location, size etc.)
2. Appraisal against **Level 1 Absolute criteria** - the performance of the site in relation to national and international considerations (e.g. wildlife and landscape designations). The failure of a site to 'pass' Level 1 will mean that the site is discounted from further consideration and no further information on it is assembled.
3. Appraisal against **Level 2 criteria (screening)** - the performance of the site in relation to local considerations including the environmental, social and economic setting (e.g. local conservation designations).
4. Appraisal against **opportunities** – the performance of the site in relation to considerations which lend weight to its potential allocation (e.g. potential water or rail access, proximity to waste source etc.)
5. Appraisal against **deliverability criteria** – the performance of the site in relation to various practical aspects of bringing the site forward (e.g. land ownership, contamination etc.)
6. **Conclusions** on the site (conclusions on the relative merits of the site for waste management and the potential uses for the site in terms of different waste technologies). A traffic light classification for overall site performance is used. However, this is *indicative* and does not represent the final decision on whether or not the site will be taken forward for consultation / allocation.

Key issues

- It should be noted that the various criteria will not be weighted (although a failure to pass Level 1 will mean that the site will not be taken forward).
- For some sites, the proforma will be filled in on a gradual basis as more information emerges about the site and its suitability for particular waste management uses. Some criteria may therefore be scored initially as 'not assessed'

SITE DETAILS	
Site name/address	Brantwood Road (SIL 3), N17 0DX
Site reference number	A19-HR
Borough	Haringey
Description of Site	Industrial
Description of surrounding uses	The Industrial Estate is surrounded by residential properties on all sides as well as a sports field to the east and industrial land to the north east.
OS grid reference	E534541 N191632
Size (ha)	10.97
Date of appraisal	28 th October 2014 and 25 th June 2018
Appraised by	John Martin (2014) and Carolyn Williams / Mike Halsall (2018)
Source of site suggestion	Employment land data supplied by Haringey
Planning Information	
Designation of site (eg SIL, LSIS)	The area is designated as a Strategic Industrial Location (SIL)
Relevant Local Plan policy	The area is safeguarded as a waste site within the Site Allocations DPD
Evidence base for designation (eg employment land study)	Employment Land Study 2009, 2012 update, 2015 update
Are there any planned reviews of industrial land in the borough?	No, we have already undertaken the reviews as part of the Site Allocations DPD.
Location Plan	

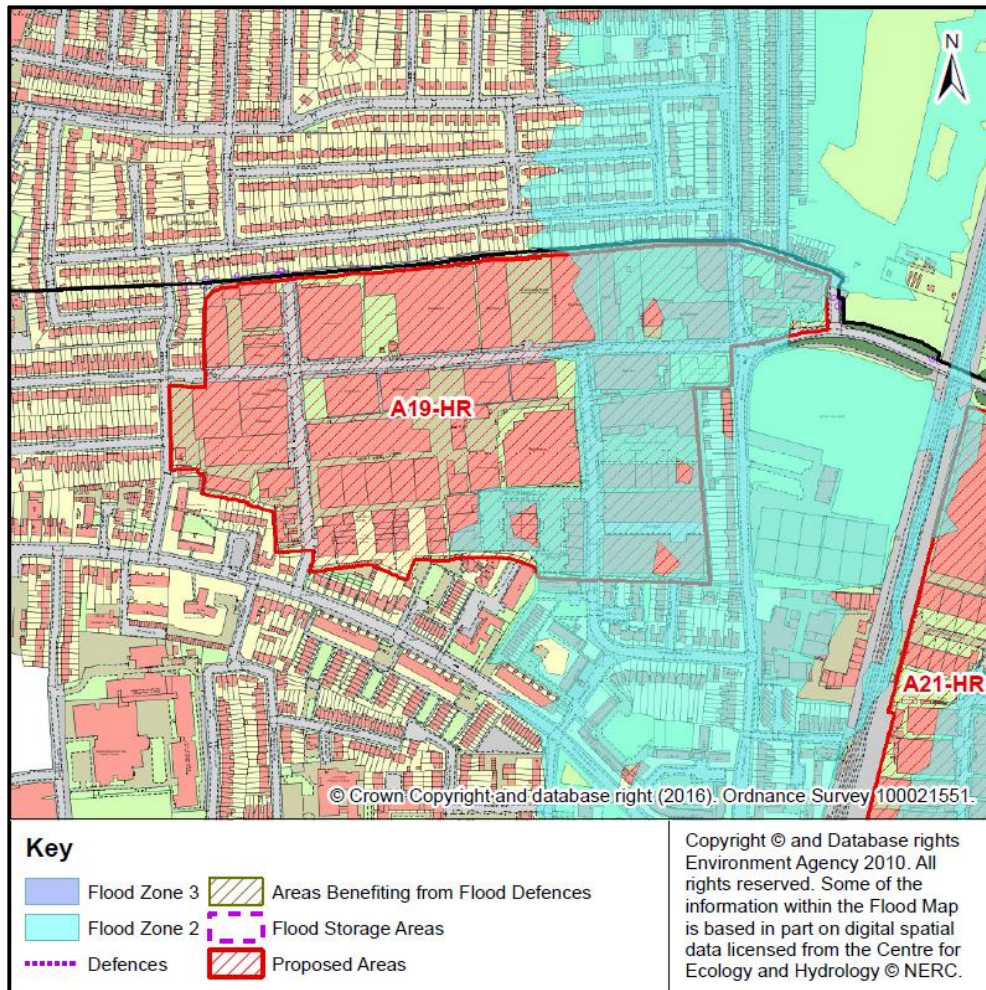
	© Crown Copyright and database right (2018). Ordnance Survey 100021551
Site Plan	<div><p>© Crown Copyright and database right (2018). Ordnance Survey 100021551</p></div>
	



LEVEL 1 ABSOLUTE CRITERIA	
1. Is the site part of an internationally designated site (Special Protection Areas, Special Areas of Conservation, RAMSAR Sites)?	No
2. Is the site located within a Site(s) of Special Scientific Interest (SSSI)?	No
3. Is the site located within Metropolitan Open Land?	No
4. Is the site / or buildings within the site recognised as ANY of the following Heritage Assets: <ul style="list-style-type: none"> Scheduled Ancient Monuments Listed Building (grade I and II*) Registered Historic Battlefields Registered Parks and Gardens (grade I and II*)? 	No
5. Is the Site within the Green Belt (For Built facilities) and/or Grade 1 & 2 agricultural land?	No
6. Is the site within an Ancient Woodland?	No
7. Any showstopper site specific local plan policies and designations e.g. land allocated for housing	No
Should the site be taken forward for further consideration?	Yes
Are there any issues arising from Level 1 which needs to be carried forward?	No

LEVEL 2 CRITERIA - Screening	
Land Use	
<p>8. Indicate if land is-</p> <ol style="list-style-type: none"> 1. Strategic Industrial Locations 2. Locally Significant Industrial Sites 3. Industrial/Employment Land 4. Previously developed land 5. Contaminated 	<p>The area is designated industrial/employment land and a SIL.</p> <p>The area is not contaminated as defined under Part 2A of the Environmental Protection Act. Localised contamination may be present within the area which could be identified and dealt with through the planning process.</p>
9. Would the site allow for the co-location of waste management facilities?	Yes
10. Is the site located in an area of major new developments?	No
<p>11. Is the site within or adjacent to an existing or planned Decentralised Energy network</p> <p>Could development at the site generate heat and / or power?</p> <p>Has this site been identified as a Heat Mapping zone?</p>	<p>The proposed Upper Lee Valley potential Decentralised Heating Network runs through the area. North east of Brantwood is the potential Enfield decentralised energy network.</p> <p>Yes</p> <p>The site is in an area of medium energy consumption</p>
Deliverability: Land ownership	
12. Are there any issues of land ownership that could prevent development on the site being delivered?	Area brought forward through Employment Land data, no details held on landowners.
Protection of water resources and managing flood risk	
<p>13. Is the site within:</p> <ul style="list-style-type: none"> • flood zones 2 or 3 • in an area with a history of groundwater flooding • a Critical Drainage Area (or area at risk of surface water flooding)? 	<p>The eastern section of the area lies within Flood Zone 2 (medium probability of flooding).</p> <p>The area is at risk from surface water flooding.</p>

Flood Mapping

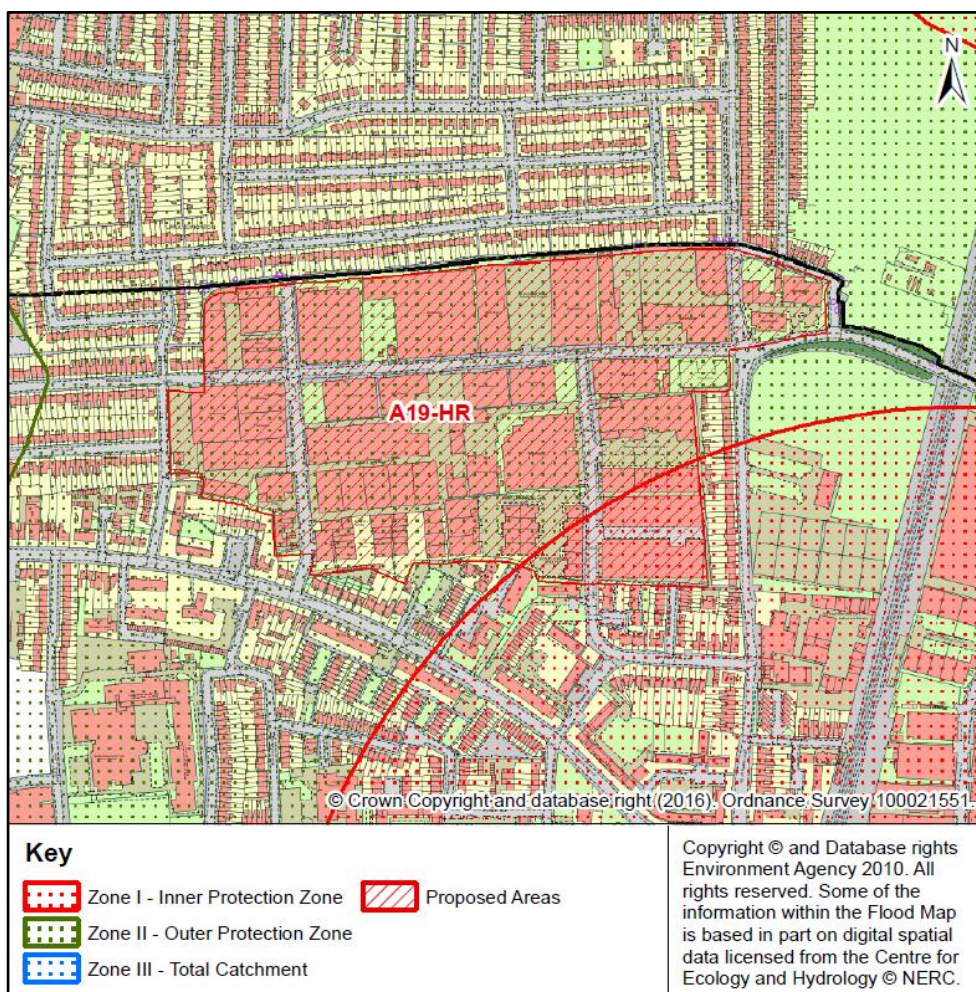


14. Is the site within or adjacent to Principal Aquifers, Source Protection Zones 1 and 2 or surface waters?

The south east corner of the area is within Source Protection Zone 1, the remainder is within Source Protection Zone 2.

Environment Agency – Facilities within Source Protection Zone 1 should only deal with inert waste unless otherwise agreed with the Environment Agency.

Source Protection Zone Mapping

**Land instability**

15. Is the site subject to any known stability issues (historic mining or landfill sites identified within the area boundary)?

No stability issues identified.

Landscape and visual intrusion

16. Is the site located within or adjacent to any area designated for its local landscape importance?

No

Green Belt and Open Space

17. Is the site in the Green Belt? If so, would location of a non-built facility (eg on farm composting) here be consistent with the proximity principle, would it cause harm to the objectives of Green Belt designation?

No

18. Is the site adjacent to a Protected Open Space?

Land to the east of site is designated Significant Local Open Land

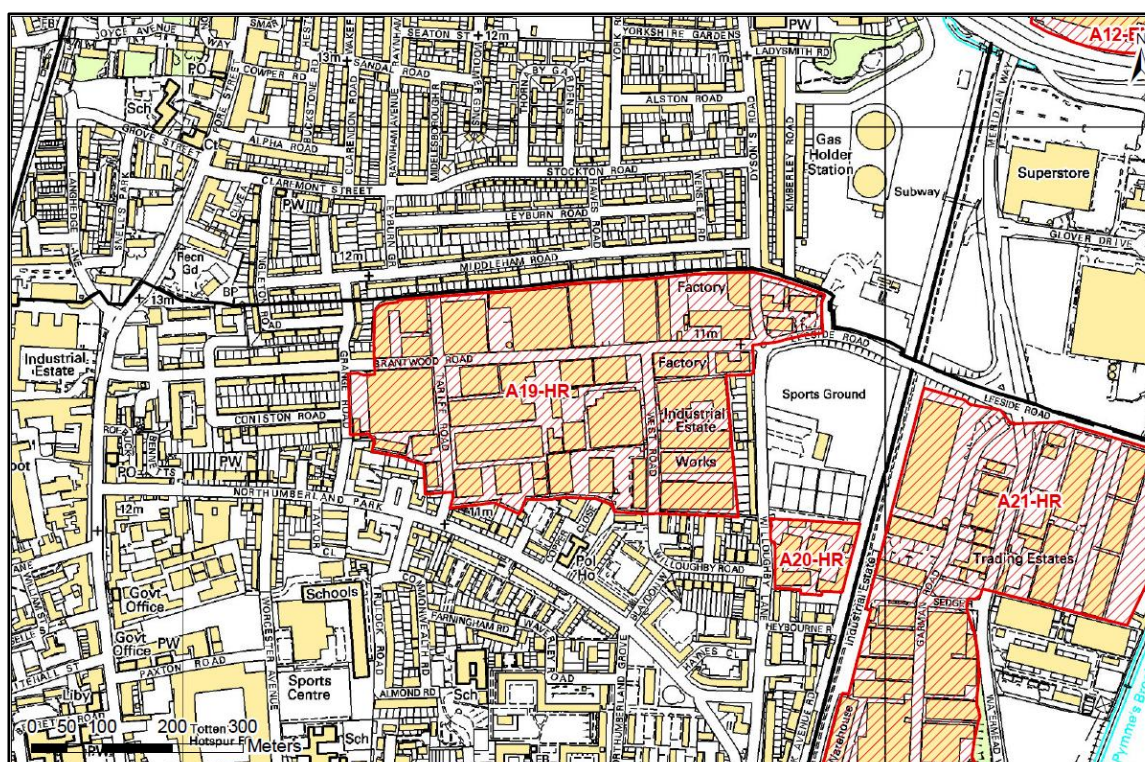
Nature conservation

19. Is the site home to protected species and / or habitats?

Uncertain – needs to be investigated later in the planning process

20. Is the site within or adjacent to Sites of Importance for Nature Conservation (SINCs) (Metropolitan, Borough or local)?	No
21. Is the site in or adjacent to woodlands including ancient woodlands?	No
Historic environment and built heritage	
22. Is the site / or buildings within a site recognised as ANY of the following Heritage Assets: <ul style="list-style-type: none"> Listed Building (other than grade I and II*) Locally Listed Building Or adjacent to them?	No
23. Is the site within or adjacent to a Conservation Area?	No
Traffic and access	
24. Description of the road network in proximity to the site	Brantwood Road runs west to east through the area. Access from the west is via the A1010 and from the east is via the A1055

Site Plan:



© Crown Copyright and database right (2016). Ordnance Survey 100021551.

Access

25. How many vehicle entrances does the site have?	5
26. Are entrances suitable for HGVs?	Yes
If so which entrances? (marked on plan)	

1) Dyson's Road and Willoughby Lane	4) Tariff Road and Northumberland Park
2) Brantwood Road and Grange Road	5) Willoughby Park Road and Willoughby Lane
3) Via roundabout on Willoughby Lane, Dyson's Road, Leaside Road and Brantwood Road	6) N/A
27. Are there any junctions which could be upgraded to allow HGV access and if so would this require minor, moderate or significant alterations (marked on plan)	
1) Access suitable for HGV traffic	4) Access suitable for HGV traffic
2) Width restriction between grange and Tariff Road	5) Access suitable for HGV traffic
3) Access suitable for HGV traffic	6) N/A
28. Are entrances suitable for Refuse Collection Vehicles (RCV)?	Yes / No
If so which entrances? (marked on plan)	
1) Dyson's Road and Willoughby Lane	4) Tariff Road and Northumberland Park
2) Brantwood Road and Grange Road	5) Willoughby Park Road and Willoughby Lane
3) Via roundabout on Willoughby Lane, Dyson's Road, Leaside Road and Brantwood Road	6) N/A
29. Are there junctions which could be upgraded to allow RCV access and if so would this require minor, moderate or significant alterations (Mark on Plan)	
1) Access suitable for RCV traffic	4) Access suitable for RCV traffic
2) Width restriction between grange and Tariff Road	5) Access suitable for RCV traffic
3) Access suitable for RCV traffic	6) N/A
30. Is the site currently suitable for 24 hour access?	Yes
Road Information	
31. Is local road access suitable for HGV/RCVs?	Yes
32. Do local roads have capacity for additional traffic? (see Annex 1)	Yes
33. Are there any known problems with congestion near the site?	Yes
34. Are there any parking controls near the site?	Yes, but match days only
35. Are road safety measures adequate in the area (including cycling)?	No
If no please indicate issues: No cycle routes either through or around the estate	
36. Are there cycle routes near the site? (marked on plan)	No

Other	
37. What is the PTAL rating of the site/area	1b
38. Are there any known air quality issues/concerns locally in addition to being in an AQMA?	No
Please provide details of air quality issues of concerns: N/A	
Highways Comments on site/area overall suitability	
<p>In principle the area is suitable as a waste treatment plant but details of the entrances would need to be considered as part of further development of a proposal.</p> <p>Traffic generation is based on the following assumptions:</p> <ol style="list-style-type: none"> 1. Existing land uses are 45,168 m² on 16.9 hectare site 2. Existing uses are in single storey buildings 3. The waste treatment plan is 2ha [20000m²] 4. Future RCV is 60 in/out movements per day plus 40 bulk transport in/out movements 5. Existing traffic generation based on an average industrial/commercial is 6.476 vehicle trips per 100m² GFA. <p>Current vehicle trip generation = 346</p> <p>Future RCV/bulk transport = 100</p> <p>The proposed trip generation excludes staff. In summary, the location would be acceptable on highway grounds.</p>	
39. Is there a navigable waterway or wharf adjacent or very close to the site?	No
40. Is there a railway line suitable for freight traffic adjacent or very close to the site?	No
41. Does the site have public footpaths and rights of way?	No
Infrastructure	
42. Gas and Electricity Infrastructure	<p>National Grid did not identify any specific assets during consultation.</p> <p>National Grid operates the gas distribution network in Haringey.</p> <p>UK Power Network operates local electricity distribution in Haringey.</p>
Sensitive receptors	
43. Identify sensitive receptors which may be impacted by dust, fumes, emissions to air, odours, noise and vibration, vermin and birds, litter hazards.	The Estate is bound on all sides by residential properties.
44. Is the site located in or adjacent to an Air Quality Focus Area as defined by GLA	Brantwood Estate is within an AQMA designated area but not a Focus Area.

Aircraft hazard	
45. Is the site within an Airfield safeguarding area (bird strike zone)?	No
Cumulative Social, Environmental and Economic Impacts	
46. Will locating a new waste management facility on the site, in conjunction with other development including waste-related development in the vicinity, have an adverse impact on the environmental quality or character of the area?	
<p>The area is not within the Green Belt or Ancient Woodland. It is not within or adjacent to any area designated for its local landscape importance and does not contain or adjoin any areas of public open space.</p> <p>The area comprises of existing industrial / employment units. Directing waste management facilities to this location is therefore unlikely to have a significant impact on the townscape provided that the facility is housed in structures similar in scale and design to surrounding units. The exact impact would however depend on the use.</p>	
47. Is locating a new waste management facility on the site, in conjunction with other development including waste-related development in the vicinity, likely to have an adverse impact as assessed through the Equalities Impact Assessment and Sustainability Appraisal on nearby communities?	
<p>Residential properties are immediately adjacent to the area. However given the size of the area, waste management development could potentially take place in a part of the area that is a significant distance from these residential properties which could avoid impact on amenity.</p> <p>The area is an existing trading/industrial estate. However, depending on the use, there is scope for a waste facility in this area to introduce new impacts (odour, vermin) on amenity. There could also be some increase in dust and emissions from traffic accessing the area. It is however uncertain whether a waste facility would generate more traffic than the existing uses of the site and conditions could be used to mitigate other impacts.</p>	
48. Will locating a new waste management facility on the site, in conjunction with other development including waste-related development in the vicinity, be likely to inhibit or to promote the economic potential of the area as assessed through the Equalities Impact Assessment and Sustainability Appraisal on nearby communities?	
<p>The use of the area for waste management would encourage local economic growth through the provision of adequate waste facilities and would provide scope to diversify local waste sector and could help maximise value recovery.</p> <p>The use of the area for waste management could create employment opportunities and contribute towards reducing unemployment. Nevertheless, the number of new employment opportunities that would be created would depend on the nature of the facility and whether it is occupied by a new venture rather than the expansion/re-location of an existing business.</p> <p>In addition, the area appears to be fully occupied. As a result, the provision of a waste management facility in the area may result in the displacement of an existing employment use. The impact on the local economy is therefore considered to be uncertain.</p>	
LEVEL 2 CRITERIA - SPATIAL STRATEGY	
Accessibility and sustainable transport	
49. Does the site have good accessibility from existing urban areas or major new or planned development (i.e. the major sources of waste arisings)?	Yes

Co-location and compatible land uses		
50. Would the site allow for the co-location with complementary activities?	Yes – provided the right sites with the area came forward	
Greater London Development		
51. Is the site located in or adjacent to an Opportunity Area and/or Housing Zone?	Yes, area is within an opportunity area and housing zone.	
52. Is the site located near the proposed route of Crossrail 2?	Yes, Transport for London has identified the area as lying in close proximity to a proposed Crossrail 2 station.	
CONCLUSIONS ON THE SITE		
<p>This is a large (16ha) industrial area. The area is bounded on all sides by housing and beyond the housing to the east is a recreational field. It would be appropriate to locate any waste management facilities near the centre of this industrial area to assist in mitigating any potential adverse affects on neighbouring sensitive uses outline above.</p> <p>Applications within the site which falls within a Source Protections Zone 1 will be required to demonstrate that they will not represent a risk to ground water, unless only handling inert waste.</p>		
POTENTIAL USES		
<p>According to the NPPW, WPAs should identify the type or types of waste management facility that would be appropriately located on the allocated site or in the allocated area, taking care to avoid stifling innovation in line with the waste hierarchy.</p> <p>In light of this, an appraisal of the suitability of the site for accommodating a range of waste management facilities has been undertaken with reference to Government guidance - ODPM (2004) <i>Planning for Waste Management Facilities – A Research Study</i>. The suitability of the site in relation to a range of facility types has been indicated using a series of symbols (✓✓, ✓, ✗ etc.) and a commentary provided.</p>		
Facility type	Broad suitability	Comments
A Integrated resource recovery facilities / resource parks	✗	Although there may be a potential for such a park, the size of such facilities combined with unknown land ownership mean it is unlikely that such a facility would be delivered with this area
B Major waste treatment facility (including thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment)	✓	Provided the facility was away from sensitive receptors such a facility would be appropriate within this area
C Waste transfer	✓	The area is considered suitable for waste transfer facilities
D Composting (including outdoor and indoor / in-vessel composting)	✗	The neighbouring uses preclude the use of such a facility within this area

E Processing and recycling	✓	The area is considered suitable for a recycling facility	
Potential mitigation measures			
In light of the appraisal above, are there any potential mitigation measures which might be necessary for development on the site?	<p>There are a number of environmental and amenity issues facing the area such as the proximity of residential properties and Significant Open Space, as such the area is not suitable for external facilities. Facilities should therefore be enclosed and consideration should be given to siting any future proposals towards the centre of the area away from any sensitive receptors. Key mitigation measures should include dust suppression and other measures such as wheel-washing.</p> <p>As parts of the area are at a medium risk of flooding, the completion of a suitable Flood Risk Assessment, and the incorporation of SuDS or other techniques to manage surface water runoff will be key mitigation measures. Appropriate measures should also be incorporated to prevent any contamination of groundwater or adjacent watercourses.</p> <p>As proposals may increase the level of traffic generated within the area a traffic impact assessment will be a key mitigation measure.</p>		
Overall site performance			
Band A	Band B	Band C	Band D
Band C			
<p>This is a large area but bounded on all sides by a housing and with a sports ground on the eastern boundary. By restricting Waste management facilities to the centre of the area which would be away from sensitive receptors then such facilities, as outlined above, would be appropriate.</p>			
Should this site be taken forward for further consideration? Yes			

This page is intentionally left blank

North London Waste Plan Site/Area Assessment Sheets

Site Reference: A21-HR

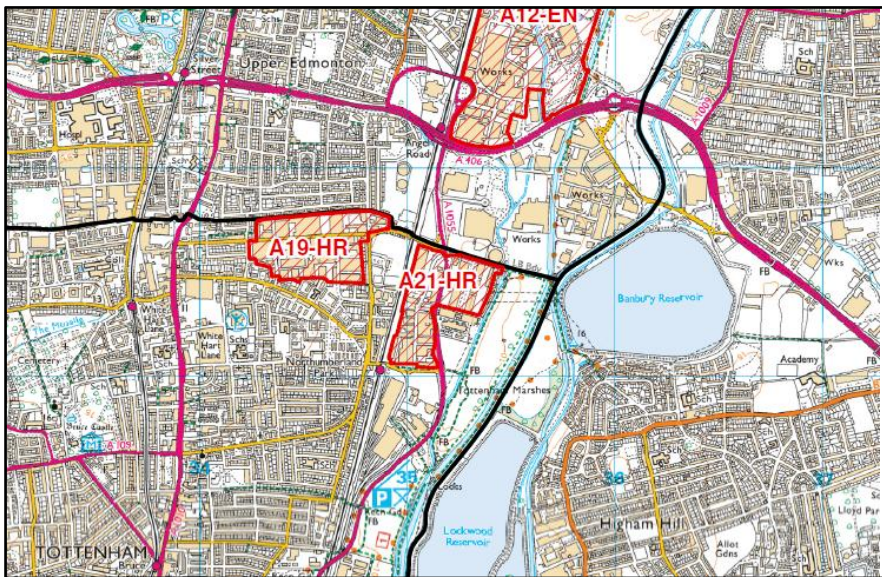
Site Name: North East Tottenham (SIL 12)

The proforma is structured as follows:

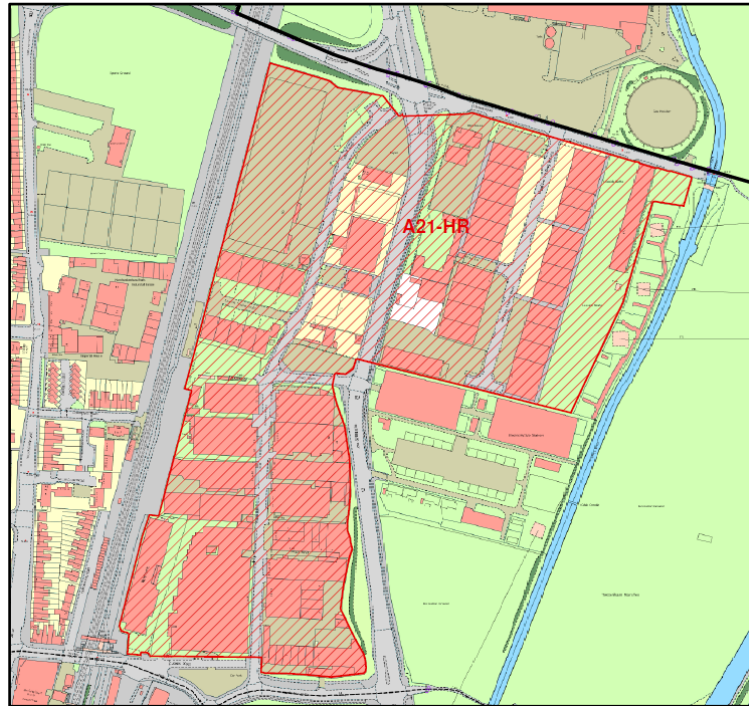
1. **Introduction** (provides basic information including site name, location, size etc.)
2. Appraisal against **Level 1 Absolute criteria** - the performance of the site in relation to national and international considerations (e.g. wildlife and landscape designations). The failure of a site to 'pass' Level 1 will mean that the site is discounted from further consideration and no further information on it is assembled.
3. Appraisal against **Level 2 criteria (screening)** - the performance of the site in relation to local considerations including the environmental, social and economic setting (e.g. local conservation designations).
4. Appraisal against **opportunities** – the performance of the site in relation to considerations which lend weight to its potential allocation (e.g. potential water or rail access, proximity to waste source etc.)
5. Appraisal against **deliverability criteria** – the performance of the site in relation to various practical aspects of bringing the site forward (e.g. land ownership, contamination etc.)
6. **Conclusions** on the site (conclusions on the relative merits of the site for waste management and the potential uses for the site in terms of different waste technologies). A traffic light classification for overall site performance is used. However, this is *indicative* and does not represent the final decision on whether or not the site will be taken forward for consultation / allocation.

Key issues

- It should be noted that the various criteria will not be weighted (although a failure to pass Level 1 will mean that the site will not be taken forward).
- For some sites, the proforma will be filled in on a gradual basis as more information emerges about the site and its suitability for particular waste management uses. Some criteria may therefore be scored initially as 'not assessed'

SITE DETAILS	
Site name/address	North East Tottenham (SIL 12), Garmen Road, N17 0UN
Site reference number	A21-HR
Borough	Haringey
Description of Site	Warehouses/Industrial
Description of surrounding uses	To the east of the area lies the Lee Valley Regional Park. To the west, the site is bound by a railway line, with a train station to the south. Beyond the railway line are industrial and residential uses. There are allotments to the south and an Ikea retail development to the north.
OS grid reference	E535184 N191332
Size (ha)	15.45
Date of appraisal	28 th October 2014 and 25 th June 2018
Appraised by	John Martin (2014) and Carolyn Williams / Mike Halsall (2018)
Source of site suggestion	Employment land data supplied by Haringey
Planning Information	
Designation of site (eg SIL, LSIS)	Site is designated a Strategic Industrial Location (SIL)
Relevant Local Plan policy	Area is within an Area of Archaeological Importance and is safeguarded as a waste site within the Site Allocations DPD
Evidence base for designation (eg employment land study)	Employment Land Study 2009, 2012 update, 2015 update
Are there any planned reviews of industrial land in the borough?	No, we have already undertaken the reviews as part of the Site Allocations DPD.
Location Plan	 <p>© Crown Copyright and database right (2016). Ordnance Survey 100021551</p>

Site Plan



© Crown Copyright and database right (2016). Ordnance Survey 100021551

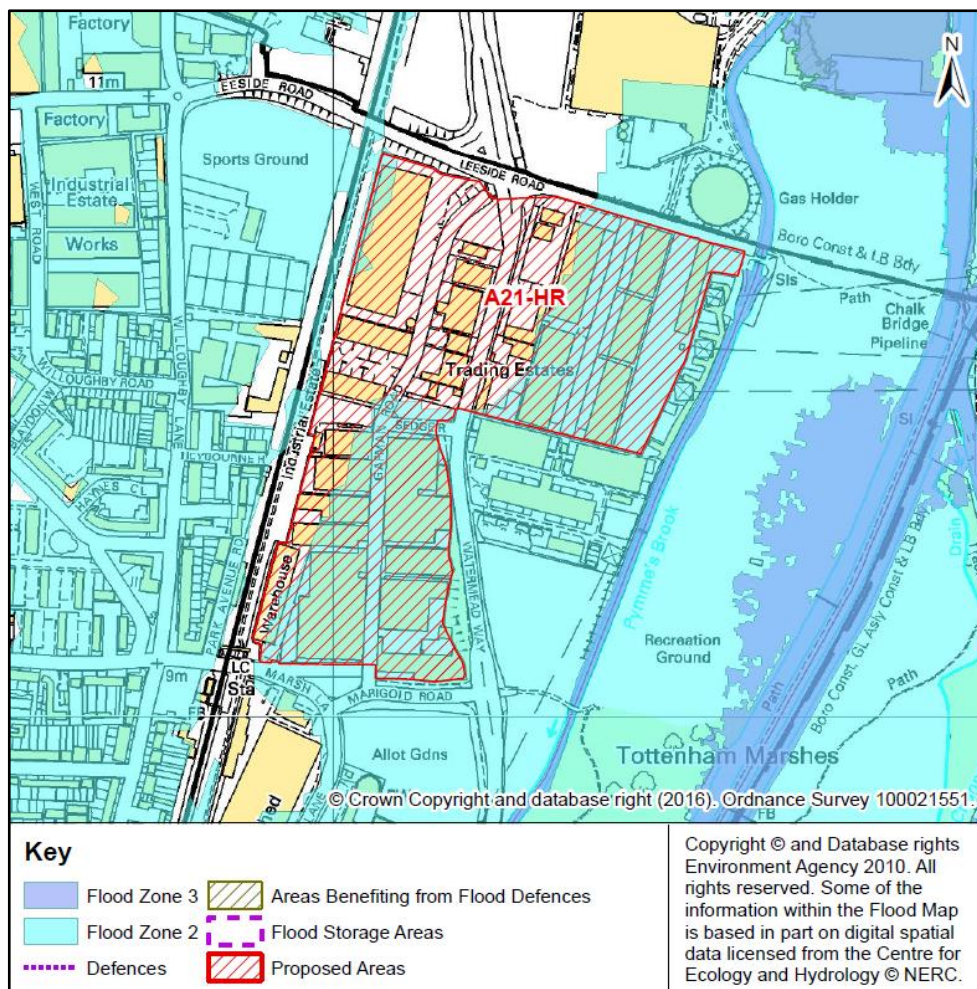




LEVEL 1 ABSOLUTE CRITERIA	
1. Is the site part of an internationally designated site (Special Protection Areas, Special Areas of Conservation, RAMSAR Sites)?	No
2. Is the site located within a Site(s) of Special Scientific Interest (SSSI)?	No
3. Is the site located within Metropolitan Open Land?	No
4. Is the site / or buildings within the site recognised as ANY of the following Heritage Assets: <ul style="list-style-type: none"> Scheduled Ancient Monuments Listed Building (grade I and II*) Registered Historic Battlefields Registered Parks and Gardens (grade I and II*)? 	No
5. Is the Site within the Green Belt (For Built facilities) and/or Grade 1 & 2 agricultural land?	No. Green Belt lies approximately 15m to the east.
6. Is the site within an Ancient Woodland?	No
7. Any showstopper site specific local plan policies and designations e.g. land allocated for housing	No
Should the site be taken forward for further consideration?	Yes
Are there any issues arising from Level 1 which needs to be carried forward?	No

LEVEL 2 CRITERIA - Screening	
Land Use	
8. Indicate if land is- <ol style="list-style-type: none"> 1. Strategic Industrial Locations 2. Locally Significant Industrial Sites 3. Industrial/Employment Land 4. Previously developed land 5. Contaminated 	Area is designated as a SIL and Defined Employment Land The area is not contaminated as defined under Part 2A of the Environmental Protection Act. Localised contamination may be present within the area which could be identified and dealt with through the planning process.
9. Would the site allow for the co-location of waste management facilities?	Yes
10. Is the site located in an area of major new developments?	No
11. Is the site within or adjacent to an existing or planned Decentralised Energy network Could development at the site generate heat and / or power? Has this site been identified as a Heat Mapping zone?	The proposed Upper Lee Valley is a potential Decentralised Heat Network which runs adjacent to the area. North of the area is the potential Enfield decentralised energy network. Yes – the size is of sufficient size The area is in an area of medium energy consumption
Deliverability: Land ownership	
12. Are there any issues of land ownership that could prevent development on the site being delivered?	Employment land data supplied by Haringey
Protection of water resources and managing flood risk	
13. Is the site within: <ul style="list-style-type: none"> • flood zones 2 or 3 • in an area with a history of groundwater flooding • a Critical Drainage Area (or area at risk of surface water flooding)? 	The majority of area is within Flood Zone 2 (medium probability of flooding). The remainder is in Flood Zone 1 (lowest probability of flooding). The site is also at risk from surface water flooding.

Flood Mapping



14. Is the site within or adjacent to Principal Aquifers, Source Protection Zones 1 and 2 or surface waters?

The whole of the area is within Source Protection Zone 1.

Facilities within Source Protection Zone 1 should only deal with inert waste unless otherwise agreed with the Environment Agency.

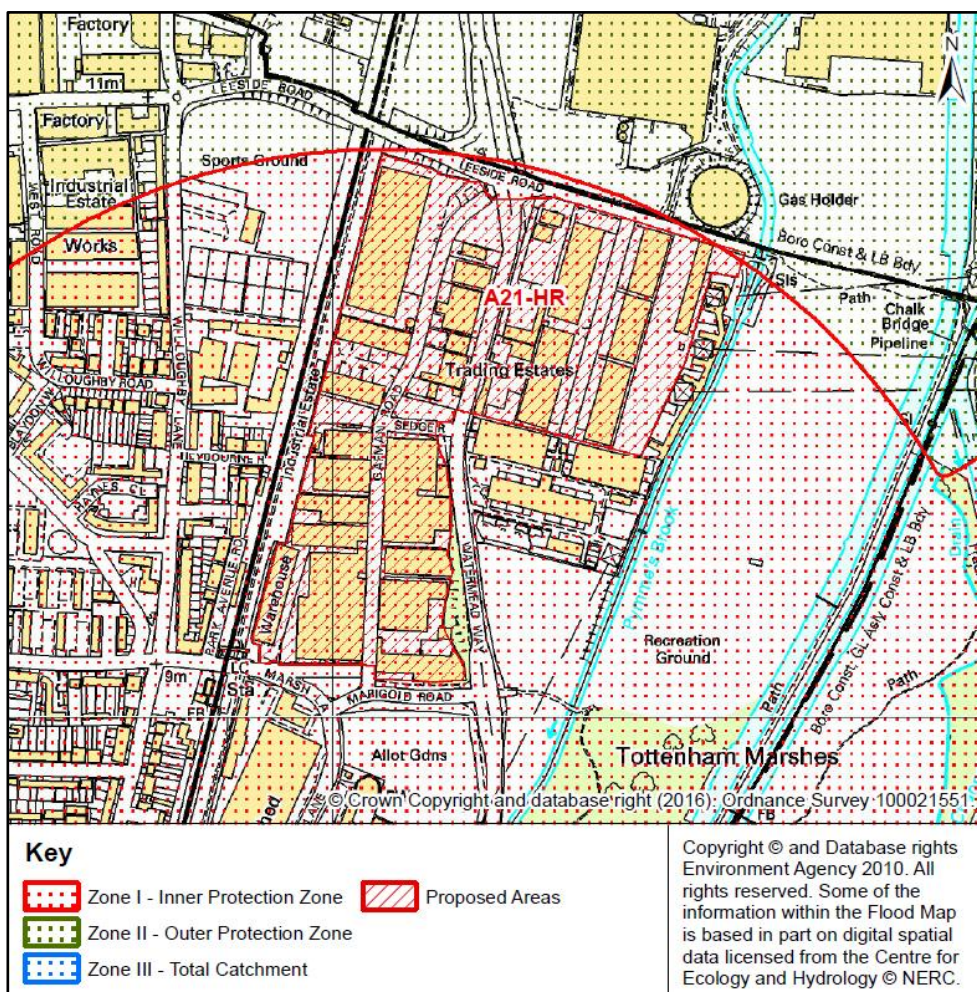
Pymmes Brook lies approximately 10m east and River Lee Navigation approximately 245m east of the area.

The area lies within a Secondary A Aquifer which lies within the superficial deposits

Environment Agency – Facilities within Source Protection Zone 1 should only deal with inert waste unless otherwise agreed with the Environment Agency.

Any new or redevelopment of existing waste management facilities with watercourses on or adjacent to the development should explore possibility of improving the river network

Source Protection Zone Mapping

**Land instability**

15. Is the site subject to any known stability issues (historic mining or landfill sites identified within the area boundary)?

No stability issues identified.

Landscape and visual intrusion

16. Is the site located within or adjacent to any area designated for its local landscape importance?

Green Belt 13m to the east of the area.

Green Belt and Open Space

17. Is the site in the Green Belt? If so, would location of a non-built facility (eg on farm composting) here be consistent with the proximity principle, would it cause harm to the objectives of Green Belt designation?

No but the Green Belt is 13m east of the area.

18. Is the site adjacent to a Protected Open Space?

The Lee Valley Regional Park lies adjacent to the east of the area.

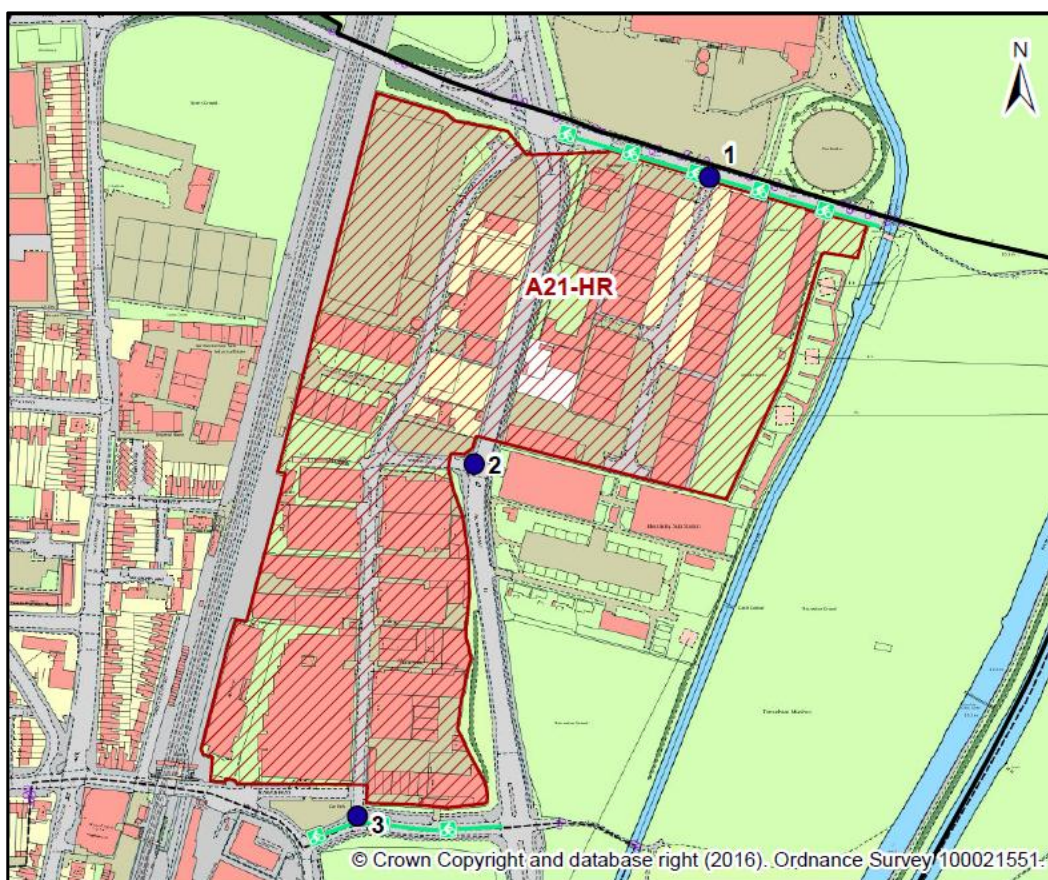
Nature conservation

19. Is the site home to protected species and / or habitats?

Uncertain – needs to be investigated later in the planning process

20. Is the site within or adjacent to Sites of Importance for Nature Conservation (SINCs) (Metropolitan, Borough or local)?	Borough SINC adjacent to west and north east corner
21. Is the site in or adjacent to woodlands including ancient woodlands?	No
Historic environment and built heritage	
22. Is the site / or buildings within a site recognised as ANY of the following Heritage Assets: <ul style="list-style-type: none"> Listed Building (other than grade I and II*) Locally Listed Building Or adjacent to them?	No
23. Is the site within or adjacent to a Conservation Area?	No
Traffic and access	
24. Description of the road network in proximity to the site	<p>The area is dissected by the A1055 (Watermead Way) running north to south. Although the A406 North Circular is approximately 500 metres to the north, access onto that road is not available from Watermead Way.</p> <p>An overland rail line borders the west of the area but there does not appear to be enough scope for a siding to bring in waste</p>

Site Plan:

**Access**

25. How many vehicle entrances does the site have?

3

26. Are entrances suitable for HGVs?

Yes

If so which entrances? (marked on plan)

1) Mowlem Trading Estate and Leaside Road

3) Garmen Road and Marigold Road

2) Sedge Road and Watermead Way

4)

27. Are there any junctions which could be upgraded to allow HGV access and if so would this require minor, moderate or significant alterations (marked on plan)

1) Access suitable for HGV traffic

3) Access suitable for HGV traffic

2) Access suitable for HGV traffic

4)

28. Are entrances suitable for Refuse Collection Vehicles (RCV)?

Yes

If so which entrances? (marked on plan)

1) Mowlem Trading Estate and Leaside Road

3) Garmen Road and Marigold Road

2) Sedge Road and Watermead Way

4)

29. Are there junctions which could be upgraded to allow RCV access and if so would this require minor, moderate or significant alterations (marked on plan)	
1) Access suitable for RCV traffic	3) Access suitable for RCV traffic
2) Access suitable for RCV traffic	4)
30. Is the site currently suitable for 24 hour access?	Yes
Road Information	
31. Is local road access suitable for HGV/RCVs?	Yes
32. Do local roads have capacity for additional traffic? (see Annex 1)	No
33. Are there any known problems with congestion near the site?	Yes
34. Are there any parking controls near the site?	Yes, but match days only
35. Are road safety measures adequate in the area (including cycling)?	No
If no please indicate issues: Watermead Way has a road safety issue with 25 accidents over the length of the road over the last three years	
36. Are there cycle routes near the site? (marked on plan)	Yes
Other	
37. What is the PTAL rating of the site/area	1b/2
38. Are there any known air quality issues/concerns locally in addition to being in an AQMA?	No
Please provide details of air quality issues of concerns: N/A	
Highways Comments on site/area overall suitability	
<p>There are known congestion issues at Leaside Road/Watermead Way junction at peak periods.</p> <p>In principle the area is suitable as a waste treatment plant but details of the entrances would need to be considered as part of further development of a proposal.</p> <p>Traffic generation is based on the following assumptions:</p> <ol style="list-style-type: none"> Existing land uses are 42,871 m² on 15.5 hectare site Existing are in single storey buildings The waste treatment plan is 2ha [20000m²] Future RCV is 60 in/out movements per day plus 40 bulk transport in/out movements Existing traffic generation based on an average industrial/commercial is 6.476 vehicle trips per 100m² GFA. <p>Current vehicle trip generation = 358</p> <p>Future RCV/bulk transport = 100</p> <p>The proposed trip generation excludes staff. In summary, the location would be acceptable on highway grounds.</p>	
39. Is there a navigable waterway or wharf adjacent or very close to the site?	Pymme's Brook to the east of the area and the River Lea Navigation further to the east.
40. Is there a railway line suitable for freight traffic adjacent or very close to the site?	Railway line borders the west of the area and there is a train station to the south.

41. Does the site have public footpaths and rights of way?	No
Infrastructure	
42. Gas and Electricity Infrastructure	<p>National Grid identify the following assets close to the area:</p> <ul style="list-style-type: none"> i. Underground cables – 275kV route – St John's Wood to Tottenham. ii. Tottenham 275kV site and overhead transmission lines adjacent to the site. <p>National Grid operates the gas distribution network in Haringey.</p> <p>UK Power Network operates local electricity distribution in Haringey.</p>
Sensitive receptors	
43. Identify sensitive receptors which may be impacted by dust, fumes, emissions to air, odours, noise and vibration, vermin and birds, litter hazards.	Residential properties in close proximity to the area to the west and allotments to the south
44. Is the site located in or adjacent to an Air Quality Focus Area as defined by GLA	Area is within an AQMA designated area but not a Focus Area.
Aircraft hazard	
45. Is the site within an Airfield safeguarding area (bird strike zone)?	No
Cumulative Social, Environmental and Economic Impacts	
<p>46. Will locating a new waste management facility on the site, in conjunction with other development including waste-related development in the vicinity, have an adverse impact on the environmental quality or character of the area?</p> <p>The area is not within the Green Belt or Ancient Woodland. It is not within or adjacent to any area designated for its local landscape importance and does not contain any areas of public open space.</p> <p>The area comprises of existing industrial / employment units. Directing waste management facilities to this location is therefore unlikely to have a significant impact on the townscape provided that the facility is housed in structures which are similar in scale and design. The exact impact would however depend on the nature of the facility.</p> <p>A Borough Site of Importance for Nature Conservation (SINC) is adjacent to the area. Although the area is occupied by existing industrial uses, directing waste facilities to the area could introduce new impacts on this SINC. Any impact would however depend on the type of facility and its location within the area. It is also recognised that, in the absence of appropriate ecological surveys, there is only a limited level of certainty about any such impact.</p>	

47. Is locating a new waste management facility on the site, in conjunction with other development including waste-related development in the vicinity, likely to have an adverse impact as assessed through the Equalities Impact Assessment and Sustainability Appraisal on nearby communities?	
<p>Residential properties are in close proximity to the area to the west and allotments are to the south. However given the size of the area, waste management development could potentially take place in a part of the area that is a significant distance from these residential properties which could avoid impact on amenity.</p> <p>The site is an existing trading/industrial estate. However, depending on the use, there is scope for a waste facility in this area to introduce new impacts (odour, vermin) on amenity. There could also be some increase in dust and emissions from traffic accessing the area. It is however uncertain whether a waste facility would generate more traffic than the existing uses within the area and conditions could be used to mitigate other impacts.</p>	
48. Will locating a new waste management facility on the site, in conjunction with other development including waste-related development in the vicinity, be likely to inhibit or to promote the economic potential of the area as assessed through the Equalities Impact Assessment and Sustainability Appraisal on nearby communities?	
<p>The use of the area for waste management would encourage local economic growth through the provision of adequate waste facilities and would provide scope to diversify local waste sector and could help maximise value recovery.</p> <p>The use of the area for waste management could create employment opportunities and contribute towards reducing unemployment. Nevertheless, the number of new employment opportunities that would be created would depend on the nature of the facility and whether it is occupied by a new venture rather than the expansion/re-location of an existing business.</p> <p>In addition, the area appears to be fully occupied. As a result, the provision of a waste management facility in the area may result in the displacement of an existing employment use. The impact on the local economy is therefore considered to be uncertain.</p>	
LEVEL 2 CRITERIA - SPATIAL STRATEGY	
Accessibility and sustainable transport	
49. Does the site have good accessibility from existing urban areas or major new or planned development (i.e. the major sources of waste arisings)?	Yes
Co-location and compatible land uses	
50. Would the site allow for the co-location with complementary activities?	Yes
Greater London Development	
51. Is the site located in or adjacent to an Opportunity Area and/or Housing Zone?	Yes, area is within an opportunity area and housing zone.
52. Is the site located near the proposed route of Crossrail 2?	Yes, Transport for London has identified the site area lying in close proximity to a proposed Crossrail 2 station.

CONCLUSIONS ON THE SITE		
<p>The area has a number of large open yards that could be developed for waste management uses. There is good access to the area and there are good internal roads within the industrial estate.</p> <p>Housing lies to the west of the area with an overland railway acting as a buffer. There is also a recreational area to the east and the positioning of any waste management facility would need to assess the impact on these sensitive receptors.</p> <p>Application within the area which falls within a Source Protections Zone 1 will be required to demonstrate that they will not represent a risk to ground water, unless only handling inert waste.</p>		
POTENTIAL USES		
<p>According to the NPPW, WPAs should identify the type or types of waste management facility that would be appropriately located on the allocated site or in the allocated area, taking care to avoid stifling innovation in line with the waste hierarchy.</p> <p>In light of this, an appraisal of the suitability of the site for accommodating a range of waste management facilities has been undertaken with reference to Government guidance - ODPM (2004) <i>Planning for Waste Management Facilities – A Research Study</i>. The suitability of the site in relation to a range of facility types has been indicated using a series of symbols (✓✓, ✓, ✗ etc.) and a commentary provided.</p>		
Facility type	Broad suitability	Comments
A Integrated resource recovery facilities / resource parks	✗	Although there may be a potential for such a park, the size of such facilities combined with unknown land ownership mean it is unlikely that such a facility would be delivered within this area
B Major waste treatment facility (including thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment)	✓	A large facility of this type may be acceptable
C Waste transfer	✓✓	The area is suitable for waste transfer facilities
D Composting (including outdoor and indoor / in-vessel composting)	✗	This type of facility may not be appropriate in this location
E Processing and recycling	✓✓	The area is suitable for recycling facilities
Potential mitigation measures		
In light of the appraisal above, are there any potential mitigation measures which might be necessary for development on the site?	<p>There are a number of environmental issues facing the area such as the proximity of the area to a designated SINC and residential properties. Undertaking appropriate ecological surveys and implementing appropriate measures to improve the biodiversity value of the area are therefore likely to be important mitigation measures.</p> <p>Consideration should be given to any potential impacts on air quality and measures such as negative air pressure and rapid-closure doors on any</p>	

	<p>enclosed facility on the site and providing wheel washing facilities could help mitigate any potential impacts.</p> <p>In addition, as parts of the area are at a medium risk of flooding, the completion of a suitable Flood Risk Assessment, and the incorporation of SuDS or other techniques to manage surface water runoff will be key mitigation measures. Measures to protect ground water will need to be agreed with the Environment Agency.</p>		
Overall site performance			
Band A	Band B	Band C	Band D
<p>Band C</p> <p>This is a large (15ha) area and is set within a larger commercial/industrial area. The railway line to the west of the area acts as a buffer to residents further to the west and there is some recreational ground to the east. Running along the western boundary of part of the site is Pymmes Brook and the area is underlain by a Source Protection Zone 1 as such any development for non-inter waste will need to show that ground water will not be impacted. The area is however, of sufficient size to accommodate a number of waste management facilities without compromising the amenity of the sensitive receptors outlined above.</p>			
Should this site be taken forward for further consideration? Yes			

North London Waste Plan Site/Area Assessment Sheets

Site Reference: A22-HR

Site Name: Friern Barnet Sewage Works (LEA 4)/Pinkham Way

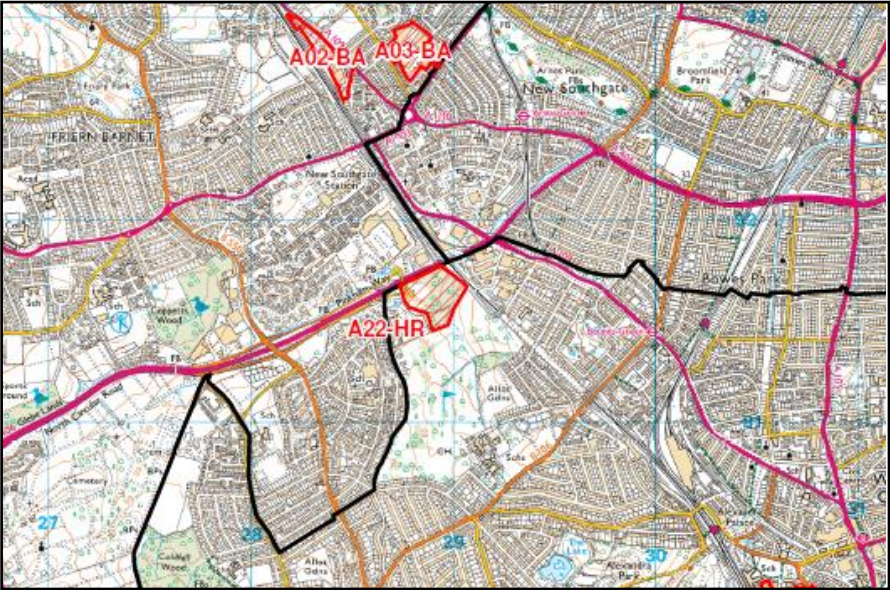
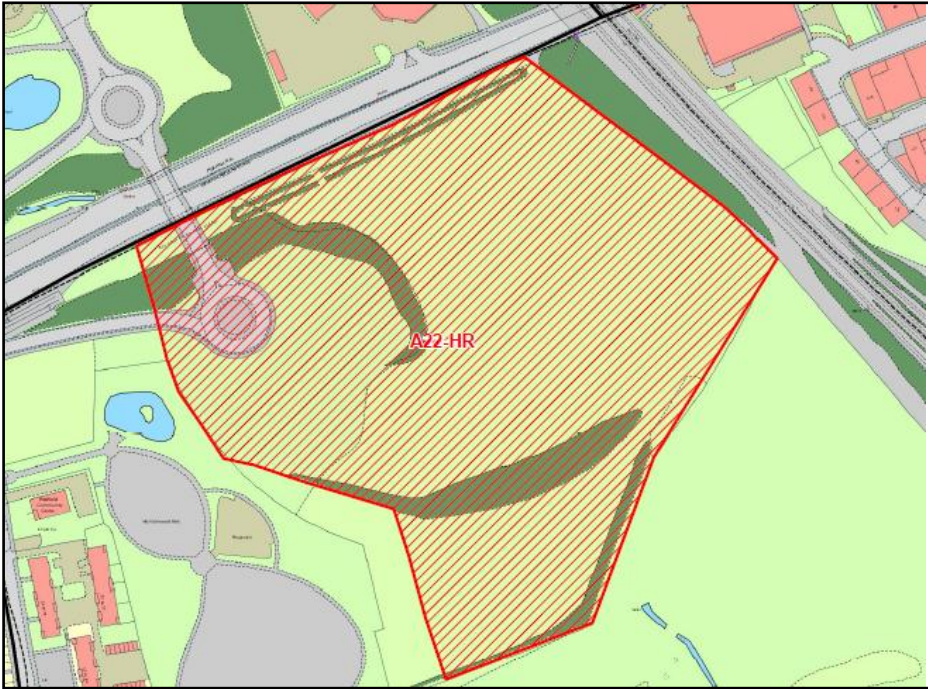
The proforma is structured as follows:

1. **Introduction** (provides basic information including site name, location, size etc.)
2. Appraisal against **Level 1 Absolute criteria** - the performance of the site in relation to national and international considerations (e.g. wildlife and landscape designations). The failure of a site to 'pass' Level 1 will mean that the site is discounted from further consideration and no further information on it is assembled.
3. Appraisal against **Level 2 criteria (screening)** - the performance of the site in relation to local considerations including the environmental, social and economic setting (e.g. local conservation designations).
4. Appraisal against **opportunities** – the performance of the site in relation to considerations which lend weight to its potential allocation (e.g. potential water or rail access, proximity to waste source etc.)
5. Appraisal against **deliverability criteria** – the performance of the site in relation to various practical aspects of bringing the site forward (e.g. land ownership, contamination etc.)
6. **Conclusions** on the site (conclusions on the relative merits of the site for waste management and the potential uses for the site in terms of different waste technologies). A traffic light classification for overall site performance is used. However, this is *indicative* and does not represent the final decision on whether or not the site will be taken forward for consultation / allocation.

Key issues

- It should be noted that the various criteria will not be weighted (although a failure to pass Level 1 will mean that the site will not be taken forward).
- For some sites, the proforma will be filled in on a gradual basis as more information emerges about the site and its suitability for particular waste management uses. Some criteria may therefore be scored initially as 'not assessed'

SITE DETAILS	
Site name/address	Friern Barnet Sewage Works (LEA 4)/ Pinkham Way
Site reference number	A22-HR
Borough	Haringey
Description of Site	Land is currently unused and has become over grown with trees and vegetation
Description of surrounding uses	Pinkham Way and retail park to north, industrial properties east, Golf course south and a park and residential properties to the west
OS grid reference	E528900 N191615
Size (ha)	5.95
Date of appraisal	12 th August 2014
Appraised by	John Martin/Matthew Maule
Source of site suggestion	Site put forward during 'Call for Sites' by the North London Waste Authority who have a freehold interest in part of the site.
Planning Information	
Designation of site (eg SIL, LSIS)	The area is designated a Local Employment Area (LEA) and a Borough SINC.
Relevant Local Plan policy	<p>The area is subject to Local Plan policy SP8: Employment. Friern Barnet falls within the Borough's Specific Proposal 5, Employment generating uses subject to no adverse effect on the nature conservation value of the area. The area is subject to policy SP13: Open Space and Biodiversity.</p> <p>Friern Barnet is designated as Borough Grade 1 SINC, and for employment uses in the Local Plan .</p>
Evidence base for designation (eg employment land study)	Employment Land Study - 2009, 2012 update, 2015 update
Are there any planned reviews of industrial land in the borough?	No, Haringey has already undertaken a review in 2017 as part of the Site Allocations DPD.

<p>Location Plan</p>	 <p>© Crown Copyright and database right (2016). Ordnance Survey 100021551</p>
<p>Site Plan</p>	 <p>© Crown Copyright and database right (2016). Ordnance Survey 100021551</p>



LEVEL 1 ABSOLUTE CRITERIA	
1. Is the site part of an internationally designated site (Special Protection Areas, Special Areas of Conservation, RAMSAR Sites)?	No
2. Is the site located within a Site(s) of Special Scientific Interest (SSSI)?	No
3. Is the site located within Metropolitan Open Land?	No

4. Is the site / or buildings within the site recognised as ANY of the following Heritage Assets: <ul style="list-style-type: none"> Scheduled Ancient Monuments Listed Building (grade I and II*) Registered Historic Battlefields Registered Parks and Gardens (grade I and II*)? 	No
5. Is the Site within the Green Belt (For Built facilities) and/or Grade 1 & 2 agricultural land?	No
6. Is the site within an Ancient Woodland?	No
7. Any showstopper site specific local plan policies and designations e.g. land allocated for housing	The area has a dual designation as SINC (Borough Grade I) and Employment Land in the Local Plan and is protected for employment use, subject to consistence with its nature conservation status.
Should the site be taken forward for further consideration?	Yes
Are there any issues arising from Level 1 which needs to be carried forward?	No

LEVEL 2 CRITERIA – Screening	
Land Use	
8. Indicate if land is- <ol style="list-style-type: none"> Strategic Industrial Locations Locally Significant Industrial Sites Industrial/Employment Land Previously developed land Contaminated 	<p>The area is designated as a Local Employment Area.</p> <p>Given the historic use as sewage works and landfill ground contamination is possible. Extent of contamination could be identified and dealt with through the planning process.</p> <p>Some remnants of the former sewage works and landfill operations exist but much of the area has become vegetated and blended into the landscape and as such the site may not meet the NPPFs definition of previously developed land.</p>
9. Would the site allow for the co-location of waste management facilities?	Yes – Due to the size and location
10. Is the site located in an area of major new developments?	No

<p>11. Is the site within or adjacent to an existing or planned Decentralised Energy network</p> <p>Could development at the site generate heat and / or power?</p> <p>Has this site been identified as a Heat Mapping zone?</p>	<p>The Enfield potential Decentralised Energy area lies approximately 65m northeast of Friern Barnet.</p> <p>Not considered to be a practicable option due to distance from potential users.</p> <p>Friern Barnet is in an area of low energy consumption (as site undeveloped). Areas northeast, east and west of site are high energy consumption zones.</p>
Deliverability: Land ownership	
<p>12. Are there any issues of land ownership that could prevent development on the site being delivered?</p>	<p>Not know, however the land is owned by public bodies: Barnet Council and North London Waste Authority.</p>
Protection of water resources and managing flood risk	
<p>13. Is the site within:</p> <ul style="list-style-type: none"> • flood zones 2 or 3 • in an area with a history of groundwater flooding • a Critical Drainage Area (or area at risk of surface water flooding)? 	<p>North boundary and northeast corner of the area is within Flood Zone 2 (medium probability of flooding).</p> <p>Any development on the area will increase impermeable surfaces and therefore increases surface water runoff which would need to be managed. It is understood that historical use of the area may have left contamination. It is unknown whether or not this previous use has an impact on the quality of groundwater. This could be ascertained through any planning application which may offer the opportunity to provide appropriate remediation.</p>

Flood Mapping



Key

Proposed Area


Flood Zone 2


Flood Zone 3

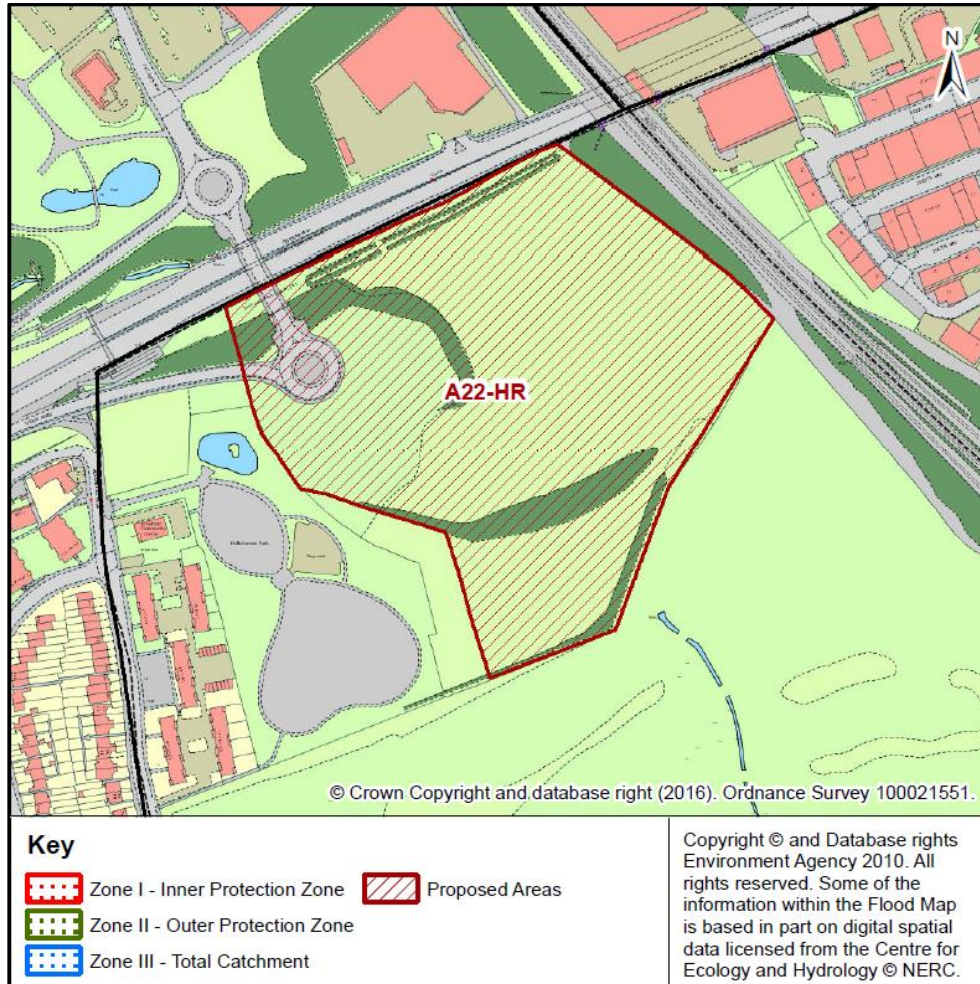

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office
 ©Crown Copyright LB Haringey 100019199 2018

14. Is the site within or adjacent to Principal Aquifers, Source Protection Zones 1 and 2 or surface waters?

Not within Source Protection Zone or principle aquifer.

Bounds Green Brook lies approximately 40m north of site. A pond lies approximately 10m west of site and unnamed water course lies approximately 20m south of site.

Source Protection Zone Mapping



Land instability

15. Is the site subject to any known stability issues (historic mining or landfill sites identified within the area boundary)?

The Environment Agency records historic landfilling in the area. This may represent a ground stability issue and as such further investigation will be required at the planning stage.

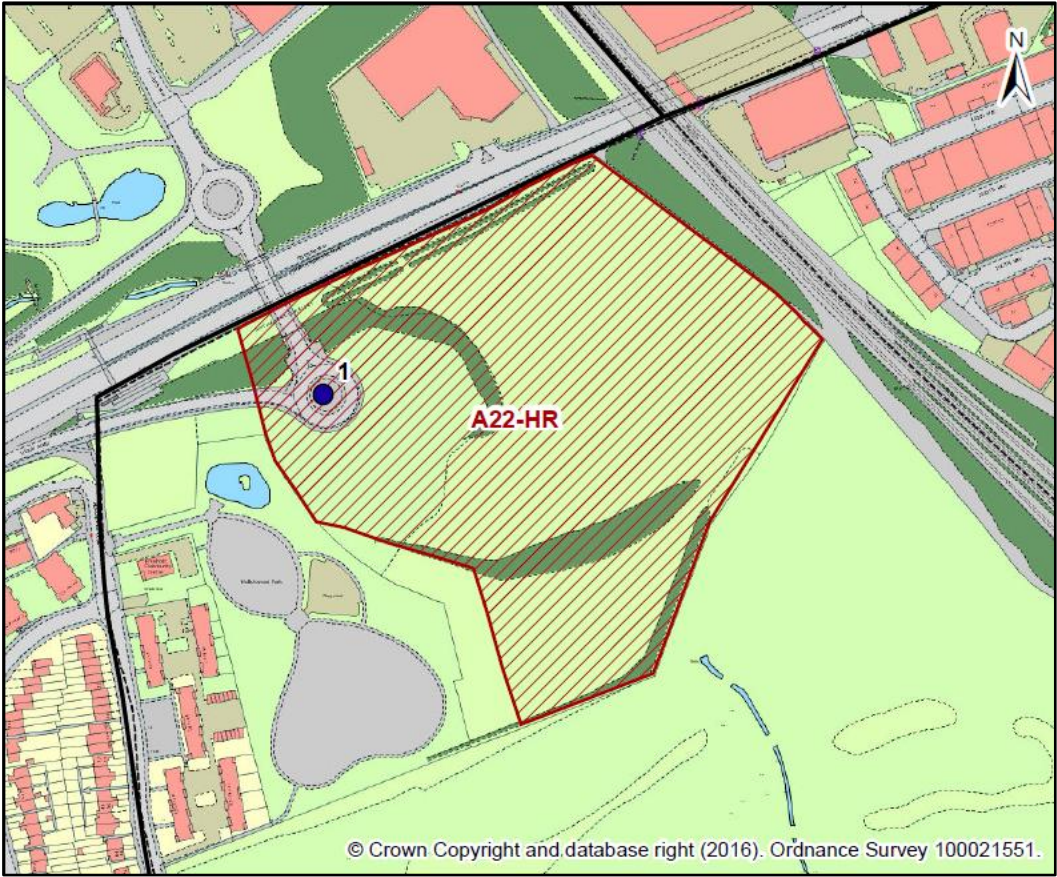
Landscape and visual intrusion

16. Is the site located within or adjacent to any area designated for its local landscape importance?

Yes. The area is within a Borough SINC and Metropolitan Open Land lies to the south and west of site.

Green Belt and Open Space

17. Is the site in the Green Belt? If so, would location of a non-built facility (eg on farm composting) here be consistent with the proximity principle, would it cause harm to the objectives of Green Belt designation?	No
18. Is the site adjacent to a Protected Open Space?	Yes. Land adjacent to the west and south of Friern Barnet is designated Metropolitan Open Land.
Nature conservation	
19. Is the site home to protected species and / or habitats?	A number of ecology surveys have been undertaken and identified habitat of potential value to a number of protected and notable species. Japanese Knotweed and Giant Hogweed have been identified in abundance across site. There is currently no active management of the SINC.
20. Is the site within or adjacent to Sites of Importance for Nature Conservation (SINCs) (Metropolitan, Borough or local)?	Yes, the area is within a Borough SINC which includes the adjacent Park and Golf Club.
21. Is the site in or adjacent to woodlands including ancient woodlands?	No. While the area includes trees, it is not designated as woodland. The closest wood is Coldfall Wood approximately 1.5km south west of site.
Historic environment and built heritage	
22. Is the site / or buildings within a site recognised as ANY of the following Heritage Assets: <ul style="list-style-type: none"> Listed Building (other than grade I and II*) Locally Listed Building Or adjacent to them?	No
23. Is the site within or adjacent to a Conservation Area?	No

Traffic and access	
24. Description of the road network in proximity to the site	<p>Access to the area would be via the circular system currently being used to serve Friern Bridge Retail Park</p> <p>Vehicles from the west would exit the North Circular onto Pinkham Way and then across traffic lights onto Atlas Road. Atlas Road meets the Pegasus Way roundabout which serves the Friern Bridge Retail Park to the North and the Orion Road roundabout and potential entrance to the site to the south.</p> <p>Vehicles accessing Friern Barnet from the east would exit the North Circular from the Muswell Hill turnoff, turn north onto the B5550 and then east onto Atlas Road.</p> <p>There is an old access to Friern Barnet off the Orion Road roundabout and this would need to be upgraded.</p>
<p>Site Plan:</p> 	
Access	
25. How many vehicle entrances does the site have?	None, although there is a historic road access from the Orion Road roundabout.
26. Are entrances suitable for HGVs?	N/A
If so which entrances? (marked on plan)	

1) N/A	3) N/A
2) N/A	4) N/A
27. Are there any junctions which could be upgraded to allow HGV access and if so would this require minor, moderate or significant alterations (marked on plan)	
1) Junction could be built on Orion Road and Pegasus Way roundabout	3) N/A
2) N/A	4) N/A
28. Are entrances suitable for Refuse Collection Vehicles (RCV)?	N/A
If so which entrances? (marked on plan)	
1) N/A	3) N/A
2) N/A	4) N/A

29. Are there junctions which could be upgraded to allow RCV access and if so would this require minor, moderate or significant alterations (marked on plan)	
1) Junction could be built on Orion Road and Pegasus Way roundabout	3) N/A
2) N/A	4) N/A
30. Is the site currently suitable for 24 hour access?	Yes
Road Information	
31. Is local road access suitable for HGV/RCVs?	Yes
32. Do local roads have capacity for additional traffic? (see Annex 1)	Yes
33. Are there any known problems with congestion near the site?	Yes
34. Are there any parking controls near the site?	Yes
35. Are road safety measures adequate in the area (including cycling)?	No
If no please indicate issues: There are no cycle facilities on Orion Road/Pegasus Road over the North Circular Road.	
36. Are there cycle routes near the site? (marked on plan)	No
Other Highway Comments	
37. What is the PTAL rating of the site/area	1a
38. Are there any known air quality issues/concerns locally in addition to being in an AQMA?	Yes
Please provide details of air quality issues of concerns: The North Circular Road has poor air quality	
Highways Comments on site/area overall suitability	
The area would require the creation of an access to the roundabout on Orion Road/Pegasus Way. This would need to be designed to allow HGVs and refuse vehicles. The existing roundabout is suitable for these movements. Access to the North Circular Road is relatively easy from either Orion Road [heading east] or from Pegasus Way [to head west]. The Colney Hatch Lane/North Circular Road junction suffers from congestion at peak times. Use of the site for waste would add to HGV/refuse vehicle movement but is unlikely to have a significant impact on the operation of this junction, based on 60 in/out movements per day for refuse vehicles plus 40 bulk transport in/out movements.	
39. Is there a navigable waterway or wharf adjacent or very close to the site?	No
40. Is there a railway line suitable for freight traffic adjacent or very close to the site?	Railway to north but not considered appropriate
41. Does the site have public footpaths and rights of way?	No public access allowed onto the area

Infrastructure	
42. Gas and Electricity Infrastructure	<p>National Grid did not identify any specific assets during consultation.</p> <p>National Grid operates the gas distribution network in Enfield, Haringey and Waltham Forest.</p> <p>UK Power Network operates local electricity distribution in Enfield.</p>
Sensitive receptors	
43. Identify sensitive receptors which may be impacted by dust, fumes, emissions to air, odours, noise and vibration, vermin and birds, litter hazards.	<p>Residential properties lie west of Friern Barnet</p> <p>Given the scale of the area there is scope to create a buffer around any waste management facility and orientate the facility away from residents</p>
44. Is the site located in or adjacent to an Air Quality Focus Area as defined by GLA.	Friern Barnet is within an AQMA designated area but not a Focus Area.
Aircraft hazard	
45. Is the site within an Airfield safeguarding area (bird strike zone)?	Not within airfield safeguarding area
Cumulative Social, Environmental and Economic Impacts	
46. Will locating a new waste management facility on the site, in conjunction with other development including waste-related development in the vicinity, have an adverse impact on the environmental quality or character of the area?	
<p>The area is not within the Green Belt or Ancient Woodland. It is not within or adjacent to any area designated for its local landscape importance. The area is within a Borough Site of Importance for Nature Conservation (SINCs) and adjacent to a golf course and a park. Although it previously contained a sewage treatment works, the area has almost completely revegetated and contains numerous mature trees. The use of the area for a waste management facility is likely to result in the loss of trees and other features that provide habitat. As such, developing the site for a waste management facility could have a negative impact on the environmental quality of the area. Replanting of vegetation will help minimise negative impacts and could improve the character of the area. Development could include removal or capping of potential contaminated ground to improve the environmental quality of the area. Development could have some impact on the local landscape/townscape.</p>	
47. Is locating a new waste management facility on the site, in conjunction with other development including waste-related development in the vicinity, likely to have an adverse impact as assessed through the Equalities Impact Assessment and Sustainability Appraisal on nearby communities?	
<p>The area is immediately adjacent to a golf club and Hollickwood Park. There are residential properties to the west beyond the park. As a result, there are sensitive receptors within the vicinity.</p> <p>Depending on the use, there could be some scope for a waste facility to introduce impacts (odour, vermin) on amenity. There could be some increase in dust and from emissions from traffic accessing the area. However the north circular road is to the north of the site. It is therefore uncertain whether any increase in traffic, and associated emissions, would be significant in comparison to the existing situation.</p>	

48. Will locating a new waste management facility on the site, in conjunction with other development including waste-related development in the vicinity, be likely to inhibit or to promote the economic potential of the area as assessed through the Equalities Impact Assessment and Sustainability Appraisal on nearby communities?	
<p>The use of the area for waste management would encourage local economic growth through the provision of adequate waste facilities and would provide scope to diversify local waste sector and could help maximise value recovery.</p> <p>The area is not within a regeneration area. It is however presently vacant and its use for a waste management facility would provide employment opportunities. As a result, the proposed use of the area could help reduce unemployment and thereby have a positive impact on the local economy. Nevertheless, the number of new employment opportunities that would be created would depend on the nature of the facility and whether it is occupied by a new venture rather than the expansion/re-location of an existing business. As a result, there is only a low level of certainty that any impact on the local economy would be significant.</p>	
LEVEL 2 CRITERIA - SPATIAL STRATEGY	
Accessibility and sustainable transport	
49. Does the site have good accessibility from existing urban areas or major new or planned development (i.e. the major sources of waste arisings)?	Good accessibility via the existing route from the North Circular.
Co-location and compatible land uses	
50. Would the site allow for the co-location with complementary activities?	The area would allow for co-location with complementary activities due to its size and highway accessibility.
Greater London Development	
51. Is the site located in or adjacent to an Opportunity Area and/or Housing Zone?	No
52. Is the site located near the proposed route of Crossrail 2?	No
CONCLUSIONS ON THE SITE	
<p>The original area included Metropolitan Open Land (MOL) which is absolute criteria and as such could not be taken forward. Following a review of the area boundary and of MOL designation extents, it has been clarified that the MOL designation does not extend into the area and the area was taken forward.</p> <p>Historically the area was a sewage treatment works and subsequently it was used for landfill by the London Borough of Barnet. The remnants of the sewage treatment works which closed in the 1960s are visible at the northern end of the area. At present Firern Barnet is not in active use and there is no access to the public. It has been retained in employment land designation. It currently has dual designation as a Local Employment Area and a Site of Important Nature Conservation (Borough Grade I).</p> <p>This site was considered as a potential location for future waste management facilities through the withdrawn North London Waste Plan. Representations to maintain the potential for this area to achieve a waste management function have been received as part of the Call for Sites.</p> <p>The site contains significant level changes, including a partially culverted water course and residual valley running across the site south-east to north-west. The adjacent railway line to the east of the site is several metres above on an embankment, which is a designated Ecological Corridor. Beyond the railway line is the Bounds Green Industrial Estate, a designated employment area.</p> <p>The areas to the west and south of the site form a large area of Metropolitan Open Land (MOL) and Site of</p>	

Importance for Nature Conservation (SINC); including Hollickwood Park, a small local public park also designated SINC Grade II, and Muswell Hill Golf Course, which like the site is SINC Grade I.

The area is of sufficient size, has good access provided that an acceptable entrance/exit point could be made off the Orion Road roundabout, to enable robust boundary treatment to provide a buffer zone to the nearest sensitive receptors; namely users of the golf course and park and residents in Alexandra Road and further west.


The area is suitable for a wide range of waste management uses and, through a legal agreement, could provide an opportunity to decontaminate the area and enhance biodiversity.

POTENTIAL USES

According to the NPPW, WPAs should identify the type or types of waste management facility that would be appropriately located on the allocated site or in the allocated area, taking care to avoid stifling innovation in line with the waste hierarchy.

In light of this, an appraisal of the suitability of the site for accommodating a range of waste management facilities has been undertaken with reference to Government guidance - ODPM (2004) *Planning for Waste Management Facilities – A Research Study*. The suitability of the site in relation to a range of facility types has been indicated using a series of symbols (✓✓✓, ✓, X etc.) and a commentary provided.

Facility type	Broad suitability	Comments
A Integrated resource recovery facilities / resource parks	✓✓✓	This is a relatively large site, so appropriate size wise, and would not be visually intrusive as it is not overlooked. There are sensitive receptors in the form of the golf course, park and residents but the site is of sufficient size to be able to locate a facility far enough away as to not create any significant adverse impacts on those sensitive receptors
B Major waste treatment facility (including thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment)	✓	Provided that the facility was appropriately situated on-site away from nearby housing and other sensitive receptors such as the school, a major treatment facility would be appropriate on this site. Given that it is an enclosed facility it is considered that use of the site as such would have a minimal impact on nearby sensitive receptors.
C Waste transfer	✓✓✓	It is a relatively large site, so appropriate size wise, and would not be visually intrusive as it is not overlooked. There are sensitive receptors in the form of the golf course, park and residents but the site is of sufficient size to be able to locate a facility far enough away as to not create any significant adverse impacts on those sensitive receptors
D Composting (including outdoor and indoor / in-vessel composting)	✓✓✓	The enclosed nature of an IVC facility and its compatibility with other commercial uses means that this site is appropriate for AD, with only very limited impacts on sensitive receptors from such a facility likely. Windrow composting may well be suitable at this location provided that this was situated at least 250 metres away from the nearest sensitive receptor to avoid issues with bioaerosols. There may be potential to use the compost produced from such a facility to improve the quality of the soil on site. However, the site would need to be assessed for habitat value first.

E Processing and recycling		Processing and recycling would be an acceptable use on this site provided that such a facility away from nearby sensitive receptors including housing.
Potential mitigation measures		
In light of the appraisal above, are there any potential mitigation measures which might be necessary for development on the site?	<p>There are a number of environmental and amenity issues facing this area, although it previously accommodated a sewage treatment works, has revegetated, contains a number of mature trees and is designated as a SINC. Incorporating appropriate boundary treatments / landscaping, protecting existing green infrastructure features, undertaking appropriate ecological surveys and creating replacement habitat are likely to be important mitigation measures.</p> <p>Mitigation measures would be required to protect the amenity of sensitive receptors including hours of working, noise and odour suppression.</p> <p>Consideration should also be given to the creation of an appropriate buffer between waste management facility and nearby sensitive receptors.</p> <p>Provision of an acceptable access of Orion Road Roundabout would be required.</p> <p>A contamination and ground stability appraisal would be required to assess potential impacts from the historic landfill within the area boundary.</p> <p>As parts of the area are at a medium risk of flooding, the completion of a suitable Flood Risk Assessment, and the incorporation of SuDS or other techniques to manage surface water runoff will be key mitigation measures. For any proposed development which involves an increase in built footprint within the modelled extent of the 1 in 100 chance in any year flood event, taking the impacts of climate change into account, or where the footprint has been moved into a deeper area of floodplain than the existing built footprint, floodplain compensation will need to be provided on a volume-for-volume and level-for- level basis.</p>	
Overall site performance		

Band A	Band B	Band C	Band D
<p>Band B</p> <p>Whilst there are a number of environmental and amenity issues facing this area including Site Specific Proposal 5 which requires development to be mitigated by improving the nature conservation value of the site. Invasive plant species have been found in abundance in the area, and given the historic uses, is likely to be contaminated. Partial redevelopment would therefore offer a way to remediate the area and improve the ecological value of the area. The area benefits from good access to the primary road network although as discussed above an improved access off the Orion Road roundabout would be necessary.</p> <p>Thermal Treatment facilities may be viable within the area but should only be considered if a Combined Heat and Power facility could be incorporated into the facility and linked up to a district heating system.</p> <p>The area has the potential to accommodate high-end waste management facilities including Anaerobic Digestion and In-Vessel Composting facilities and other enclosed facilities. Firern Barnet is of sufficient size to accommodate more than one facility, and is flexible enough to accommodate more than one type.</p>			
Should this site be taken forward for further consideration? Yes			

This page is intentionally left blank

Equality Impact Assessment

Pro Forma for the Initial Assessment

Name of the Document to be assessed:

North London Waste Plan (NLWP) Publication (Pre-Submission) Draft

Completed By:

Name:

Duncan McCorquodale

Position:

Associate Planning Consultant

Email:

duncan.mccorquodale@urbanvision.org.uk

Date Completed:

27.09.18

Signed off by:

Name:

Carolyn Williams

Position:

Group Leader (Minerals and Waste)

**Date signed off:
(approved)**

27.09.18

Date on which the document and EQIA is to be reviewed

Submission (Regulation 22)

1. Purpose of the EQIA

This Equalities Impact Assessment (EqIA) has been undertaken to investigate the implications of the emerging NLWP and complement the ongoing sustainability appraisal process.

The purpose of an EqIA is to ensure that policies and strategies do not discriminate against specific target groups and, where possible, contribute to improving the lives of local communities. It is a systematic process which considers the needs of each target group and is, in effect similar to undertaking a risk assessment.

It is a two stage process. The first stage is a screening stage of the assessment process. Screening identifies the positive and negative impact of the policy or strategy on the equality target groups and identifies gaps in knowledge. If any negative effects of high significance are identified then a more detailed second stage assessment will be undertaken focusing on the significant negative impacts and identifying possible mitigation scenarios. Consultation with stakeholders and members of the equality target groups is undertaken during both phases.

Legislation

Legislation relating to equality and diversity has been in existence for many years. Recently much of the existing equality legislation was brought together and strengthened under the Equality Act 2010¹. The Act sets out nine protected characteristics which cannot be used as a reason to treat people unfairly (these are listed in the appendix). The Act sets out the different ways in which it is unlawful to treat people such as direct and indirect discrimination, harassment and victimisation. The act prohibits unfair treatment in the workplace; when providing services; and exercising public functions. The act came into force on 1 October 2010.

The Public Sector Equality Duty commenced in April 2011, which requires public bodies to consider all individuals in shaping policy, delivering services, and in relation to their own employees. It requires public bodies to have regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people

¹ Further details available at the Equality and Human Rights Commission website (<https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty>)

2. Equality Target Groups

For the purpose of this assessment, the following equality areas have been considered:

Race

Disability

Gender including gender reassignment

Sexual Orientation

Religion and Belief

Age

Socio-economic

People who are pregnant or subject to maternity legislation

People with dependents and caring responsibilities

It is recognised however that many of these equality target groups may overlap and have similar needs and/or be subject to similar prejudices.

The target groups are based on those adopted in the regional guidance written by Transport for London (TfL) and the Greater London Authority (GLA) and other functional bodies. It also pays due regard to the Public Sector Equality Duty. The identified groups are also reflected in the available EqIA guidance of the London Borough's within the plan area. They are considered suitable to reflect the diverse population within the seven London Boroughs.

It is considered that the impacts and the benefits of waste management facilities are felt on a local, geographical basis. The analysis is therefore mainly a spatial one, concentrating especially on the geographical distribution of the above equality groups in North London. This analysis will help develop an understanding of whether the potential impacts of waste management facilities could be greater with regard to the equality groups.

3. The North London Waste Plan (NLWP)

The NLWP is at the Proposed Submission stage (Regulation 19). It has been prepared following consideration of responses received to the consultation on the draft NLWP (Regulation 18) which took place in 2015. Consultation on the draft NLWP provided an opportunity for stakeholders and communities to comment on the plan and proposed policies. A report on the outcomes of this consultation is available to view on the NLWP website².

Six two-part public consultation events were held from 2nd September to 11th September 2015 consisting of both facilitated afternoon workshops requiring registration and evening drop-in sessions. These took place in each North London Borough, with the exception of Islington which co-hosted a combined event in Camden close to the borough boundary and Enfield which held one evening drop in session due to lack of attendance at the afternoon workshop.

An additional meeting was scheduled in Hackney specifically concerning the suitability of the Theydon Road area identified in the previous consultation draft for the development of waste management facilities. The purpose of these events was to seek views from residents and interested parties on development management policies, sites and areas set out in the draft

Evidence gathering to inform the preparation of the NLWP has been underway since April 2013. The draft Plan consulted on in 2015 was accompanied by a number of evidence base documents and supporting work. In preparing the Proposed Submission Plan, updates have been undertaken to the data studies that provide the main body of evidence that has informed the approach set out in the Plan.

The Proposed Submission Plan is the version of the NLWP that the Boroughs intend to submit to the Secretary of State for examination. It is being published to allow the opportunity for stakeholders and communities to submit representations on the soundness and legal and procedural compliance of the Proposed Submission Plan.

Representations made during consultation on the Proposed Submission Plan will be considered and any proposed changes will be submitted to the Inspector for examination along with supporting documents.

² Further details available at the following website link <http://www.nlwp.net/>

Once the Plan is submitted, an independent Inspector will be appointed (on behalf of the Secretary of State) to examine whether the NLWP meets the required legal and soundness tests, including duty to co-operate and procedural requirements.

The aim of the North London Waste Plan (NLWP) is to: *“To achieve net self-sufficiency for LACW, C&I and C&D waste streams, including hazardous waste, and support a greener London by providing a planning framework that contributes to an integrated approach to management of materials further up the waste hierarchy. The NLWP will provide sufficient land for the sustainable development of waste facilities that are of the right type, in the right place and provided at the right time to enable the North London Boroughs to meet their waste management needs throughout the plan period”.*

The objectives of the draft NLWP are as follows:

- SO1. To support the movement of North London’s waste as far up the waste hierarchy as practicable, to ensure environmental and economic benefits are maximised by utilising waste as a resource:
Met through Policies 2, 4, 6, 7 and 8
- SO2. To ensure there is sufficient suitable land available to meet North London’s waste management needs and reduce the movements of waste through safeguarding existing sites and identifying locations for new waste facilities:
Met through Policies 1, 2, 3, 4, 7 and 8
- SO3. To plan for net self-sufficiency in LACW, C&I, C&D waste streams, including hazardous waste, by providing opportunities to manage as much as practicable of North London’s waste within the Plan area taking into account the amounts of waste apportioned to the Boroughs in the London Plan, and the requirements of the North London Waste Authority:
Met through Policies 1, 2, 3, 4, and 8
- SO4. To ensure that all waste developments meet high standards of design and build quality, and that the construction and operation of waste management facilities do not cause unacceptable harm to the amenity of local residents or the environment:

Met through Policy 5

SO5. To ensure the delivery of sustainable waste development within the Plan area through the integration of social, environmental and economic considerations:

Met through Policies 2, 5 and 7

SO6. To provide opportunities for North London to contribute to the development of a low carbon economy and decentralised energy:

Met through Policy 6

SO7. To support the use of sustainable forms of transport and minimise the impacts of waste movements including on climate change:

Met through Policy 5

SO8. To protect and, where possible, enhance North London's natural environment, biodiversity, cultural and historic environment:

Met through Policy 5

The NLWP sets out the planning framework for the management of North London's waste. The purpose of the plan is to ensure there will be adequate provision of waste management facilities of the right type, in the right place and at the right time up to 2035 to manage this waste.

Who defined the terms/scope of the document? (e.g. central or regional government/ Stakeholders/Consultation)

The broad scope for the NLWP is determined by Government Guidance in the National Planning Policy for Waste (NPPW), The National Planning Policy Framework, the Waste Management Plan for England and National Policy Statements for Waste Water and Hazardous Waste, and any successor documents. The scope is also defined by the Mayor's London Plan as Local Plan documents are required to be in general conformity with this.

The duty to co-operate was introduced by the Localism Act 2011. Local planning authorities are now required to formally co-operate with other local planning authorities and bodies prescribed in the Town and Country Planning (Local Planning) (England) Regulations 2012 on strategic matters. These are defined as matters relating to the sustainable development or use of land that would have

a significant impact on at least two local planning authorities or on a planning matter that falls within the remit of a county council, for example waste and minerals planning. The duty requires local planning authorities and other public bodies to engage constructively, actively and on an ongoing basis to develop strategic policies. Meeting the requirements of the duty to co-operate is a key part of the plan making process for the NLWP and the North London Boroughs are working closely with other waste planning authorities that are critical for the delivery of an effective waste strategy for North London.

In addition, the North London Boroughs are working closely with the London Legacy Development Corporation (LLDC) to plan for waste within the areas of Hackney and Waltham Forest which fall under the jurisdiction of the LLDC. An agreement for the working relationship between the North London Boroughs and the LLDC has been drawn up. This agreement, or Memorandum of Understanding, identifies the Sites and Areas suitable for waste within the Hackney and Waltham Forest parts of the LLDC area.

Engagement and consultation does not end with the duty to co-operate. The North London Boroughs are also seeking views from other bodies, organisations and residents throughout the plan-making process and the framework for this is set out in the NLWP Consultation Protocol. Other consultees include the Waste Disposal Authority (North London Waste Authority or NLWA). The NLWA is responsible for managing the waste collected by the north London boroughs, in particular household waste. The NLWP is required to ensure there is adequate provision for the disposal and recovery of this waste.

The policies within the NLWP have been developed in partnership with a number of consultees and stakeholders through consultation exercises and continued community involvement. Full details on the consultation process are available through the Consultation Report that accompanies the Proposed Submission Plan.

Is the document directed or influenced by another policy controlled by the Councils?

The North London Waste Plan (NLWP) will sit within the suite of local planning policy documents of each of the seven North London Boroughs and will also facilitate the delivery of the Joint Municipal Waste Management Strategy

(JMWMS) prepared by the North London Waste Authority (NLWA). Each of the seven Boroughs has an adopted Core Strategy or Local Plan in place containing an overarching policy on sustainable waste management. Each of these policies provides the local strategic policy for the development of the NLWP. The NLWP will provide the planning framework alongside detailed guidance for waste development across the seven Boroughs.

Are there any other Council services or external agencies who share responsibility for the document?

Who implements the policy and who is responsible for it?

- (i) the responsibilities which the Councils holds and
- (ii) the responsibilities held by other bodies (public, private or 'other')

Local Planning Authorities are responsible for monitoring the Plan and ensuring decisions on planning applications are made in line with the Waste Plan, their individual Local Plan and other Development Plan or Supplementary Planning Documents. Once adopted, the NLWP will form part of the Local Plan for each Borough.

Landowners have a role in putting forward suitable sites for waste management proposals.

The Waste industry has the role of initiating, constructing and operating sites for waste management in accordance with the NLWP.

The Environment Agency has role in regulating the operation of waste management developments in terms of regulating groundwater quality through abstraction and discharge permits, permitting waste sites and monitoring waste permits. They are also responsible for managing information on waste entering and leaving permitted sites.

The North London Waste Authority are responsible for managing the disposal of Local Authority Collected Waste (LACW) in North London.

4. Overview of the NLWP Area

Population

The area covered by the NLWP encompasses seven London Boroughs - Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest. The North London area is one of the most densely populated areas in the UK. Recent statistics³ show that the population has risen from 1.64 million in 2002 to an estimated 2.03 million in 2017 and that the population continues to grow at a rate above the national average.

All of the Boroughs saw an increase in population between 2002 and 2017. Population increases have varied from around 18.5% growth in Enfield to just over 30% in Hackney and Islington over the 25 year time period. The highest density is in the inner London boroughs of Islington, Hackney and Camden, closely followed by Haringey. Waltham Forest, Barnet and Enfield are the least densely populated of the North London Boroughs, however these Boroughs are substantially more densely populated than the rest of the country. Barnet and Enfield have a population density that is less than the average of London.

Hackney, Islington, Haringey, and Waltham Forest are ranked within the 30 most deprived areas in the country⁴. The indices of deprivation are based on income; employment; health and disability; education, skills and training; barriers to housing and services; living environment; and crime.

Ethnic Diversity

The latest survey data (2017) shows that the majority of people in the seven North London Boroughs gave their ethnic origin as White (Table 1). Five of the Boroughs had Asian populations above 10% with Barnet and Waltham Forest having the greatest percentage share. In terms of people identifying themselves as Black, five of the Boroughs had populations above 10% with Hackney and Waltham Forest featuring the greatest proportions⁵.

³ Office for National Statistics – Mid Year Population Estimates (2017)

⁴ MHCLG Indices of Deprivation (2015) <https://data.london.gov.uk/dataset/indices-of-deprivation-2015>

⁵ Data from Office for National Statistics Annual Population Survey (<https://data.london.gov.uk/dataset/ethnic-groups-borough>)

Table 1 – Ethnicity

Borough	White	Asian	Black	Mixed/ Other	Total
Barnet	68.7%	14.9%	3.6%	12.8%	100%
Camden	62.4%	12.8%	8.8%	16.0%	100%
Enfield	64.6%	12.2%	14.0%	9.2%	100%
Hackney	54.5%	10.5%	17.3%	17.7%	100%
Haringey	66.9%	6.8%	14.4%	11.9%	100%
Islington	64.5%	7.7%	11.1%	16.7%	100%
Waltham Forest	56.0%	14.8%	16.2%	13.4%	100%

Source: Office for National Statistics Annual Population Survey

Religion

The Christian faith is the highest represented faith in all of the seven North London Boroughs. In Barnet, the second most popular faith is Jewish but in all the other boroughs, the Muslim faith represents the second highest faith group⁶.

Health

Life expectancy for females across the seven North London Boroughs is higher than the average for England based on statistics for a rolling average over the period 2012-2014⁷. For males living in Barnet, Enfield, Camden and Haringey, life expectancy is higher than the average for England.

Disability

In the UK it is thought that approximately 15% of the population could be defined as Disabled under the Disability Discrimination Act. A limiting long term illness incorporates health problems and disabilities which limit daily activities. Table 2 below shows the number of people with Long-Term Health problems or Disability nationally, within London and within the seven North London Boroughs.

⁶ Data from Census (2011) <https://data.london.gov.uk/dataset/percentage-population-religion-borough>

⁷ Office for National Statistics <https://data.london.gov.uk/dataset/life-expectancy-birth-and-age-65-borough>

Table 2: People with a Long-Term Health Problem or Disability ⁸

	Day-to-day activities limited a lot	Day-to-day activities limited a little	Day-to-day activities not limited
	Persons	Persons	Persons
	Percentage	Percentage	Percentage
Camden	7.0	7.4	85.6
Hackney	7.3	7.2	85.5
Haringey	6.8	7.2	86.0
Islington	8.0	7.6	84.3
Barnet	6.6	7.4	86.0
Enfield	7.3	8.1	84.6
Waltham Forest	6.9	7.6	85.4
London	6.7	6.9	86.4

Source: Census (2011)

Age

London has lower proportions of older age groups than average across the UK, a trend that has continued since 2001. This is because the people who have moved into London over the last few decades have tended to be young people, whilst those that have moved out have tended to be people reaching retirement. Although the number of persons aged 65 and over in London increased slightly from 892,000 in 2001 to 905,000 in 2011, the proportion of persons aged 65 and over made up only 11.1 per cent of London's population in 2011 (down from 12.4 per cent in 2001). So, although the older population is growing, it is growing at a slower rate to the other age groups and in relative terms makes up a smaller proportion of the total.

Table 3 below shows the average median age for the seven North London Borough's over the time period mid-2001 to mid-2017⁹. The table demonstrates that all of the seven North London Boroughs have younger age profile compared to England; and with the exception of Barnet and Hackney, exhibit a median age lower than the average for London as a whole.

⁸ Data from Census (2011) <https://data.london.gov.uk/dataset/2011-census-health-care>

⁹ Office for National Statistics – Mid Year Population Estimates (2017)

Table 3: Average Median Age (mid 2001 – mid 2017)

Borough	Average Median Age (years)	
	Mid 2017	Mid 2001
Barnet	36.8	35.4
Camden	34.0	32.4
Hackney	35.8	35.6
Haringey	32.7	31.6
Islington	35.0	32.4
Enfield	32.1	32.7
Waltham Forest	34.5	33.2
London	35.1	34.0
England	39.8	37.8

Source: ONS Mid-Year Estimates (2017)

Table 4 sets out the resident population of the north London Boroughs by broad age band in % along with the national and regional averages¹⁰.

Table 4: resident population by broad age band in %

	0-15 years	16-24 years	25-49 years	50-64 years	65+ years
Camden	17.5%	12.9%	43.6%	14.2%	11.9%
Hackney	20.8%	9.8%	49.3%	12.7%	7.4%
Haringey	20.1%	10.5%	44.2%	15.4%	9.8%
Islington	16.0%	14.7%	47.2%	13.3%	8.8%
Barnet	21.4%	9.8%	38.3%	16.3%	14.2%
Enfield	22.8%	10.5%	36.7%	17.0%	13.0%
Waltham Forest	22.1%	10.0%	42.3%	15.2%	10.5%
London	20.5%	10.5%	41.5%	15.7%	11.8%

Source: ONS Mid-Year Estimates (2017)

Employment

Waltham Forest and Islington have the highest levels in terms of employment rate amongst those persons aged 16 to 64 (Table 5). Both are higher than the rate for England and London as a whole. Conversely, Hackney, Haringey, Enfield and Camden have lower employment rates for the 16-64 year olds compared to the average for London.

¹⁰ Office for National Statistics – Mid Year Population Estimates (2017)

Table 5: Employment Rate (16-64 year olds) 2004 - 2017

	2004	2017
Barnet	70.5	74.9
Camden	67.8	66.4
Enfield	69.4	68.7
Hackney	56.1	73.1
Haringey	57.6	68.0
Islington	62.7	77.0
Waltham Forest	62.1	78.1
London	68.1	74.0
England	72.8	75.1

Source: ONS, Annual Population Survey

5. Who is Likely to be affected by the NLWP

Waste affects most people's lives in some way. Waste is produced by residents, communities and businesses and the NLWP intends to plan for dealing with this waste. The NLWP is a strategic level document that is concerned with strategic waste planning policies and the identification of sites based on planning merit. It is primarily concerned with the type and quantum of waste generated in the plan area and the land and facilities to manage it.

Existing waste management sites form an important part of the strategic waste plan for north London and are safeguarded for waste use through NLWP Policy 1. These sites have developed over decades outside of a strategic plan for waste, and in locations which may have been suitable for waste uses but which did not create an even geographical spread across North London. Most of the existing sites are to the east of the area in the Lee Valley corridor.

The NLWP is underpinned by an aim to achieve net self-sufficiency for LACW, C&I, C&D waste streams, including hazardous waste. This will be achieved by identifying enough land in North London suitable for the development of waste management facilities to manage the equivalent of 100% of this waste arising in North London. The objective is to reduce movements of waste, including waste exports, and increase the amount of waste managed in proximity to its source.

As well as the existing waste sites, the NLWP identifies a number of areas to meet future waste needs throughout the Plan period to 2035 and these have equal status in the delivery of the NLWP. The areas identified can comprise a number of individual plots of land, for example, an industrial estate or

employment area that are in principle suitable for waste use but where land is not safeguarded for waste. There are three specific reasons for following this approach. The (NPPW) and draft London Plan endorse the identification of “sites and/or areas” in Local Plans. The National Planning Practice Guidance (NPPG) adds that waste planning authorities in London will need to “plan for the delivery of sites and areas suitable for waste management”.

In preparing the Proposed Submission version of the NLWP, and deciding which sites and areas to take forward, the North London Boroughs took into account a number of factors including national and regional policy, the aims of the NLWP and consultation responses on the Draft Plan, including issues raised around deliverability and other constraints. Further work was undertaken to gather and assess any additional information on the proposed sites and areas received during the consultation or as a result of new data being published.

The North London Boroughs developed a range of reasonable options for managing North London’s waste leading to the selection of the preferred strategy. The scenarios considered looked at a range of options for recycling from maintaining the status quo to seeking to maximise opportunities for recycling in line with the targets set out in the Proposed Submission version of the Plan, the latter option being the most popular option and taken forward. An Options Appraisal Report (2018) has been prepared which provides more detail on each of the options considered and provides information on the different scenarios including how much waste would be generated over the plan period (incorporating economic and population growth assumptions), how much waste could be managed within North London (capacity strategy), and how this waste should be managed (management strategy) for each of the options considered.

Any potential use listed within the NLWP as potentially suitable within the areas has been subject to consideration against the full suite of relevant planning policies/guidance as outlined in the NLWP and will be assessed with regards to local circumstances as part of the planning application process.

The area selection process also took into account the proximity of sensitive receptors (such as schools and hospitals), thereby helping to minimise the impact on vulnerable sections of the community. Implementation of the policies and proposals should not lead to unacceptable adverse effects on different communities.

The majority of the areas are located to the east of the area in the Lee Valley

corridor. This reflects the nature of boroughs which vary throughout North London with some boroughs better equipped to deliver suitable waste sites/areas than others. The geography of North London clearly influences the spread of waste sites. For example, some areas such as the green belt in the north are unsuitable for built waste facilities, while larger and co-located facilities are likely located at sites away from urban centres and sensitive receptors.

The areas being put forward are therefore considered to be in the most suitable, sustainable and deliverable locations in North London for new waste management facilities when assessed against the environmental, economic and social factors and the spatial strategy.

Policies are also proposed in the Plan. All planning applications for waste uses will be assessed against the NLWP policies and other relevant policies in the development plan and any associated Supplementary Documents (SPDs)/guidance. Any proposals for waste development will be expected to take account of the full suite of relevant policies and guidance. The policies have been developed with reference to regional and local policies as well as national policy and guidance, in particular the National Planning Policy Framework (NPPF), National Planning Policy for Waste (NPPW) and National Planning Practice Guidance (NPPG).

The policies will help deliver the NLWP's aim and objectives, spatial strategy and the Provision for North London's Waste to 2035. The policies are:

- Policy 1: Existing waste management sites
- Policy 2: Locations for new waste management facilities
- Policy 3: Windfall Sites
- Policy 4: Re-use & Recycling Centres
- Policy 5: Assessment Criteria for waste management facilities and related development
- Policy 6: Energy Recovery and Decentralised Energy
- Policy 7: Waste Water Treatment Works and Sewage Plant
- Policy 8: Control of Inert Waste

Consideration has also been given to the environmental, economic and social objectives of the Plan through the Sustainability Appraisal process. This has ensured that there is no preference to, or neglect of, any specific groups as part of the Plan process.

It is considered that the following groups/individuals will benefit from the NLWP:

- Local communities living within the seven North London Boroughs as producers of waste;
- Local communities living outside of the seven North London Boroughs through protection of amenity, protection of the existing environment and through improvements to the environment and through greater provision leading to net self sufficiency;
- The Waste Industry through better information as to which proposals would be approved, as the Plan is intended to guide development; and
- Businesses and job seekers at both construction and end user stages of waste development.

What factors could contribute / detract from the outcomes?

The main factor is a potential lack of implementation of the approach set out in the Plan. Progress of the NLWP will be monitored annually. This will highlight the performance of all policies and allocations and include recommended actions where targets are not met.

6. Initial Screening Form (ISF)

Equality Strand	Differential Impact - Please justify and explain your answer 'YES' or 'NO' Please state any National/Local evidence including any previous or new consultation undertaken to support and justify your claims around differential impacts. If there is limited evidence we strongly recommend undertaking consultation Please note – if you identify a differential impact it may be advantageous to discuss whether this impact is also negative and record your findings in the next box If no differential impact is identified there will be NO negative impact	Negative Impact - Please justify and explain your answer 'YES' or 'NO' This can include research, evidence, and, or consultation undertaken when identifying differential impacts.	Can the negative impact be reduced on the grounds of promoting equality of opportunity for another group or for any other reason? When the answer is 'YES', there is a negative impact against one of the equality strands, please explain whether this negative impact can be reduced on the grounds of promoting equality of opportunity for another group or for any other reason?
Race	No A wide selection of community groups live within the urban areas, therefore the allocation of waste management sites in the proposed locations does not discriminate against any particular section of the community. The selection of proposed areas for potential waste facilities has taken into account the proximity of sensitive receptors (such as schools and hospitals), thereby helping to minimise the impact on vulnerable sections of the community. Therefore implementation of the policies and proposals should not lead to unacceptable adverse effects on different communities. Waste facilities can also provide employment opportunities both during construction and operation phase, which may be beneficial to all target groups in all Boroughs. The consultations throughout the development of the NLWP have gathered the views of the local community and other relevant stakeholders. Documents have been made as widely available as possible to enable all sectors of the community to comment. Comments were received about the draft Plan (Regulation 18 Stage) that noted the proximity of certain proposed sites and areas to residential areas. These focussed on the general aspect of concerns about waste management facilities and their perceived impact on residential areas and did not highlight any specific equality issues.	No	N/A

Disability	<p>No</p> <p>A wide selection of community groups live within the urban areas, therefore the allocation of waste management sites in the proposed locations does not discriminate against any particular section of the community. The selection of proposed areas for potential waste facilities has taken into account the proximity of sensitive receptors (such as schools and hospitals), thereby helping to minimise the impact on vulnerable sections of the community. Therefore implementation of the policies and proposals should not lead to unacceptable adverse effects on different communities.</p> <p>Waste facilities can also provide employment opportunities both during construction and operation phase, which may be beneficial to all target groups in all Boroughs.</p> <p>The consultations throughout the development of the NLWP have gathered the views of the local community and other relevant stakeholders. Documents have been made as widely available as possible to enable all sectors of the community to comment. Comments were received about the draft Plan (Regulation 18 Stage) that noted the proximity of certain proposed sites and areas to residential areas. These focussed on the general aspect of concerns about waste management facilities and their perceived impact on residential areas and did not highlight any specific equality issues.</p>	<p>No</p>	<p>N/A</p>
Gender (including gender reassignment)	<p>No</p> <p>A wide selection of community groups live within the urban areas, therefore the allocation of waste management sites in the proposed locations does not discriminate against any particular section of the community. The selection of proposed areas for potential waste facilities has taken into account the proximity of sensitive receptors (such as schools and hospitals), thereby helping to minimise the impact on vulnerable sections of the community. Therefore implementation of the policies and proposals should not lead to unacceptable adverse effects on different communities.</p> <p>Waste facilities can also provide employment opportunities both during construction and operation phase, which may be beneficial to all target groups in all Boroughs.</p> <p>The consultations throughout the development of the NLWP have gathered the views of the local community and other relevant stakeholders. Documents have been made as widely available as possible to enable all sectors of the community to comment. Comments were received about the draft Plan (Regulation 18 Stage) that noted the proximity of certain proposed sites and areas to residential areas. These focussed on the general aspect of concerns about waste management facilities and their perceived impact on residential areas and did not highlight any specific equality issues.</p>	<p>No</p>	<p>N/A</p>

Sexual Orientation	<p>No</p> <p>A wide selection of community groups live within the urban areas, therefore the allocation of waste management sites in the proposed locations does not discriminate against any particular section of the community. The selection of proposed areas for potential waste facilities has taken into account the proximity of sensitive receptors (such as schools and hospitals), thereby helping to minimise the impact on vulnerable sections of the community. Therefore implementation of the policies and proposals should not lead to unacceptable adverse effects on different communities.</p> <p>Waste facilities can also provide employment opportunities both during construction and operation phase, which may be beneficial to all target groups in all Boroughs.</p> <p>The consultations throughout the development of the NLWP have gathered the views of the local community and other relevant stakeholders. Documents have been made as widely available as possible to enable all sectors of the community to comment. Comments were received about the draft Plan (Regulation 18 Stage) that noted the proximity of certain proposed sites and areas to residential areas. These focussed on the general aspect of concerns about waste management facilities and their perceived impact on residential areas and did not highlight any specific equality issues.</p>	<p>No</p>	<p>N/A</p>
Religion and Belief	<p>No</p> <p>A wide selection of community groups live within the urban areas, therefore the allocation of waste management sites in the proposed locations does not discriminate against any particular section of the community. The selection of proposed areas for potential waste facilities has taken into account the proximity of sensitive receptors (such as schools and hospitals), thereby helping to minimise the impact on vulnerable sections of the community. Therefore implementation of the policies and proposals should not lead to unacceptable adverse effects on different communities.</p> <p>Waste facilities can also provide employment opportunities both during construction and operation phase, which may be beneficial to all target groups in all Boroughs.</p> <p>The consultations throughout the development of the NLWP have gathered the views of the local community and other relevant stakeholders. Documents have been made as widely available as possible to enable all sectors of the community to comment. Comments were received about the draft Plan (Regulation 18 Stage) that noted the proximity of certain proposed sites and areas to residential areas. These focussed on the general aspect of concerns about waste management facilities and their perceived impact on residential areas and did not highlight any specific equality issues.</p>	<p>No</p>	<p>N/A</p>

Age	No <p>A wide selection of community groups live within the urban areas, therefore the allocation of waste management sites in the proposed locations does not discriminate against any particular age groups. The selection of proposed areas for potential waste facilities has taken into account the proximity of sensitive receptors (such as schools and hospitals), thereby helping to minimise the impact on vulnerable sections of the community. Therefore implementation of the policies and proposals should not lead to unacceptable adverse effects on different communities.</p> <p>Waste facilities can also provide employment opportunities both during construction and operation phase, which may be beneficial to all target groups in all Boroughs.</p> <p>The consultations throughout the development of the NLWP have gathered the views of the local community and other relevant stakeholders. Documents have been made as widely available as possible to enable all sectors of the community to comment. Comments were received about the draft Plan (Regulation 18 Stage) that noted the proximity of certain proposed sites and areas to residential areas. These focussed on the general aspect of concerns about waste management facilities and their perceived impact on residential areas and did not highlight any specific equality issues.</p>	No	N/A
------------	---	-----------	------------

Socio-economic	<p>No</p> <p>A wide selection of community groups live within the urban areas, therefore the allocation of waste management sites in the proposed locations does not discriminate against any particular socio-economic groups. The selection of proposed areas for potential waste facilities has taken into account the proximity of sensitive receptors (such as schools and hospitals), thereby helping to minimise the impact on vulnerable sections of the community. Therefore implementation of the policies and proposals should not lead to unacceptable adverse effects on different communities.</p> <p>Waste facilities can also provide employment opportunities both during construction and operation phase, which may be beneficial to all target groups in all Boroughs. The main opportunity of a new waste management facility is to contribute to the urban regeneration of an area. In particular, facilities can stimulate the local economy by creating markets and providing heat from the waste to the local community and local businesses. Sustainability Objective 1 seeks to protect people health, communities and local environmental quality from the adverse effects of waste management facilities which may help improve health inequalities and multiple deprivation.</p> <p>The consultations throughout the development of the NLWP have gathered the views of the local community and other relevant stakeholders. Documents have been made as widely available as possible to enable all sectors of the community to comment. Comments were received about the draft Plan (Regulation 18 Stage) that noted the proximity of certain proposed sites and areas to residential areas. These focussed on the general aspect of concerns about waste management facilities and their perceived impact on residential areas and did not highlight any specific equality issues.</p>	<p>No</p>	<p>N/A</p>
-----------------------	---	------------------	-------------------

<p>People who are pregnant or subject to maternity legislation</p>	<p>No</p> <p>A wide selection of community groups live within the urban areas, therefore the allocation of waste management sites in the proposed locations does not discriminate against any particular socio-economic groups. The selection of proposed areas for potential waste facilities has taken into account the proximity of sensitive receptors (such as schools and hospitals), thereby helping to minimise the impact on vulnerable sections of the community. Therefore implementation of the policies and proposals should not lead to unacceptable adverse effects on different communities.</p> <p>Waste facilities can also provide employment opportunities both during construction and operation phase, which may be beneficial to all target groups in all Boroughs</p> <p>Sustainability Objective 10 relates to protecting improving air, water and soil quality which may have particular benefits for pregnant members of the community.</p> <p>The consultations throughout the development of the NLWP have gathered the views of the local community and other relevant stakeholders. Documents have been made as widely available as possible to enable all sectors of the community to comment. Comments were received about the draft Plan (Regulation 18 Stage) that noted the proximity of certain proposed sites and areas to residential areas. These focussed on the general aspect of concerns about waste management facilities and their perceived impact on residential areas and did not highlight any specific equality issues.</p>	<p>No</p>	<p>N/A</p>
---	---	------------------	-------------------

People with dependents and caring responsibilities	<p>No</p> <p>A wide selection of community groups live within the urban areas, therefore the allocation of waste management sites in the proposed locations does not discriminate against any particular groups. The selection of proposed areas for potential waste facilities has taken into account the proximity of sensitive receptors (such as schools and hospitals), thereby helping to minimise the impact on vulnerable sections of the community. Therefore implementation of the policies and proposals should not lead to unacceptable adverse effects on different communities.</p> <p>Waste facilities can also provide employment opportunities both during construction and operation phase, which may be beneficial to all target groups in all Boroughs.</p> <p>The consultations throughout the development of the NLWP are designed to gather the views of the local community and other relevant stakeholders. The contribution of different groups will be monitored through consultation responses. Documents are being made as widely available as possible. Comments were received about the draft Plan (Regulation 18 Stage) that noted the proximity of certain proposed sites and areas to residential areas. These focussed on the general aspect of concerns about waste management facilities and their perceived impact on residential areas and did not highlight any specific equality issues.</p>	<p>No</p>	<p>N/A</p>
---	--	------------------	-------------------

Taking into account the views of the groups/experts, and the available evidence or any consultation undertaken - Please clearly evidence how the EIA has influenced any changes to the document.

N/A as no differential/ negative impacts were identified

As a result of these conclusions what actions (if any) will be included in your business planning and wider review processes?

N/A as no differential/ negative impacts were identified

7. Equality Monitoring

Legal duties require the Councils to monitor its policies for any adverse impacts on promoting race, gender and disability equality and to **publish the results of this monitoring**. In anticipation of emerging legal duties the Councils are extending this monitoring requirement in order to examine differential impacts in the areas of: age, sexual orientation, religion and belief and carers.

What performance indicators (if any) will be used to monitor the impact of the document on relevant groups?

The NLWP will be monitored during implementation. Monitoring is crucial to the successful delivery of the spatial vision and objectives of the Plan and will be undertaken on a continuous basis. The proposed monitoring indicators reflect the statutory and non-statutory performance targets including those set by the EU, the Waste Policy for England and the London Plan. The list of indicators is not intended to be exhaustive and is intentionally focused on parameters where it is possible to evaluate the effect of the NLWP in isolation. Proposed monitoring indicators are included in the NLWP. Monitoring data will be collected annually.

It is also proposed that the Waste Data Study (the comparison of available capacity with current and future waste management needs) that informs the NLWP should be updated every two years as a further systematic check on progress.

Please state clearly what monitoring systems have been used to date and/or will be used to measure the impact of the document on relevant groups.

The NLWP contains an implementation and monitoring section which sets indicators and targets to monitor the effectiveness of the policies. Responsibility for monitoring lies with the individual Boroughs. The finalised monitoring arrangements will be designed to provide information that can be used to highlight specific performance issues and significant effects. Monitoring will lead to more informed decision-making and provide a useful source of baseline information for future Local Plan Documents.

Please clearly state how often and where you will publish the results of monitoring.

The outcomes of monitoring will be set out within the individual Borough's Annual Monitoring Report which are published and placed on the individual Council's website.

Do the conclusions and evidence in the initial EIA suggest a more detailed, i.e. Full EIA is required?

Yes ☐ No ☒

Please explain:

No differential/negative impacts have been identified and therefore a full EIA is not required.

Stephen Brice
Chair PWA

Date: 10 January 2019

Your ref:

By email to sb.sacco@gmail.com and
eiblin1@btinternet.com

Our ref: LEG/PP/60082/BXB

Direct dial: 020 8489 4631

Email: Ben.Burgerman@haringey.gov.uk

Dear Mr Brice

Regulation 19 Submission NLWP (Pinkham Way site)

Thank you for your letter dated 11 December 2018 addressed to the Monitoring Officer and also copied to the Chief Executive and all Cabinet and Overview and Scrutiny Members.

In your letter in point 3 you suggest that there has been a pattern of concealment and misrepresentation about the site's true planning status, the extent of the representations received and the openness and transparency of the process. In my assessment that is neither an accurate nor a fair assessment.

The officers responsible for the regulation 19 submission of the NLWP have considered the points raised in the rest of your letter, and the response to your points raised is set out below where a response was requested. They are numbered in accordance with the numbering in your letter.

5. Please let us know what arrangements the Council has put in place to deal with the acknowledged conflict of interest between the roles of NLWA member and the role of Haringey Councillor, particularly where a Cabinet member is involved. You may recall that you advised us in December 2012 that "their duty as a member of NLWA is to that body and not to their constituent council and vice-versa".

Councillors are aware of the requirements of their role and will be given appropriate advice on complying with their duties.

Regulatory Committee report 18 October

7. The report to the Regulatory Committee on 18 October comprised two scant paragraphs about the NLWP process and a two and a half line recommendation that the committee "notes the contents of the NLWP and associated documented (sic) in the appendices and puts forward any comments for consideration at Cabinet". That was the only reference to the bundle of 328 pages attached - without even an index.

The draft cabinet report was appended to the Regulatory Committee covering report and this report contains 5 pages specifically addressing the background to the plan, results of consultation, how that changed the draft plan, the revised policy context and the content of the plan and the revised timetable. Further, the report is the covering report to the document and other supporting documentation. As such it is not appropriate or necessary to repeat everything contained within the supporting documentation. For clarity the document and supporting information is what the members are asked to consider, and not to give approval to the covering report or the Regulatory Committee covering report.

9. Had it not been for the information that PWA provided to Members before and during the Regulatory Committee meeting, the degree of omissions and misleading information was such that the committee would not have been in a position to come to its decision to recommend that the site be removed from the Reg 19 NLWP.

The report must be read with the draft plan and the supporting documentation. When read in context, there was nothing materially misleading and any inadvertent errors have been picked up in the revised Cabinet report.

Draft Cabinet report for 13 November 2018

11. The draft Cabinet report attached to the Regulatory Committee papers was a disgrace, not only omitting or misrepresenting important information about the Pinkham Way site but containing falsified figures and tables from the NLWP document. We should be grateful if you could explain why the Cabinet draft report was signed off by the Director of Housing Regeneration and Planning, and on your behalf, by Mr Burgerman, when it contained so much misleading information. See Appendix 1 paragraphs 5.23 and 5.26 and 5.31 and Appendices 1(A) and 1(B).

The report is written to an informed readership who know that it is to be read with the draft plan and the supporting documents. These include the site/area assessments which set out all the relevant site specific information. It is not the function of the report to rehearse the detail of the history of all areas for new waste management facilities or the number or detail of all the representations received. That is neither necessary nor appropriate when resolving to publish a pre-submission plan. We acknowledge that there was a mistake with some of the figures on the tables and these have been corrected. Officers did not falsify information this was a genuine error for which we apologise.

12. The Report contained no reference to the Pinkham Way site issues or to the fact that the majority of Reg 18 representations received about the proposed areas and sites in the plan came from Pinkham Way supporters (1,067) and others opposed to Pinkham Way's inclusion in the NLWP. (see our comments in Appendix 1 para 5.5 and 5.8)

See response to point 3 above

13. The lack of relevant information and the distortion of information in the report is insupportable. The Council's Appendix 8 attached to the agenda papers

Haringey Council | Legal Services
7th Floor, Alexandra House
10 Station Road, Wood Green
London N22 7TR
DX: 156930 Wood Green 5
T 020 8489 0000

purports to show the Council's response to comments received during the Reg 18 Consultation. However there is no information in it about the extensive comments received showing why the inclusion of Pinkham Way is not justified.

The report must be read in the context of the draft plan and the supporting evidence base. This includes the site/area assessments where all the relevant detail in terms of the sites/areas is summarised. This includes consideration of all of the issues raised by PWA.

Appendix 8 is required only to provide a summary of the main issues raised by the representations and how these have been taken into account which it does. It is not a requirement that individual objections are identified, summarised and responded to.

14. The only reference to Pinkham Way is on page 6 of the said Appendix 8 which states that 'the site was put forward by the NLWA for delivery of the NLWA's Waste Strategy' and this is followed by the Council's justification for including the site "Following the NLWP site assessment, it is considered as suitable for waste management and is in the list of new areas under policy 2".

Your assertion is correct the site was independently assessed for its suitability for waste in the context of the assessment of all suitable waste sites across North London. The conclusion to this is the stated position that the site is suitable for waste management.

15. There is no Waste Management Strategy. The Council and the NLWP officers know this and acknowledged this in a response to those who commented on the Sustainability Assessment in January 2016 stating that 'The absence of an up-to-date Joint Waste Management Strategy is acknowledged this is an issue for the plan preparation process...' Why is the Council insisting on pretending one exists?

There is a waste management strategy and it can be accessed on the following link - <http://www.nlwa.gov.uk/media/1755/north-london-joint-waste-strategy.pdf> It is acknowledged that this strategy was adopted in 2009 however it remains extant. The reference to the strategy must be read in its full context. The Waste Strategy is not the reason the site is identified in the submission draft. It is the reason why it was put forward by NLWA in the call for sites. Since then, it has been independently assessed and the issue of the need for waste management facilities has been re-visited as part of the preparation of the pre-submission draft. The area is part of the strategy to address the capacity gap which is why it is identified.

16. Andrew Dismore, London Assembly member for Barnet and Camden, also responded to the Reg 18 consultation and amongst many points he made was the very relevant point about the dangers of including the Pinkham Way site as an Area "Sites" are "safeguarded for waste use" 'Areas' on the other hand are not safeguarded in the NLWP. It would be difficult to oppose a planning application for a waste use if the site is already found 'suitable' for that use. By not "safeguarding it" the planners are ensuring that it can be offered as a replacement site if there is a wish to relocate an existing waste facility. A site that is not safeguarded would have potential as a replacement site. To protect the site from development as a waste use Pinkham Way must be removed from the draft plan altogether'.

Haringey Council | Legal Services
7th Floor, Alexandra House
10 Station Road, Wood Green
London N22 7TR
DX: 156930 Wood Green 5
T 020 8489 0000

The area has been assessed as suitable for waste management use provided that this is undertaken sensitively. It is needed as to ensure that adequate provision will be made to meet the need for waste management facilities and, therefore there is no justification for its removal from the plan. All the issues raised by PWA have been considered in the including the area in the draft plan.

17. We can find no reference to this in the report or any other document and no comment from the Council about its view on the unnecessary exposure of the Grade 1 SINC in the NLWP as currently constructed. Members should be aware of this danger to the site before making a decision to include it.

The designations and decisions thereon were taken in identifying the site within the Strategic policies of the Local Plan. The Council has always held the view that that development on a portion of the site could be acceptable where this assisted with the management of the SINC. The assessment of the site for the Waste Local Plan has considered all relevant designations including the SINC and found a waste use not to be incompatible or undeliverable due to these designations.

Dual 'Employment Land' designation no longer credible

20. The Pinkham Way site is a green open space covered mainly in woodland. It was designated Grade 2 SINC of local value in 1979 and was upgraded to Grade 1 SINC of Borough-wide value in 1998. Part of the site is designated MOL and part Ecological Corridor. For almost 40 years therefore, the site has been fulfilling its designated planning purpose as a nature conservation site. Nature has completely reclaimed the site, which is the reason why it is excluded from the definition of PDL/brownfield land (NPPF and London Plan).
21. The Employment Land designation was added in 1999, creating the only dual SINC/Employment designated site in the UK. Not once in the 19 years since then has it been used for employment. The Council has been advised by its consultants that the site is undeliverable. The last Planning Inspector advised that the EL designation is not in line with national planning policy. The Employment designation is no longer credible, let alone justified.

The NLWP is not the place to seek to challenge the employment area designation of the area. That is settled by the strategic policies and the Site Allocations DPD. The only issue for the NLWP is whether the identification of the site for waste management purposes is sound. Whilst the policy designation of the site is relevant, it has not been determinative in the selection of the site. The site is under-used urban land of some local nature conservation value worthy of designation as a SINC. Against this must be weighed the sub-regional need for additional waste management facilities.

22. In October 2014 GVA carried out a viability assessment of the site and advised that it was not viable for employment use. In February 2015, following an Employment Land review, Atkins advised the Council that it was unlikely the site would be brought forward for employment during the plan period because of its isolated location and contaminated state and emphasised to the Council the

need for 'a supply of good quality, well located employment sites'. None of this appears in any of the reports to Members. See Appendix 1 paras 5.13 and 5.16.

In 2014 the Council commissioned GVA to conduct a viability study on key sites and this study concluded that the remediation cost impacted heavily on site viability on the PW site. However, viability & therein residual land value, is not a relevant factor in 'deliverability' when it is the existing landowner, the NLWA, intending to bring forward and operate any new development proposed for this site. In this respect, the site is considered deliverable in a planning context. The sites suitability for waste management provision has been the subject of detailed assessment through the NLWP, which concludes that the area is of sufficient size, has good access provided that an acceptable entrance/exit point could be made off the Orion Road roundabout, to enable robust boundary treatment to provide a buffer zone to the nearest residential properties, the park and the golf course; The area is suitable for a wide range of waste management uses and, through a legal agreement, could provide an opportunity to decontaminate the area and enhance biodiversity.

Haringey's Employment Land Review 2016 assessment of the site was in respect of the wider range of employment uses for the site. In this respect, it treated its isolation as a negative factor, whereas this is a significant positive benefit of the site in respect of its potential for waste management use. The employment land review was focused on evidenced demand for B class employment floorspace, and so waste uses were not specifically assessed.

23.NLWA has no plans to develop the Pinkham Way site for waste management and there is no current Waste Management Strategy – why is it in the plan?

See reply to point 15

24.In January 2016 during the Reg 18 Consultations, the NLWA advised the Council that '... Assuming that the Authority can secure planning permission for suitable residual waste management facilities at the Edmonton EcoPark site it now has no immediate plans to develop the Pinkham Way site in Haringey for such use. However, Pinkham Way will remain an asset for the North London Waste Authority due to its strategic location and planning designation as an employment site'.

25.In August 2016, during the EiP of the Site Allocations DPD, the NLWA confirmed it had received the requisite planning permission for the Edmonton EcoPark and that it had no plans to develop Pinkham Way site. At the same hearing, the Council admitted that the site would not be required for the Council's employment needs over the plan period and the Inspector insisted that the Pinkham Way site should be removed from the SADPD.

While the DCO has been granted for the Edmonton EcoPark site, the constituent boroughs are yet to agree to substantial cost of the redevelopment. The need for the identification of areas for waste management uses is set out in the draft NLWP and the Frien Barnet Sewage Works site is still required. In particular it may be required to manage north London's waste needs, should the Edmonton redevelopment not take place.. It should also be noted that the Inspector did insist that the site be removed from the SADPD but that was because there

Haringey Council | Legal Services
7th Floor, Alexandra House
10 Station Road, Wood Green
London N22 7TR
DX: 156930 Wood Green 5
T 020 8489 0000

was no prospect of it coming forward for employment use in the plan period. Its designation for potential waste use is a separate issue.

26.The Inspector commented on the persistence of the campaign surrounding the site's use, "The site is now of nature conservation importance and the subject of a long campaign by local residents to remove the employment designation. The [National Planning] Framework, at paragraph 22, advises that Councils should avoid the long-term protection of sites allocated for employment use where there is no reasonable prospect of employment." The inclusion of the site in the NLWP on the basis that it might be available for some type of waste use at some time in the future is no justification for retention of the Employment designation. The inclusion of the site in the NLWP is dependent solely on its Employment designation and that designation is no longer credible.

The NLWP is not the place to seek to challenge the employment area designation of the Site which is, in any event, not determinative of the identification of the site for waste management uses. The site scores highly on the site selection appraisal for numerous other reasons including its access to the primary road network, and its buffer to any residential or sensitive receptors. It is in the control of the NLWA and therefore available for waste uses.

29.Before making a decision about whether to include Pinkham Way in the NLWP or otherwise, Members are entitled to know what the justification is for including it; that its inclusion is contrary to the Council's local plan policies (SP13 and others) and contrary to policies in the London Plan and the NPPF and that it is against the wishes of the local community which has been arguing against its inclusion for the past eight years. They also need to know that a decision which departs from a local plan requires substantial and special justification. There is none here. Members should be made aware of that.

This is not a planning application. The report introduces the substance of the draft plan and its supporting evidence base and appends the summary of the main issues raised in the consultation process. This is all that is required. For the avoidance of doubt Officers do not consider that the inclusion of Pinkham Way is contrary to Local Plan, the London Plan and the NPPF.

Our responses to the matters that you raise in Appendix 1 and 1 (C) are attached in a table.

We acknowledge the inaccuracies that you point out in Appendix 1 (A) and 1 (B) for which we apologise and these were an officer error. I can confirm that these were not deliberate as you have suggested. These will be corrected in the forthcoming cabinet report.

Yours sincerely,

Ben Burgerman
Planning and Regeneration Spec. Lawyer
For Assistant Director of Corporate Governance

This page is intentionally left blank

Response to the Pinkham Way Alliance on Appendix 1 and 1C

	Pinkham Way Alliance	LB Haringey Response
Cabinet report		
Para 5.5	<p>'A total of 213 representations were received'</p> <p>Misrepresentation. 1280 representations were received, 83% (1067) of them from Pinkham Way Alliance supporters. See explanation below. Members have never been advised of the extent of local opposition to the inclusion of the Pinkham Way site in the NLWP</p> <p>(An agreement between PWA, The Council and the Planning Inspectorate was reached in 2011 to save the Council dealing with thousands of individual objections. One composite submission would be sent and each signature to that would be counted as one objection. A list of emailed signatures identifying those who signed is sent with each PWA submission document. PWA has continued to respect this arrangement in good faith but the Council consistently misrepresents the extent of objections.)</p>	<p>The Statements of Consultation made note of the number of signatories to the Pinkham Way submission, enabling members to appreciate the level of support being given to the representation.</p>
Para 5.8	<p>Omission of information about the planning status of Pinkham Way - Grade 1 SINC protected by the Council's own local plan policy SP13. No mention of extent of local objections.</p> <p>No reference to Appendix 8, p326 of the attached bundle, where Members could have found the comment: "However, a number of residents, politicians and community groups consider Pinkham Way site to be unsuitable for waste use on a range of grounds including viability and are challenging the ability of the site to be brought forward for waste use by the NLWA."</p>	<p>See comments in the accompanying letter</p>
Para 5.13	<p>'The revised approach to new land is to focus on existing well-established industrial land.'</p> <p>Misleading. It implies that all the sites/areas in the NLWP are well established industrial sites/areas. Not true. Pinkham Way is a Grade 1 SINC with dual Employment Area – neither designation falls within the category of well-established industrial land.</p>	<p>The status of the Pinkham Way site is obvious from the response to representations document and the evidence base for the draft plan, including the site/area assessments. When the report is read fairly and in context, it is not misleading. A section on Pinkham Way has however been added to the revised cabinet report.</p>

Para 5.13	<p>Last sentence para 5.13 'The list of new areas is put forward for inclusion in the proposed submission NLWP because it includes the most suitable land with the best geographic spread' Misleading. It implies that all the sites included are suitable for waste uses. No explanation about the exceptional status of the site and no attempt at justification for its inclusion in the plan. No reference to the Council's comment about the suitability of sites in the NLWP in Appendix 8 p326 that states: 'With the exception of Pinkham Way, the areas identified for new land are designated as either Strategic Industrial Locations (SIL) or Locally Significant Industrial Sites (LSIS) in the London Plan and Local Plans. These are recognised industrial and employment areas where waste uses are normally suitable and is in keeping with the approach set out in the London Plan.' (PWA's emphasis)</p>	<p>All sites included in the draft NLWP have been the subject of detailed appraisal for suitability for waste management use. As clearly stated in para 5.13 of the report, those site most suitable have been taken forward in the draft plan, including Friern Barnet.</p>
Para 5.13	<p>The reasons given for the site's inclusion are a) that the owners put it forward claiming it was necessary for delivery of the NLWA's waste strategy and b) that, following the NLWP Site Assessment criteria '... it is considered suitable for waste management'. That was not the view put to the EiP on the SADPD in 2016. Neither is it the view of the current NLWA Head of Operations who, as recently as October 2018 considered it unsuitable for waste use. NB: NLWA only own part of the site. The other owner (Barnet) did not put its part forward for waste use!</p>	<p>The NLWA Head of Operations has confirmed that the site is considered suitable for waste management use. To suggest otherwise without evidence is misleading. Barnet Council has agreed the proposed NLWP.</p>
Para 5.16	<p>'The boroughs have undertaken further work to ensure that the proposed submission plan takes account of changes to the London Plan and to the National Planning Policy Framework (NPPF) and is based on the most up to date evidence' No evidence that the following changes have been taken into account re Pinkham Way 1 Atkins Employment Review (2015) 2 LUC Biodiversity and Open Space Review (2014) 3 GVA Viability Assessment of Pinkham</p>	<p>None of the documents listed have altered the existing designations in the Local Plan, which remains dual Employment and SINC. The implications of each have been discussed previously above.</p>

	<p>Way (2014)</p> <p>4 GVA Workspace Viability Study (2014)</p> <p>5 Removal of the site from the SADPD (2017) (together with the comment from the Inspector that the Employment designation was not in line with the NPPF)</p> <p>6 Evidence to the SADPD EiP by the NLWA - subsequent to their response to the call for sites - that they had no plan to use Pinkham Way for the foreseeable future. (5 and 6 above occurred more than 18 months after the conclusion of the Reg 18 Consultation in September 2015)</p>	
5.23 and 5.26	<p>“Based on assumptions regarding growth, achievement of recycling levels, net self-sufficiency in three waste streams in the Draft Plan, and the average size of facilities, the land take requirements for meeting net self-sufficiency for LACW, C&I and C&D is set out in the table below”</p> <p>(tables referred to are attached at Appendix 1(A))</p> <p>Misrepresentation – tantamount to a deliberate attempt to deceive both Members and the local community. The figures in the table in the Cabinet Report differ in a number of respects from those in the table in the NLWP document. It shows the total additional land required as 12 ha, whereas the same table in the NLWP document shows the figure as 9 ha. The alterations cannot be explained away as a mistake because a number of the figures have been moved or altered to arrive at an increased land take area and to show a further misleading figure of 5 ha of land being required for C&D waste, instead of the NLWP figure of 2 ha for C&D waste.</p>	<p>This was an error, not a mis representation as suggested. The version of the land take requirements in the plan (9ha) is correct and the text (2ha) relating to C&D recycling is correct. The report utilised a table from an earlier draft which had not reflected the reduction in the capacity gap for C&D recycling from the new C&D facility which has planning approval in Enfield and was thus factored in to the correct table in the NLWP which accompanied the Regulatory Committee report. The Council would like to thank the PWA for highlighting this drafting error, and this has been amended in the forthcoming Cabinet Report.</p>
5.31	<p>The following areas are identified: (See table attached at Appendix 1(B) This misreports the size of the Pinkham Way site as being 15.32 ha. That is 2.5 times its actual size.) Misrepresentation – tantamount to a deliberate attempt to deceive both Members and the local community.</p> <p>Some councillors have told us that they took the figure of 15.32 ha as the area of Pinkham Way as correct and on that basis considered it might be possible to use some of it without too much interference</p>	<p>Again, it is acknowledge that this an error but is certainly not a misrepresentation or ‘a deception of members’. It is clear from looking at the tables the figures have been copied and pasted incorrectly by one line only in the Regulatory Committee report and this issue will be corrected in the published report to cabinet.</p>

	<p>with the SINC.</p> <p>The actual size of the NLWA portion of the site is 4.15 ha, leaving Barnet's portion at 1.8 ha (5.95 ha overall)</p> <p>The alteration to the Schedule of Areas table does not appear to be a mistake. Not only have the figures for North East Tottenham and Pinkham Way been swapped around but in the table in the Cabinet Report the area of North East Tottenham has been altered.</p> <p>(See Appendix 1(B) for comparison of both tables)</p>	
Assistant Director Planning advice at Regulatory Committee 18 October 2018		
24	<p>1. 'I recognise that you [PWA] disagree with the conclusions that the Council and Planning Inspectors have reached on this site's dual designation.'</p> <p>Comment 1: The implication that the Council and the 2012 and 2016 Inspectors are at one in their conclusions on the dual designation is simply not the case. The statement is misleading. Both inspectors queried the dual designation – in 2012 the first requested it be reviewed for the SADPD and in 2017 the second threw it out of the SADPD advising the council that it was not in line with national planning policy to retain a planning designation for long periods when it is clearly not fulfilling its planning purpose, in this case employment.</p> <p>The 2012 Inspector considered there was a conflict between the Employment and SINC designations and asked the Council to review the dual designation listing a number of matters that should be taken into account whilst reviewing it and suggesting that the Site Allocations DPD would be a good time to consider it. He accepted that 'In the interim,' 'the continuation of the LEA designation ... in conjunction with recognition of its nature conservation value, is warranted.' [PWA emboldening].</p> <p>The designations were reviewed during preparation of the Site Allocations DPD. The Grade 1 SINC got a resounding affirmation by LUC who concluded that</p>	<p>As stated by the Assistant Director of Planning, the dual designation has been the subject of two examinations in public. Despite PWA making detailed representations to both, the extant designations have remained unchanged. The production of the NLWP must have regard to the extant policy position.</p> <p>The removal of the Fien Barnet site's allocation from the Site Allocations DPD has been conflated with the fact that it remains a designated employment area. The PWA have misrepresented why the proposed allocation was recommended for removal from the draft Site Allocations DPD. This was because allocations seek to demonstrate a change to the status of a site, promoting redevelopment. This was clearly not the case for the Fien Barnet site, where the allocation sought only to demonstrate how the two designations could be addressed through a planning application being brought forward. As there was no intention to alter the current status of the site, the Inspector and Council therefore agreed it should be removed. The dual designations remain unaltered.</p>

	<p>Pinkham Way was '... a rare resource for Haringey ... unique in the borough ... of high ecological value'</p> <p>As to the Employment Designation - both Atkins and GVA advised that the site was unsuitable for employment uses. GVA produced an unfavourable site-specific viability study on Pinkham Way which demonstrated that 100% employment on the site was not viable under any scenario. PWA produced a tightly argued, evidenced based submission showing that the Council had no planning justification for retaining the Employment designation. The Council ignored them all (having first attempted to conceal the unfavourable viability study). At the Site Allocations EiP in August 2016 the Inspector insisted on the removal of Pinkham Way from the plan and in her April 2017 Report stated '... Although the site was a former sewage works, it has been vacant for many years. There is no purpose to its inclusion in the SADPD as no development is proposed within the plan period and it has no role within the SADPD to meet ASP objectives. The site is now of nature conservation importance and the subject of a long campaign by local residents to remove the employment designation. The Framework, at paragraph 22, advises that Councils should avoid the long-term protection of sites allocated for employment use where there is no reasonable</p>	
25	<p>'Officers believe that the two designations are compatible'</p> <p>Planning designations are based on objective evidence, not belief. The compatibility or otherwise of the dual designation is not the real issue – the issue is whether the Employment Designation is justified and deliverable. The council has been advised by independent consultants, commissioned by the council, that it is undeliverable. That advice is evidence that its retention is not justified. If the council wishes to ignore that evidence, then it must produce better evidence to justify the retention of the Employment designation on Pinkham Way otherwise it is acting unreasonably.</p>	<p>It is not appropriate to seek to review the employment area designation through the NLWP which is concerned with waste proposals. The identification of the area for waste management uses is a consequence of its suitability for such uses and is supported by the NLWA as landowner and potential developer. The Haringey's Employment Land Review assessment of the site was in respect of the wider range of B Class uses for the site. In this respect, it treated its isolation as a negative factor, whereas this is a significant positive benefit of the site in respect of its potential for waste management use.</p>

26	<p>‘Because the Council was not proposing any change to the Pinkham Way site’s designations or use, there was no need to include it in the Site Allocations DPD and this is why the Council agreed to remove the site from the Site Allocations DPD.’</p> <p>This is a misrepresentation and an attempt to downplay the importance of the Inspector’s decision to remove the site from the SADPD. The Council asserted throughout the SADPD process that the site was essential to meet ‘objectively identified employment needs’. When the Inspector asked for evidence to support that statement, the Council admitted that it had none.</p> <p>The removal of the site was achieved by Main Modification No 99 to the SADPD. Main Modifications are material changes without which the plan would be unsound. This was the Inspector’s conclusions in her Report after the EiP</p> <p>‘Overall Conclusion and Recommendation 140. The Council has requested that I recommend MMs to make the Plans sound and capable of adoption. I conclude that with the recommended main modifications set out in the Appendices the ASP, SADPD, TAAP and DMDPD satisfy the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.</p> <p>So far from ‘agreeing to remove it’, the Council had no option in the matter. Without its removal the SADPD would have been unsound.</p> <p>When recommending adoption of the SADPD to Full Council in July 2017 the report stated that “None of these changes resulted in a material change to the DPD as a whole.” The removal of Pinkham Way was a material change to the Site Allocations DPD (as were all the other MMs). That is another example of how relevant information about Pinkham Way is consistently concealed or misreported to members.</p>	<p>As clearly stated by the Assistant Director, as there was no intention to change the extant planning status of the Site, the Inspector and Council agreed to its removal. The contribution of the site to meeting the employment need of the borough were not a factor. Being more than a minor change to the draft Plan, the Inspector had no other option but to include this change as a recommended main modification.</p>
27	<p>The landowners’ views must be taken into account. Both Landowners have confirmed they wish to see the EL designation retained and have further confirmed that</p>	<p>This is not misleading. As stated above, the NLWA has not indicated that the site is not required to meet the waste management needs of North London. The key test of</p>

<p>they can deliver employment use on the site without concern for development viability. There are no specific proposals yet.'</p> <p>This is misleading. The Assistant Director of Planning should have appraised members that:</p> <ul style="list-style-type: none"> a) the aspirations of landowners are no more than aspirations, and that it is a planning authority's responsibility to decide the appropriate designation for each site on the basis of sound evidence. b) without supporting evidence, statements about viability by land owners are purely speculative and are not relevant planning considerations: and c) as public bodies, the two landowners of Pinkham Way are both subject to the test of Value for Money when costing potential development. NLWA would thus have to factor its initial purchase cost of £2.7m per ha into any estimate. <p>In its decades of ownership, Barnet Council has never managed to deliver any type of use. Haringey Council rejected its 1999 application for housing on grounds of potential harm to the SINC, lack of public transport, lack of access, and local traffic congestion.</p> <p>The NLWA has owned its portion since 2009. Its one planning application, part of a procurement exercise that failed at a cost of some £40m, was never even validated. The NLWA was represented at the Site Allocations EiP in August 2016 and gave evidence that it had no plans to develop the site for waste use for the foreseeable future. They did not contest evidence produced by PWA that the site was not viable for Employment Use nor did Haringey Council.</p>	<p>soundness is 'deliverability', where in this instance the landowner has also not suggested that it would be unable to bring forward a suitable waste use of the site. As public bodies, the authorities have to consider their primary function, which in respect of the NLWA is ensure sufficient waste management capacity to meet North London's waste needs, and in respect of Haringey Council, making suitable land available to meet evidenced need. Both roles have therefore been fulfilled.</p>
---	--

This page is intentionally left blank

Response to the comments made during the consultation on the draft NLWP at Regulation 18 stage

No	Question	Summary of representations	Changes to the NLWP
Q1:	Do you agree with the proposed Aim for the draft NLWP? If not, please suggest an alternative.	There was general support for the draft Aim of the Plan. Some textual changes were suggested including a stronger commitment to achieving net self-sufficiency.	The commitment to net self-sufficiency has been clarified and strengthened.
Q2:	Do you agree with the proposed Draft Objectives for the draft NLWP? If not, please suggest an alternative and/or additional objectives.	There was general support for the draft Objectives. In addition to textual changes, suggestions included an additional objective to protect the amenity of local residents, better links with other parts of the Plan, giving weighting to the objectives and a stronger commitment to achieving net self-sufficiency.	The commitment to net self-sufficiency has been clarified and strengthened. Protection of amenity is already covered by SO4 and so has not been changed but later on in section 4 The spatial framework, part E on protecting local amenity has been strengthened
Q3:	Do you agree with the draft spatial strategy for the NLWP? If not, please provide further detail and any alternative approaches.	<p>There was general support for the draft spatial strategy. In addition to textual changes, suggestions included improving consistency and links with other parts of the Plan and double-checking that most up to date information on licenced facilities is used. It was noted that it is not possible to assess sites against non-spatial criteria of the spatial strategy.</p> <p>Conflicting comments were received in relation to the use of waterways to carry waste. The Canal & River Trust, the Commercial Boat Operators Association, organisations such as Sustainable Hackney and one local resident support the use of waterways for the movement of waste materials. This is because it can contribute to reducing road congestion and pollution and is supported by national and regional policy. However, many residents and residents' associations do not support use of the canal or river for</p>	<p>Latest data on licenced waste facilities from the Environment Agency has been used and links to the remainder of the plan have been updated.</p> <p>Export of waste was an example of a non-spatial criteria and this has been removed as spatial principle. The "spatial strategy" of the draft NLWP has been changed to a "spatial framework" and the section has been updated to provide the strategic direction for the detailed policies of the NLWP and to inform site/area selection. The spatial framework also guides the assessment of the suitability of windfall sites under Policy 3.</p> <p>Changes to the spatial framework include embedding the principles of sustainable development and proximity. There is consideration of how to balance the benefits of co-location of facilities, encouraging a more circular economy against the cumulative impacts which can arise from an accumulation of facilities in one</p>

		<p>transporting waste, fearing pollution and a negative impact on biodiversity. Some comments also raised the issue of the practicalities of accessing waste facilities from the waterways and how this would affect the waterway's leisure/amenity use for local residents. The NLWA add that the NLWP should make clear that transporting waste by water over short distances may not be the most commercially viable option.</p>	<p>location.</p> <p>On sustainable transport, the transfer of waste by water is still supported but this is tempered by noting the likely high cost of investment in new wharves.</p>
Q4:	<p>Do you agree with the NLWP taking forward the Preferred Options of Option B: Growth, Option II: Maximised Recycling to meet Option 3: Net self-sufficiency for LACW, C&I and C&D waste streams? If not, please state why and suggest an alternative option.</p>	<p>This is one of the most technical parts of the NLWP and many local residents expressed confusion at the information presented. Clearly further work is required to explain how the capacity gap has been calculated. On the whole, the approach was supported by those in the field of waste planning. One representor suggested that further options are considered. It was also suggested that further modelling work is required on the re-classification of transfer stations, the impact of the circular economy and in light of new information from NLWA. It was also suggested that the Plan should contain more information about exempt sites.</p>	<p>The boroughs have taken the opportunity to reassess the preferred option in the light of the targets in the draft London Plan and other changes. A revised option appraisal paper has been prepared. As a result the section in the plan dealing with this has been shortened and improved to demonstrate how the capacity gap has been calculated.</p> <p>A revised data study has been carried out which has modelled higher recycling options. The revised data study has used the most up to date available data from a variety of sources.</p> <p>The contribution of exempt sites to capacity has been considered in the NLWP data study. The unreliability of the data means it has not been included, although it is assumed significant amounts of CD&E will continue to be managed through exemptions, without ever being recorded.</p> <p>The Plan has greater coverage of the circular economy including of the route map for London by the London Waste and Recycling Board.</p>
Q5:	<p>Do you agree with how waste</p>	<p>Most of the detailed comments on this section were from waste</p>	<p>The 'Provision for North London's Waste to 2032' part of the plan in</p>

	<p>management needs will be met as set out in 'Provision for North London's Waste to 2032'? If not please suggest alternative approach.</p>	<p>planning authorities (WPAs) who currently receive waste exports from North London. More information on the management and export for each type of waste was requested, particularly CD&E and hazardous waste. It was also suggested that this section include more information about how the NLWP is reducing exports.</p>	<p>section 7 has been turned into the strategic policy for the NLWP. The strategic policy considers provision up to 2035.</p> <p>The boroughs have continued to liaise with WPAs who receive significant amounts of waste from North London. A key part of the NLWP is to manage more waste in North London and to reduce exports. The adopted approach of net self-sufficiency does mean that there will continue to be exports and imports, especially given the lack of landfill facilities in North London. The revised data study includes the latest data on hazardous and CD&E waste. Revised forecasts of exports have been carried out. The NLWP has identified areas where built waste facilities could come forward over the plan period. Such facilities will help facilitate the movement of waste up the hierarchy and reducing our reliance on landfill, and ultimately export of waste outside of North London.</p>
Q6:	<p>Do you agree that the above described methodology used to identify potential sites and areas for future waste development is justified and proportionate? If not why not? Please provide an alternative approach.</p>	<p>The methodology for identifying new sites and areas was broadly supported, although the resulting sites/areas were often not. Residents felt very strongly that waste facilities should be located well away from residential areas. It was clear from the comments that residents were not familiar with the types of waste facility which could be built in North London or their potential impacts. More information on types of waste facility needs to be included in the Plan. Some representors felt that too much land had been identified and that sites in 'Band B' should be prioritised. Other representors felt that all industrial areas should be considered suitable.</p>	<p>The methodology for assessing new sites and areas has been largely unchanged. Further detailed work has been done to review the sites and areas under consideration for the proposed submission plan including identifying the potential impacts of the proposed Opportunity Areas in the London Plan and the location of stations which will form Crossrail 2. Work has included searching for new areas of land to consider; taking on board information given during the consultation, doing a desk top study to ensure that information on areas is more comprehensive and up to date, dealing with the implications of policy changes on areas in borough local plans that have been progressed, updating</p>

		<p>One representor felt that consolidation of a number of smaller sites should also be considered.</p>	<p>the area proformas, revisiting the areas for assessment, considering the areas as part of the Sustainability Appraisal and Habitats Regulation Appraisal that accompany the proposed submission version, and undertaking a Flood Risk Sequential Test on the proposed areas.</p> <p>The boroughs do not consider it useful to include more information on types of waste facility in the plan which is already lengthy. Information on facility types will be provided on the NLWP website.</p> <p>The Plan does not propose any specific consolidation of waste sites as this is a commercial decision to be taken by the existing operators, but such consolidation would be possible under the NLWP policies.</p> <p>How the list of sites and areas has changed in the light of consultation is considered in the response to Questions 8 and 9 below.</p>
	New policy suggestions	<p>Comments included suggestion for new policies including incorporating recycling facilities in new development, waste water and landfill/landraising.</p>	<p>Each borough has detailed policies on storage and collection of waste and recycling in new development so the NLWP does not duplicate them.</p> <p>There is a new policy 7 on waste water treatment works and sewage plant and a new policy 8 on control of inert waste</p>
Q7:	Do you know of any existing waste facilities which are not included in Schedule 1 in Appendix 1? If so, please provide details.	<p>There was strong support for Policy 1: safeguarding of existing sites. It was suggested that this policy could include expansions to existing facilities.</p>	<p>Policy 1 has been amended to allow expansion of existing waste premises in appropriate circumstances.</p> <p>Another amendment to policy 1 is to introduce the 'Agent of Change' principle. This principle, which is contained in both the NPPF and the draft London Plan, places the</p>

			responsibility of mitigating the noise impact (from existing noise-generating businesses) on the proposed new development. Developers proposing non-waste development in close proximity to existing waste sites should be aware of the potential impacts on existing waste operations and plan this into their development so as not to prevent or prejudice the continued waste use.
Q8: Q9:	<p>Do you agree with the draft policies for development on new sites and areas? If not, please provide reasons why and suggest an alternative.</p> <p>Do you have any comments on the accuracy of the details in the sites and areas proformas in Appendix 2? Do you have any additional sites or areas you wish to put forward for consideration?</p>	<p>Around 70% (148) of the comments received were objections to sites and areas. A number of proposed sites and areas which have been assessed as potentially suitable for waste uses through the NLWP assessment criteria were not considered suitable by local residents and community groups. The main issues raised by residents related to the potential negative impacts of a waste facility in the local area, including traffic/congestion, suitability of roads and access, effect on biodiversity, flood risk, proximity to sensitive receptors and residential areas, concern over noise, smell, pollution, vermin etc. A number of objections by landowners and tenants were also received.</p> <p>Residents in more densely populated areas of North London wish to see locations for new waste facilities in less densely populated areas and away from residential areas. Comments also expressed support for the aim to co-locate facilities and enlarge existing facilities which helps to minimise conflict with uses such as residential. However, other representors want to see a wide geographical distribution of facilities in order to manage</p>	<p>As the selection of new sites and areas was the most controversial part of the draft NLWP, the boroughs have given careful consideration to the points made about them during the consultation.</p> <p>The information contained in representation on individual sites and areas has been carefully considered. As mentioned under question 6 above, the boroughs undertook further work to expand and update information on all sites and areas.</p> <p>As well as improving information on sites and areas, the boroughs also considered which sites and areas were most suitable and how much land was required to deliver the NLWP.</p> <p>The revised approach to new land in the proposed submission version is to focus on existing, well-established industrial land, and areas which performed well against the assessment criteria, while achieving a better geographical spread across the plan areas as well as recognising the impact of developments such as Crossrail 2 and the London Plan Opportunity areas. It also took account of progress made in each borough's Local Plan which would impact on proposed allocations as</p>

		<p>waste near to its source. The waste industry would like to see all industrial land included as potentially suitable for waste development.</p> <p>Some residents also suggested waste sites should be on the outskirts of North London or outside of North London entirely. However, the surrounding WPAs want to see more facilities within North London to deal with the area's own waste.</p> <p>The North London Waste Authority (NLWA) submitted the land at Pinkham Way in response to the call for sites. The land was assessed against the sites/areas assessment criteria and was found to be suitable for some waste facilities. However, number of residents, politicians and community groups consider Pinkham Way site to be unsuitable for waste use on a range of grounds including viability and are challenging the ability of the site to be brought forward for waste use by the NLWA.</p>	<p>well as any development which had taken place which could affect the suitability of waste uses in that location. Consideration of all these points has resulted in a number of areas being removed from further consideration for waste use in the NLWP.</p> <p>With the exception of Pinkham Way (discussed below), the remaining areas identified for new land are designated as either Strategic Industrial Locations (SIL) or Locally Significant Industrial Sites (LSIS) in the London Plan and Local Plans. These are recognised industrial and employment areas where waste uses are normally suitable and is in keeping with the approach set out in the London Plan. In addition' in the site assessment process carried out for the NLWP, the areas in the proposed submission version are all in the higher scoring band B and band C categories .</p> <p>Pinkham Way was put forward by the North London Waste Authority (NLWA) during the call for sites as necessary for the delivery of the NLWA's waste strategy. Pinkham Way has a dual designated as an employment site and a site of nature conservation interest in the Haringey Local Plan. Following the NLWP site assessment, it is considered as suitable for waste management and is in the list of new areas under policy 2.</p> <p>Since the draft NLWP, the last remaining new site is the subject of a live planning application as a replacement site for the NLWA's transfer operations at Hendon. Policy 2 only considers new <i>areas</i> which are potentially suitable for waste management.</p>
--	--	--	--

			<p>For the proposed submission version, the boroughs have carried out a revised data study using the latest data on waste arisings and existing waste facilities. Research has also been done on recently permitted modern waste facilities in urban areas and how much waste they can process on a site.. Following these two bits of work, the capacity gap has been recalculated and is smaller than previously identified, and with new higher throughput per hectare figures for some facility types, the amount of new sites required has reduced. As a result the amount of land that the boroughs need to identify has been reduced.</p>
Q10:	<p>Do you agree with the inclusion and provision of the policy on unallocated sites? If not, please provide an alternative approach.</p>	<p>There was general support for this policy, although some respondents expressed concern that sites could come forward near residential areas. Suggested changes included clearer referencing and definitions of criteria used to assess unallocated sites and renaming the policy 'unidentified' or 'windfall' sites.</p>	<p>Policy 3 has been renamed 'Windfall sites'. It has been redrafted to demonstrate that the boroughs' preference is for waste development to take place either on an existing waste site or on a site within the areas considered potentially suitable for waste use identified in policy 2. If a windfall site does come forward, developments will be assessed against the site criteria used for the NLWP site selection process and against the NLWP spatial framework in addition to the other policies in the plan. Waste developments on windfall sites should not compromise wider regeneration proposals such as those around major new transport infrastructure and should demonstrate the need for the facility in that location over the areas identified in the NLWP.</p>
Q11:	<p>Do you agree with the locations identified as being in need for new Re-use & Recycling Centres?</p>	<p>There was general support for improving RRC coverage across North London. However, many respondents were not clear where the "areas of identified need" for new RRCs were. The supporting text needs to include more detail on this. It was</p>	<p>The areas of identified need have been set out in policy 4 and are displayed in Figure 7. Details of the proposed new RRC at Edmonton EcoPark are set out in the text.</p>

		noted that a new RRC at Edmonton EcoPark is proposed.	
Q12:	Do you agree with assessment criteria for waste management facilities and related development? If not, please suggest alternatives.	There was broad support for this policy although a number of changes were suggested to strengthen requirements or for clarification. Competing views were received from residents who want strict controls on development alongside ambitious objectives, and the waste industry who consider some of the requirements in the policy too onerous.	<p>There have been some additions and clarifications within policy 5. There has been greater clarification of the heritage assets and landscape character to be considered. There are new criteria dealing with environmental permits, health impacts, cumulative impacts, job creation and circular economy statements.</p> <p>The text underneath the policy has been updated to reflect the latest guidance and good practice in these areas.</p> <p>At waste industry request, the presumption that waste facilities should be enclosed could be partly relaxed for any waste activities where the developer can demonstrate that it will not cause noise or dust eg storage.</p>
Q13:	Do you agree with the proposed approach to Energy Recovery and Decentralised Energy? If not, please suggest an alternative.	There was broad support for this policy, although the waste industry considers some of the requirements too onerous as currently written and suggested a number of changes	The boroughs acknowledge that the original draft of this policy was confusing and led to misunderstanding of what was required. The revised policy 6 is more focused on the expectations and the requirements.
Q14:	Do you agree with the proposals for monitoring the NLWP and the roles and responsibilities of the bodies involved in implementing it? If not, please state why and suggest an alternative.	A number of suggestions about monitoring the NLWP were received. This included clarity on who is responsible for monitoring. Additional monitoring indicators were also suggested.	The monitoring indicators have been reviewed and updated and it is clarified that it is individual borough's responsibility to monitor the plan.

Report for: Full Council, 31 January 2019

Title: Changes to 2019/20 Council Tax Reduction Scheme

Report authorised by : Jon Warlow, Director of Finance

Lead Officer: Jon Warlow, Director of Finance

Ward(s) affected: All wards

**Report for Key/
Non Key Decision:** Key Decision

1. Describe the issue under consideration

- 1.1 On 14 August 2018, the Cabinet agreed to go out to consultation on a preferred option to replace the existing Council Tax Reduction Scheme (CTRS).
- 1.2 This report provides the outcome of the public consultation and Equality Impact Assessment (EQIA) and sets out recommended changes to the 2019/20 CTRS.

2. Cabinet Member Introduction – Cllr Berryman, Cabinet Member for Finance

- 2.1 The decision in 2013 by the then Conservative-Lib Dem coalition government to abolish Council Tax Benefit heaped a new hardship on many of the lowest income households in Haringey.
- 2.2 As a borough our 108,000 or so households have as wide a disparity in income as can be found anywhere in the UK. Yet since this decision in 2013 to abolish Council Tax Benefit, some of the least well off residents here have borne the cuts imposed by central government and paid a minimum 19.8% contribution towards Council Tax.
- 2.3 However, our manifesto was clear that we are committed to redistributing the burden of Council Tax and to reforming the Council Tax Reduction Scheme.
- 2.4 Our proposal provides more financial support to working age claimants with children. The Trust for London's *London Poverty Profile 2015* estimated that 34% of children in Haringey live in poverty. The Council's ability to provide services, including the provision of children's services, has been significantly affected as a result of government funding cuts to Haringey, amounting to £78m since 2013.
- 2.5 As councillors it is our duty not just to take account of the realities we as a council face but also the situation our residents find themselves in, offering support where we can and taking account of the social impact of our decisions. This policy update, re-instating extra support for over 6,000 families

in Haringey on low income, marks the start of our commitment to make fairness the cornerstone of all we do.

- 2.6 We are also recognising the need to update the scheme with some national welfare changes that have taken place since Council Tax Benefit was abolished in 2013. The changes will ensure that the scheme better reflects today's cost of living for some of the borough's most vulnerable residents.
- 2.7 The scheme will continue to protect pensioners and those receiving certain disability benefits or premiums.
- 2.8 I believe that the proposals provide essential financial support to some of the most vulnerable residents in the borough and contribute to our stated ambition of making Haringey a fairer borough for all to live in.

3. Recommendations

- 3.1 Full Council are asked to note that, since the public consultation concluded, a Consultation Report has been published, and its findings incorporated in the Equality Impact Assessment and this report.
- 3.2 Full Council are asked to agree the preferred option. This is a combination of:
 - a) Increasing the maximum level of Council Tax Reduction from 80.2% to 100% for working age claimants with children; and
 - b) Updating the CTRS to align with some national welfare changes.

The maximum level of Council Tax Reduction would continue to be 100% for pensioners and working age claimants in receipt of disability related benefits, as it is under the existing CTRS.

4. Reasons for decision

- 4.1. The stated ambition of the current administration is to:
 - 4.1.1. Extend Council Tax relief to 100% for our least well-off residents; and
 - 4.1.2. Ensure the greatest weight is placed on the broadest shoulders by consulting on options that make council tax and our policies for charging for council services fairer.
- 4.2. Councils have limited powers to effect change to Council Tax without primary legislation. However, the CTRS offers a vehicle through which the Council can redistribute the burden on Council Tax payers and provide additional financial support to those in receipt of Council Tax Reduction.
- 4.3. Since 2013, the existing CTRS has capped the maximum amount of Council Tax Reduction at 80.2% for working age claimants who were not in receipt of disability related benefits. It is recognised that some residents have increasingly struggled to pay contributions towards their Council Tax.

Therefore, there is a desire to provide additional financial support to residents who are the least well-off.

- 4.4. The proposal to increase the maximum level of Council Tax Reduction for working age claimants who have children is thought better to balance affordability with the need to provide more financial assistance to a group in particular need.
- 4.5. It is also proposed to update the scheme to bring it in line with some national welfare changes that have taken place since 2013. For pensioners, the CTRS automatically updates each year to align with national welfare changes. For working age claimants, the CTRS has not been updated since 2013. Therefore, it is proposed to update the scheme to ensure it is up to date, easier to understand and reflects inflationary changes. As a result of these changes, most working age claimants would have an increased level of Council Tax Reduction (i.e. would be financially better off) whether or not they have children.
- 4.6. The proposal to align with some national welfare changes is considered to balance the benefit of making the CTRS up to date and easier to understand by reflecting the national welfare scheme, reflecting inflationary changes since 2013, and the desire to provide additional financial support to a group who are in particular need. It is not proposed to align the CTRS with all national welfare changes. For example, it is not proposed to align with the two child limit for child allowances. This is because it would decrease the level of Council Tax Reduction a claimant would be entitled to (i.e. make them financially worse off). It is considered that aligning the CTRS with all national welfare changes would worsen the financial position of groups who are in particular need.
- 4.7. The Council is obliged to consider whether to revise or replace its CTRS each year. However, it is not obliged actually to revise or replace it. If any revision or replacement is to be made, the Council must follow the consultation process set out in the legislation and changes must be made by 11 March, to take effect from 1 April. The decision has to be made by Full Council. In order to give the Council sufficient time to implement any changes, Full Council should formally agree the proposals in January.
- 4.8. Therefore, the proposal is made now to ensure that any additional financial support for residents can take effect as soon as possible, from 1 April 2019.

5. Background information

- 5.1. Haringey Council has a Council Tax Reduction Scheme to provide support to residents who need help to pay their Council Tax. Council Tax Reduction is intended for residents in financial need. Therefore, only residents who satisfy a means test are eligible to claim Council Tax Reduction.
- 5.2. As part of the government's welfare reforms, responsibility for setting Council Tax support was devolved to Local Authorities. Council Tax Benefit was abolished and replaced with locally managed Council Tax Reduction Schemes from 1 April 2013. Nationally, CTRS had 10% less government funding than the previous Council Tax Benefit.

- 5.3. This meant that some councils offset the shortfall in funding by reducing the number of people entitled to support, or reducing the amount of support they received. Central government prescribed that pensioners were automatically protected from any changes to Council Tax Benefit and so they continued to receive a maximum of a 100% Council Tax Reduction.
- 5.4. Following financial modelling looking at claimant volumes, the number of pensioners in the area and anticipated collection figures, the Council proposed to pass the £3.8m shortfall in funding from Central Government on to working age claimants by reducing the maximum level of Council Tax Reduction they could receive from 100% to 80.2%.
- 5.5. Following consultation with Haringey residents and interested groups in the Autumn of 2012, the Council chose to extend the maximum of a 100% Council Tax Reduction to those in receipt of certain disability benefits. The maximum amount of Council Tax Reduction that all remaining working age claimants could receive was capped at 80.2%, and so they had to pay a minimum contribution towards their Council Tax.
- 5.6. The existing CTRS has been in place since 2013. Table 1.0 summarises the trend in caseload since the Council introduced its Council Tax Reduction Scheme.

Table 1.0 – CTRS trends – (2013/14–2018/19)

Year	CTRS Caseload	Total amount of CTR paid by the Council (£)
2013/14	32,162	29,747,577.61
2014/15	30,993	28,220,890.91
2015/16	29,156	26,883,880.50
2016/17	27,689	25,680,005.18
2017/18	26,717	25,564,865.61
2018/19	26,377	25,949,826.98

- 5.7. Table 1.0 represents the trend in CTRS caseload since 2013/14. The figures are based on average monthly caseloads from 1 April to 31 March. The figures for 2013/14 and 2018/19 are modelled to reflect a full financial year, however the Council's data for each is limited. The Council's data for 2013/14 only began on 1 August 2013 and the Council's data for 2018/19 is based only on data from April 2018.
- 5.8. The Council must consider whether to revise or replace its CTRS for each financial year, but does not actually have to revise or replace it and can choose to make no changes.
- 5.9. If any revision or replacement is proposed, the Council must follow the consultation process set out in the legislation and changes must be made by 11 March, to take effect from 1 April. The final decision must be made by Full Council and this report represents that decision-making.

6. Preferred Option

- 6.1. The preferred option is a combination of:
- 6.1.1. Increasing the maximum level of Council Tax Reduction from 80.2% to 100% for working age claimants with children.
 - 6.1.2. Updating the CTRS to align with some national welfare changes.
 - 6.1.3. Funding the increased cost to the Council from the General Fund budget.
- 6.2. As the CTRS is intended for residents who are in financial need, residents would still have to satisfy a means test in order to be eligible to claim Council Tax Reduction.
- 6.3. For the purposes of this proposed changes to the CTRS, 'children' means:
- a) A child (i.e. a person under the age of sixteen); or
 - b) A young person (i.e. a person aged between sixteen and nineteen) for whom child benefit is payable.

Table 1.1 – Estimated Total Financial Implications of Preferred Option for 2019/20

Caseload Category	Caseload	Total Financial Impact (£)	Average change to claimant's annual Council Tax bill (£)
Protected working age	7,084	4,100	-0.58
Households with children	6,134	1,620,200	-264.13
Non-protected working age	4,649	-1,800	0.39
Total	17,867	1,622,500	-90.81

- 6.4. Currently, working age claimants with children who do not currently receive a prescribed disability related benefit or premium, as set out in the CTRS rules, receive up to a maximum of 80.2% Council Tax Reduction. This means that some of these claimants are required to pay 19.8% of their Council Tax liability, despite having an income below their 'applicable amount', i.e. the amount the law says a person needs to live on.
- 6.5. It is proposed to increase the maximum to 100% Council Tax Reduction. This aims to provide additional financial assistance to a group in particular need. For example, working age claimants with children who currently receive the maximum 80.2% Council Tax Reduction would no longer pay any Council Tax.
- 6.6. National welfare changes can affect the amount of Council Tax Reduction because it is means-tested. The existing means test is based on national welfare entitlement in 2013. The government has made changes to national welfare since 2013 and this means that some of the language and figures used in the existing CTRS are out of date. The proposal would update the means-test.

- 6.7. The proposal to update the CTRS to align with some national welfare changes for all working age claimants (with or without children) comprises the following key changes:
 - 6.7.1. Updating the amount the government says people need to live on each week;
 - 6.7.2. Updating income brackets;
 - 6.7.3. Updating deduction rates; and
 - 6.7.4. Updating the language.
- 6.8. As a result of the proposal to align with some national welfare changes, most working age claimants would have an increased level of Council Tax Reduction (i.e. would be financially better off) whether or not they have children. However, some claimants who are of working age, are not in receipt of a prescribed disability benefit or premium, have no children in their household and live with a non-dependant adult could pay up to 95p per week more council tax. It is expected that there would be relatively few such people compared to the number of people who would benefit from the proposed changes. The people most likely to be affected are those with multiple non-dependants and those where a non-dependant's gross income remains in the same income band. However, for most people, it is expected that the larger deductions would be off-set by the other proposed changes which make the CTRS more generous.
- 6.9. Case studies showing the estimated impact of the preferred option as a whole (i.e. of *both* the increase to 100% maximum Council Tax Reduction for working-age residents with children and the alignment with some national welfare changes) are provided in Appendix 3.
- 6.10. Further information about the proposal to align with some national welfare changes is provided in Appendix 4.
- 6.11. In respect of the estimated annual saving of -£1,800 for non-protected working age claimants without children:
 - 6.11.1. This equates to an average decrease in CTR of £0.39 per claimant per year.
 - 6.11.2. Table 1.1 takes into account the projected decrease in caseload in 2019/20 and the extra day in 2019/20 (which is a leap year). As a result of those factors, if no changes to the CTRS were made for non-protected working age claimants without children, the estimated financial implication for that group for 2019/20 would be -£14,800 (i.e. rather than -£1,800). Therefore, the preferred option is to spend £13,000 more on this group than would be spent if no changes were made to the CTRS.

7. Public consultation summary

- 7.1 On 14 August 2018, the Cabinet agreed to consult with the public on the proposed changes from 3 September to 12 November 2018.

- 7.2 The consultation targeted both existing recipients of CTRS and wider council tax payers. The consultation comprised of:
- A 7-page CTRS consultation booklet including questionnaire
 - Drop-in sessions at libraries and customer service centres
 - Physical copies of the consultation in all of the borough's libraries and two Customer Service Centres
 - Dedicated CTRS Consultation webpage and online questionnaire
 - Social media campaign
 - Physical advertisements across the borough – publications and posters
- 7.3 Respondents were asked for their views on the preferred option, alternative options and the proposed funding of the preferred option.
- 7.4 In total, 342 responses to the consultation were received, with the vast majority of respondents opting to participate in the consultation online.
- 7.5 The consultation findings show that:
- 51% of respondents were in favour of part 'a' of the preferred option (to increase the maximum level of Council Tax Reduction from 80.2% to 100% for working age residents with children); and
 - 57% of respondents were in favour of part 'b' of the preferred option (to update the scheme to align with some national welfare changes).

The full report on the consultation can be found in Appendix 2.

- 7.6 Approximately 40% and 20% of respondents were against parts 'a' and 'b' of the preferred option respectively.
- 7.7 Just under 10% of respondents indicated that the consultation was complex, making it difficult for them to complete the questionnaire. The proposed changes are technical by nature and there was a need to strike a balance between the need to ensure that the consultation materials were as accessible and user-friendly as possible and the need to ensure they were accurate. A number of efforts were made to ensure the consultation was inclusive and maximised participation. This including holding several face-to-face drop-in sessions across the borough and at different times of the day, where questions could be answered. Statutory and non-statutory agencies were also contacted to expand the reach of the consultation and equip relevant front line professionals with the information if they engaged with affected residents. The margins between the results and the quality of some of the free text responses did not suggest that the outcome of the consultation would have been materially affected had it not referred to some technical information which it was considered right to include.

8. Alternative options considered

- 8.1 The number of possible changes to the CTRS are virtually infinite. Councils have a wide discretion to tailor support based on factors such as:

- Income;
- Capital;
- Number of dependants; and
- Whether the person has made an application for a reduction.

8.2 The following alternative options have been considered in detail, and were referred to in the consultation:

- No change to the existing CTRS;
- Increasing the maximum level of Council Tax Reduction from 80.2% to 100% for all working age claimants;
- Limiting the amount of Council Tax Reduction received in higher value properties to the amount provided in a designated band; and
- Altering the capital savings limit.

8.3 It should be noted that the Council could also reduce the maximum level of Council Tax Reduction from the existing rate (80.2%). However, this would not be consistent with this administration's policy intention to provide increased support to those residents most in need and so was not put forward as an option.

8.4 55% of respondents stated that the Council should consider one of the alternative options mentioned in the Council's consultation materials. 26% of respondents disagreed and 19% offered no opinion.

8.5 When asked which of four alternative options listed they would prefer, the most popular response was "No Reply", representing 34% of all respondents to this question. This could be for a number of reasons:

- Some of the respondents may have taken the view that the options listed in the consultation document were not preferable to the preferred option;
- Some of the respondents may have taken the view that the Council should pursue alternative amendments to the CTRS but could not identify a specific change.

8.6 No change to the existing CTRS

Of the four alternative options referred to, the second highest proportion of respondents (24%) wanted the Council to make no changes to the existing CTRS.

This is not recommended because the Council has indicated a commitment to providing additional financial support to residents in receipt of Council Tax Reduction to alleviate the financial burden for the least well-off.

8.7 Increasing the maximum level of Council Tax Reduction from 80.2% to 100% for all working age claimants

This was the most popular of the four alternative options referred to, being selected by (29%) of respondents.

However, this is not recommended because it would mean a significant, ongoing additional cost to the Council's budget each year. The estimated additional cost for 2019/20 would be £843,000, meaning that the overall estimated cost for 2019/20 would increase from £1.6m (for the preferred option) to £2.44m.

The preferred option is thought to strike a balance between providing additional support for people in financial need and the financial impact on the Council and its services, taking into account the need for the CTRS to be financially sustainable.

8.8 Limiting the amount of Council Tax Reduction received in higher value properties to the amount provided in a designated band

The Council could "cap" the level of support based on the Council Tax liability of a designated Band. For instance, if the limit was set at Band D, the maximum support a claimant could receive would be no more than they would get if they lived in a Band D property, even if they lived in a higher Band property. This was selected by 12% of respondents.

This is not recommended because it would significantly increase Council Tax bills for residents who are affected by the cap (i.e. those in bands above the limit). It is recognised that claimants in receipt of Council Tax Reduction are financially burdened and need support.

8.9 Altering the capital savings limit

Currently, if a resident has more than £10,000 in capital they do not qualify for support under the CTRS. This was selected by just 1% of respondents.

Changing the capital savings limit is not recommended because it is considered that the £10,000 limit strikes the right balance between recognising residents have a need to save and develop sustainable long-term financial plans, and ensuring the scheme reaches the most vulnerable residents.

8.10 The free text responses to the consultation suggested the following two key themes of opposition to the preferred option:

8.10.1 *The preferred option will ultimately burden other council tax payers.*

As acknowledged in the consultation report, the preferred option would add to financial pressure on the Council and could mean that service areas have to make additional savings. The implications of this would have to be addressed by the Council, along with other budget changes, when setting its 2019/20 Budget and new Medium Term Financial Strategy in February 2019. This could lead to some Council services having reduced funding.

Regardless of whether Council Tax Reduction is increased, service areas will have to make further savings from 2019/20 due to ongoing reduction in our funding position and cost pressures. The Council will make a decision as to whether to increase Council Tax in the next

financial year independently of the changes to the CTRS. This report recommends using the General Fund to fund the preferred option, as it is the most financially sustainable way of providing additional financial support to a group in particular need.

This must be balanced with the administration's policy intention to provide additional Council Tax support to residents in need. Households with children who qualify for CTR have been identified as a group in particular financial need and therefore requiring additional financial support.

The preferred option is thought to strike a balance between providing additional support for people in financial need and the financial impact on the Council and its services, taking into account the need for the CTRS to be financially sustainable.

8.10.2 *Everyone should contribute to council services, even if it is at an 80% reduction, to give everyone an 'equal stake' in the borough.*

The preferred option would mean that working age CTR claimants with children may not have to pay anything towards their council tax bill.

This theme of opposition could be accommodated by making no change to the CTRS. However, this is not recommended because the Council has indicated a commitment to providing additional financial support to residents in receipt of Council Tax Reduction to alleviate the financial burden for the least well-off.

It could also be accommodated by extending the maximum level of CTR whilst requiring a small contribution towards council services. However, this is not recommended because the cost of enforcement would be disproportionate to the amount of tax collected. The preferred option would also bring working age CTR claimants with children in line with pensioners and working age claimants in receipt of disability related benefits, who already have a maximum CTR of 100% and so may not have to pay anything towards their council tax bill.

9. Funding the proposed changes

9.1 Respondents were asked to comment on the proposal to fund the preferred option from the General Fund. Of those respondents who commented on the proposed method of funding, the key themes included suggestions of how the Council could increase its revenue and/or reduce its expenditure, for example:

- Increase Council Tax for the wealthiest residents in the borough;
- Increase Council Tax for those residents in higher band properties;
- Increase Council Tax for those residents with a second home, including landlords;
- Generate additional revenue;
- Reduce the Council's overall spend by identifying waste;
- Reduce staff numbers, salaries and pensions; and

- Use the revenue from parking charges to fund the proposed changes.

9.2 The Council's ability to effect change in Council Tax is heavily constrained by the national legislative framework. However, wider resourcing suggestions will form part of the financial considerations for the Council when agreeing its 2019/20 Budget. For example, this will include an appraisal of its expenditure and revenue to identify opportunities to make efficiency savings and grow its income.

10. Policy Context

- 10.1. The administration made a policy intention to extend Council Tax relief to 100% for our least well-off residents and ensure the greatest weight is placed on the broadest shoulders.
- 10.2. Councils have limited powers to effect change to Council Tax without primary legislation. The Council Tax Reduction Scheme offers a vehicle through which the Council can redistribute the burden on Council Tax payers and provide additional financial support to those in receipt of Council Tax Reduction.
- 10.3. There is a clear indication from the administration to change the existing Council Tax Reduction Scheme. Therefore, the Council has consulted with the public on a proposed package of changes.

11. Other aspects of the scheme

- 11.1. The proposed changes to the Council Tax Reduction Scheme do not relate to the application method, the ways to appeal, how to deal with changes of circumstances or notification styles.
- 11.2. The scheme will continue to be run by Haringey Council and remains separate from the Department of Work and Pensions (DWP) Housing Benefit / Universal Credit awards.

12. Contribution to strategic outcomes

- 12.1. The proposal contributes to Priority 1 (Enable every child and young person to have the best start in life, with high quality education), Priority 2 (Enable all adults to live healthy, long and fulfilling lives) and Priority 4 (Sustainable Housing, Growth and Employment). Over the next financial year, the proposal will contribute to the 'People', 'Economy' and 'Your Council' Priorities of the Borough Plan, 2019-23.
- 12.2. The preferred option would extend the maximum level of financial support for households with children, which will ease the financial burden of families in Haringey and promote better outcomes for children and young people.
- 12.3. Any proposals to increase the level of financial support on the scheme will benefit the lives of adults in Haringey. There are clear links between socio-economic and health inequalities, and therefore reducing the financial burden on recipients of Council Tax Reduction will contribute to wider positive life outcomes.

- 12.4. The proposals will have wider benefits to the borough's economy as they will provide additional financial support to those in low-paid employment and to those not in employment who may be struggling to find work because of their financial circumstances. In addition, the spender power of those recipients of Council Tax Reduction is likely to increase, which could have positive impacts on the local economy.

13. Statutory Officers comments

13.1. Finance

- 13.1.1. The preferred option to change the CTRS would create an additional cost to the Council of approximately £1.6m for the 2019/20 financial year. It is noted that the costs would be offset by savings in potential unrecovered costs, calculated at £77,000 in 2017/18.
- 13.1.2. Any other change to the scheme, including the alternative options outlined in the report, would also have financial impacts on the overall cost to fund the scheme.
- 13.1.3. Subject to consultation, the cost would be met from the Council's General Fund. This will add to the cost pressure that will need to be addressed.

13.2. Procurement

- 13.2.1. Strategic Procurement notes the contents of this report; however there are no procurement implications.

13.3. Legal

- 13.3.1. The Assistant Director of Corporate Governance has been consulted on this report. As set out in section 13A(2) of the Local Government Finance Act 1992, the Council as billing authority must make a localised Council Tax Reduction Scheme in accordance with Schedule 1A to the Act. Each financial year the Council must consider whether to revise its scheme, or to replace it with another scheme. The Council must make any revision to its scheme, or any replacement scheme, no later than 11 March in the financial year preceding that for which the revision or replacement scheme is to have effect.
- 13.3.2. This report recommends that the existing Scheme is revised or replaced. Whilst the Council has until 11 March 2019 to adopt the scheme, it is recognised that in order to allow sufficient time to implement any changes, Full Council should consider the proposals earlier, in January 2019.
- 13.3.3. Schedule 1A to the 1992 Act makes further provision about Council Tax Reduction Schemes including prescribing the consultation process that must be followed. The Council must, in the following order:

- a. consult any major precepting authority which has power to issue a precept to it,
- b. publish a draft scheme in such manner as it thinks fit, and
- c. consult such other persons as it considers are likely to have an interest in the operation of the scheme.

13.3.4. The rationale for consulting with the major precepting authority first, in this case the Greater London Authority (“GLA”), is to ensure that they have been involved in shaping the proposals within the draft scheme that will be put out to the public for consultation.

13.3.5. The GLA have been consulted and responded indicating their support for the preferred option (see appendices 7 and 8). A draft scheme was published prior to a ten week public consultation, which took place 3 September 2018 and 12 November 2018.

13.3.6. Schedule 1A allows the Government to make regulations about the prescribed requirements for schemes. Any scheme that the Council adopts must comply with these regulations.

13.3.7. The Council must ensure that it has due regard to its Public Sector Equality Duty (PSED) under the Equality Act 2010 in considering whether to revise or replace its scheme.

13.4. Equality

13.4.1. The Council has a public sector equality duty under the Equality Act (2010) to have due regard to:

- tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
- advance equality of opportunity between people who share those protected characteristics and people who do not;
- foster good relations between people who share those characteristics and people who do not.

13.4.2 An Equality Impact Assessment (EqIA) has been completed, which assesses the potential impact of the preferred option. Full Council is specifically directed to the contents of the EqIA.

13.4.3 The Council consulted with the public on the proposed changes from 3 September to 12 November 2018. The consultation findings showed that a majority of respondents was in favour of both elements of the preferred option.

13.4.4 Overall, the equality impacts are assessed as positive to existing and future recipients of Council Tax Reduction, as most of the claimants

affected (with whatever protected characteristics) will financially benefit from the changes.

- 13.4.5 The Council will take a number of steps to further communicate the proposed changes to the CTRS so that existing claimants are aware of the changes and future claimants can apply if they think they will be eligible.

14. Use of Appendices

Appendix 1 – Equality impact assessment
Appendix 2 – Consultation report
Appendix 3 – Full consultation responses
Appendix 4 – Case studies for Band B properties
Appendix 5 – Summary of proposal to align with some national welfare changes
Appendix 6 – Draft Council Tax Reduction Scheme
Appendix 7 – Letter from the GLA
Appendix 8 – Letter to the GLA

15. Local Government (Access to Information) Act 1985

Background Documents:

Report for Cabinet, 14 August 2018
Haringey Council Tax Reduction Scheme, 2013
Haringey Council Tax Reduction Scheme – Equality impact assessment, 2013

EQUALITY IMPACT ASSESSMENT

The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to the need to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advancing equality of opportunity between those with a 'relevant protected characteristic' and those without one;
- Fostering good relations between those with a 'relevant protected characteristic' and those without one.

In addition the Council complies with the Marriage (Same Sex Couples) Act 2013.

Stage 1 – Screening

Please complete the equalities screening form. If screening identifies that your proposal is likely to impact on protected characteristics, please proceed to stage 2 and complete a full Equality Impact Assessment (EqIA).

Stage 2 – Full Equality Impact Assessment

An EqIA provides evidence for meeting the Council's commitment to equality and the responsibilities under the Public Sector Equality Duty.

When an EqIA has been undertaken, it should be submitted as an attachment/appendix to the final decision making report. This is so the decision maker (e.g. Cabinet, Committee, senior leader) can use the EqIA to help inform their final decision. The EqIA once submitted will become a public document, published alongside the minutes and record of the decision.

Please read the Council's Equality Impact Assessment Guidance before beginning the EqIA process.

1. Responsibility for the Equality Impact Assessment	
Name of proposal	Changes to 2019/20 Council Tax Reduction Scheme
Service area	Shared Service Centre – Revenues & Benefits
Officer completing assessment	Luke Rigg (Policy & Equalities Officer)
Equalities/ HR Advisor	Luke Rigg (Policy & Equalities Officer)
Cabinet meeting date (if applicable)	Full Council, 31 January 2019
Director/Assistant Director	Jon Warlow (Director of Finance)

2. Summary of the proposal

Please outline

- *The proposal which is being assessed*
- *The key stakeholders who may be affected by the policy or proposal*
- *The decision-making route being taken*

Background information

In 2013, the government formerly abolished Council Tax Benefit (CTB) and replaced it with locally-defined Council Tax Reduction Schemes (CTRS).

The changes did not affect claimants of pensionable age as the government ensured that they would be given the same level of protection that they received under CTB.

In 2012/13, the Council developed its own CTRS and consulted on the following proposed local additions for working age claimants:

- Implement a minimum contribution of 19.8% of a person's Council Tax liability;
- Introduce a £1 minimum award per person;
- Introduce a £10,000 capital savings limit.

As a result of the 2012 public consultation, the Council decided to protect those working-age claimants on a prescribed disability-related benefit or disability premium by creating a 'Protected' category. Those working age claimants in the 'protected' category receive the same maximum level of Council Tax Reduction as those of pensionable age (100%).

Since 2013, the Council's CTRS has remained unchanged.

Proposal summary

The Council is proposing to amend its 2019/20 CTRS. The Council has identified its preferred option, which is to:

- Extend the maximum level of support from 80.2% to 100% for working age non protected claimants with children.
- Update the scheme to align with some national welfare changes:
 - Increase the Allowances and Premiums for all Working Age Claimants.
 - Increase the Second Adult Reduction Income Bands.
 - Increase the Non-Dependant Deduction and Income Bands.

- Update the language used:
 - Abolish references to the Employment and Support Allowance Work Related Activity component and replace it with reference to a Work-Related Activity Group.
 - Include the Employment and Support Allowance Support component and Armed Forces Independence Payment in the list of prescribed disability-related benefits;
 - Replace 'bereavement payment' with 'Bereavement Support Payments' in the list of incomes that are taken into account.

Alongside the preferred option, the Council has consulted on alternative options, including:

- No change;
- Increase the maximum level of CTR to 100% for all working age claimants;
- Limit the amount of CTR received in higher value properties to the amount provided in a designated band;
- Alter the capital savings limit.

Process

The Council is seeking agreement from Full Council to note the findings of the public consultation and to adopt the Council's preferred option.

If the Full Council agrees to the proposals, officers will prepare the necessary administrative changes to launch the new CTRS on 1 April 2019.

Key stakeholders

The proposals directly impact all current recipients of CTRS as they pertain to changes to:

- The maximum level of financial support;
- The maximum support for specific groups;
- The changes to align with wider national welfare changes.

The proposed changes are also of relevance to wider Council Tax payers in the borough, because increasing the maximum level of Council Tax Reduction and funding it from the Council's General Fund would add to the financial pressure on the Council and could mean that service areas have to make additional savings.

Accordingly, in general, the current preferred option has the potential to impact upon a wide range of protected groups.

The Council used the consultation process to ensure that the key stakeholders identified above were engaged on the options presented in the Cabinet report.

Duty to vulnerable groups

In 'Localising Support for Council Tax: Vulnerable People – key local authority duties', the government was clear that in addition to their public sector equality duty, there were additional duties of the Council in regards to developing its CTRS. The duties are described in the aforementioned document and include the following key areas:

- Duty under the Child Poverty Act 2010
- Public sector equality duty – disability
- Armed Forces Covenant – war pension and compensation payments
- Duty to prevent homelessness

The EqIA reviews each of these areas in more detail and provides data where they are held.

Unrecorded protected characteristics

Although equality data is routinely requested in new applications, this data is not mandatory and so the information the Council holds does not provide a comprehensive overview of CTRS claimants.

The protected characteristics of gender reassignment, sexual orientation, marriage and civil partnership, religion and belief and pregnancy and maternity are not currently recorded in the Council's CTRS database as they do not form part of the application criteria. Prior to the Equality Act 2010, the aforementioned characteristics were not covered by the public sector equality duty, hence there was no requirement to record them in the system and as a result no historical data exists relating to them. The Council takes routine steps to request the data as part of new application processes.

The Council is currently reviewing its practice of recording equality data with a view to ensuring that comprehensive data is available for equality impact assessments.

The Council took a number of steps to ensure that the consultation was inclusive and did not discriminate based on any protected characteristics. The consultation questionnaire included open-ended questions, to allow respondents to provide information about equality issues if they had any concerns. The Council also provided a number of contact options available to residents, which included email and written address. Officers responded to any enquiries which came through those communications channels.

3. What data will you use to inform your assessment of the impact of the proposal on protected groups of service users and/or staff?

Identify the main sources of evidence, both quantitative and qualitative, that supports your analysis. Please include any gaps and how you will address these

This could include, for example, data on the Council's workforce, equalities profile of service users, recent surveys, research, results of relevant consultations, Haringey Borough Profile, Haringey Joint Strategic Needs Assessment and any other sources of relevant information, local, regional or national. For restructures, please complete the restructure EqIA which is available on the HR pages.

Protected group	Service users	Staff
Sex	The Council's CTRS database; Census, 2011; Public Consultation	N/A
Gender Reassignment	No Council data recorded; EHRC national data; Public Consultation	N/A
Age	The Council's CTRS database; GLA Population Projection, 2015; Public Consultation	N/A
Disability	The Council's CTRS database; ONS Disability in England & Wales, 2011; Public Consultation;	N/A
Race & Ethnicity	The Council's CTRS database; Census, 2011; Public Consultation	N/A
Sexual Orientation	No Council data recorded; ONS Sub-National Sexual Identity Data, 2013-15; Public Consultation	N/A
Religion or Belief (or No Belief)	No Council data recorded; Census, 2011; Public Consultation	N/A
Pregnancy & Maternity	No Council data recorded; Census, 2011	N/A
Marriage and Civil Partnership	No Council data recorded Census, 2011; Public Consultation	N/A

Outline the key findings of your data analysis. Which groups are disproportionately affected by the proposal? How does this compare with the impact on wider service users and/or the borough's demographic profile? Have any inequalities been identified?

Explain how you will overcome this within the proposal.

Further information on how to do data analysis can be found in the guidance.

As of May 2018, there were 26,487 claimants in receipt of Council Tax Reduction in Haringey. This total has fallen year on year since Council Tax Benefit was abolished in 2013. Table 1.0 summarises the breakdown of the Council's CTRS caseload.

Table 1.0 – Total CTRS caseload (May 2018)

May 2018 CTRS caseload	Pensionable	Vulnerable/ Protected	Working Age Employed	Working Age Other	Total CTR Claimants	Total Working Age (excluding pensioners & vulnerables)	% All CCTR Claimants	% Total Working Age (excluding pensioners & vulnerables)
	8429	7221	5353	5484	26487	10837	100%	40.9%

31.8% of the Council's CTRS caseload is of **pensionable age**. Those claimants in the pensionable category are assessed against a maximum 100% of their Council Tax liability, which mirrors all Local Authorities in England and Wales. When Council Tax Benefit was abolished, the government stipulated that pensioners would receive the same level of protection under the new CTRS. The Council is not proposing to change any aspect of the CTRS for claimants of pensionable age.

27.3% of the Council's CTRS caseload is of **working age but in receipt of a specific disability benefit**, and therefore the Council has 'protected'. Those claimants in the 'protected' category are also assessed against a maximum 100% of their Council Tax liability. The Council's preferred new scheme will impact the 'protected' group as it is proposing to update a number of welfare rules and entitlements for all working age claimants.

40.9% of the Council's CTRS caseload is of **working age and not 'protected'** under the scheme. This group is assessed against a maximum 80.2% of their Council Tax liability. The Council's preferred new scheme will impact this group as it is proposing to update a number of welfare rules and entitlements, which will affect both protected and unprotected working age claimants. The report is also proposing to increase the maximum level of support from 80.2% to 100% for non-protected working age claimants with children, which will impact the aforementioned group.

Data definitions:

- Protected = working age claimants who are in receipt of a prescribed disability related benefit or premium and therefore subject to up to a maximum 100% CTR
- Pensionable = pensionable age claimants – subject to up to a maximum 100% CTR
- Working Age Employed = working age claimants who are currently in employment
- Working Age Other = working age claimants who are currently not in employment

Table 1.1 – Estimated Average financial implications of the Council's preferred option on affected CTRS claimants, 2019/20

Caseload Category	Caseload	Total Financial Impact (£)	Average change to claimant's annual Council Tax bill (£)
Protected working age	7,084	4,132.36	-0.58
Households with children	6,134	1,620,196.66	-264.13
Non-protected working age	4,649	-1,825.24	0.39
Total	17,867	1,622,503.78	-90.81

The above table takes into account the projected decrease in caseload in 2019/20 and the extra day in 2019/20 (which is a leap year). Given those factors, if no changes to the CTRS were made for non-protected working age claimants without children, the estimated financial implication for that group for 2019/20 would be -£14,800.43 (i.e. a much larger saving). Therefore, the preferred option is to spend more on this group than would be spent if no changes were made to the CTRS.

1. Sex

Table 1.1 – Total CTRS caseload by Sex (May 2018)

Sex	Pensionable	Protected	Working Age Employed	Working Age Other	Total CTR Claimants	% All CCTR Claimants	Total Working Age (excluding pensioners & vulnerables)	% Total Working Age (excluding pensioners & vulnerables)	Haringey ¹	London ²
Female	4718	3972	3161	3412	15263	57.6%	6573	60.7%	50.5%	50.9%
Male	3549	3071	2082	1886	10588	40%	3968	36.6%	49.5%	49.1%
Unknown	162	178	110	186	636	2.4%	296	2.7%	N/A	N/A
Total	8429	7221	5353	5484	26487	100%	10837	100%	100%	100%

There are disproportionately more women in receipt of CTR than the Haringey and London population as a whole. This is the case both for working age claimants (protected and non-protected) and all claimants. Therefore, the proposed changes will disproportionately impact women more than men.

2. Gender Reassignment

We do not hold data on the number of people who are seeking, receiving or have received gender reassignment surgery, and there is not national data collected for this protected characteristic. The Equality and Human Rights Commission estimate that there is between 300,000-500,000 transgender people in the UK³.

At this stage, we do not have any data to suggest that this group would be any more or less likely than the rest of the population to have children or be affected by the proposed changes to update the scheme in line with some national welfare changes. Therefore, it is anticipated that the proposed changes to the CTRS will not have a disproportionate impact on this protected characteristic.

¹ 2011 Census

² 2011 Census

³ <https://www.equalityhumanrights.com/en/trans-inequalities-reviewed/introduction-review>

3. Age

Table 1.2 – Total CTRS caseload by Age

Age	Pensionable	Protected Working Agee	Working Age Employed	Working Age Other	Total CTR Claimants	Total Working Age (excluding pensioners & vulnerables)	% All CCTR Claimants	% Total Working Age (excluding pensioners & vulnerables)
18-24	<10	70	112	300	482	412	1.8%	3.8%
25-44	<10	1829	3023	2331	7186	5354	27.1%	49.4%
45-59	60	4065	2011	2342	8478	4353	32.0%	40.2%
60-64	208	1076	206	495	1985	701	7.5%	6.5%
65+	8158	44	<10	16	8219	17	31.0%	0.2%
Not provided	<10	137	<10	<10	137	<10	0.5%	0.0%
Total	8429	7221	5353	5484	26487	10837	100%	100%

38.5% of the Council's CTRS caseload is aged 60 or over, which is higher than the Haringey and London averages.

Table 1.3 – Age breakdown in Haringey and London⁴

Age	Haringey	London
0-15	19.4%	20%
16-64	71.6%	68.6%
65+	9%	11.4%

The percentage of particular age brackets of the population in Haringey broadly match that of the wider London population.

For households where a claimant or their partner is of state pensionable age, the claimant is categorised as 'pensionable' and receives up to 100% Council Tax Reduction under the scheme. The proposed changes to the scheme will not impact on this group.

Working age claimants in receipt of a prescribed disability benefit or premium will continue to be 'protected' under the scheme and receive up to 100% maximum Council Tax Reduction.

Therefore, the only impact will be on non-protected working age claimants. This group is predominantly aged between 25 and 44. However, this group is unlikely to be disproportionately impacted as a whole because it appears to be under-represented in the CTRS caseload when compared to the wider Haringey and London populations.

⁴ GLA population projection, 2015

The preferred option includes increasing the maximum entitlement to Council Tax Reduction for working age claimants with children. Therefore, it is also likely to disproportionately impact on children (i.e. those under 16, or young persons aged between 16 and 19 for whom child benefit is payable).

4. Disability

Table 1.4 – Total CTRS caseload by Disability

In receipt of a prescribed disability benefit?	Pensionable	Vulnerable	Working Age Employed	Working Age Other	Total CTR Claimants	% All CTR Claimants
Yes	1546	7221	<10	<10	8767	33.1%
No	6883	N/A	5353	5484	17720	66.9%

Table 1.5 – Disability data in Haringey, London and England & Wales

	Haringey	London	England & Wales
Day-to-day activity limited a lot	6.8%	6.7%	8.3%
Day-to-day activity limited a little	7.2%	7.4%	9.3%
Day-to-day activity not limited	86.0%	85.8%	82.4%
Day-to-day activity limited a lot: Age 16-64	3.8%	3.4%	3.6%
Day-to-day activity limited a little: Age 16-64	4.6%	4.2%	4.6%
Day-to-day activity not limited: Age 16-64	62.4%	61.5%	56.5%

The proposed changes to bring the CTRS in line with some national welfare changes will affect all working age CTRS claimants. 33.1% of the Council's working age CTRS claimants are protected, i.e. currently in receipt of a prescribed disability related benefit or premium. This percentage is higher than the Haringey, London and national averages. Therefore, it is likely that the proposal to bring the CTRS in line with some national welfare changes will disproportionately impact on this protected characteristic.

In respect of the proposal to increase the maximum level of CTR for working age claimants with children to 100%, protected working age CTRS claimants (i.e. those currently in receipt of a prescribed disability related benefit or premium) already receive up to a maximum 100% CTR under the existing CTRS. Therefore, this proposal will not affect protected working age claimants. Consequently, it is not considered likely that this proposal will disproportionately impact on this protected characteristic.

It is theoretically possible that there are working age claimants with a disability who are not classed as protected working age claimants, for example because they have not successfully claimed a prescribed disability benefit or premium. This could include, for example, a pensioner who is already entitled to a maximum 100% CTR discount and so does not fall into the category of protected working age CTRS claimants. However, we are unable to ascertain this from the available data. Therefore, there is presently no data to suggest that either:

- a) This would alter the likelihood that this protected characteristic would be disproportionately impacted by the changes to bring the CTRS in line with national welfare changes;

or

- b) That such a group would be any more or less likely than the rest of the population to have children. Therefore, it is not presently considered that this protected characteristic is likely to be disproportionately affected by the proposal to increase the maximum CTRS for working age claimants with children to 100%.

5. Race & Ethnicity

Table 1.6 – Total CTRS caseload by Ethnicity

Ethnicity	Pensionable	Vulnerable	Working Age Employed	Working Age Other	Total CTR Claimants	Total Working Age (excluding pensioners & vulnerables)	% All CTR Claimants	% Total Working Age (excluding pensioners & vulnerables)
White British	231	340	179	338	1088	517	4.1%	4.8%
White Other	270	382	487	210	1349	697	5.1%	6.4%
Non White	337	603	574	782	2296	1356	8.7%	12.5%
Unknown	7591	5896	4113	4154	21754	8267	82.1%	76.3%
Total	15650	7221	5353	5484	26487	10837	100%	100%

Table 1.7 – Ethnicity in Haringey and London⁵

Area	Black and Minority Ethnic
Haringey	39.5%
London	40.2%

Race and ethnicity data was not historically recorded as part of the CTRS application process. Therefore, the data provided in table 1.6 does not give a complete overview of the current caseload.

The data in Table 1.7 shows that the Black and Minority Ethnic population in Haringey is approximately the same as for London as a whole.

For those CTRS claimants who provided an ethnicity (see Table 1.6), the majority of working age non-protected claimants and all claimants were 'White Other' and 'Non White'. Therefore, it is likely that the Black and Minority Ethnic population will be disproportionately impacted by any changes to the CTRS, including the preferred option.

6. Sexual Orientation

We do not hold ward or borough level data on sexual orientation, and it is not collected nationally through the Census. However, the ONS estimates that 3.7% of Haringey's population are lesbian, gay or bisexual (LGB), which is the 15th largest LGB community in the country⁶.

Parliament estimates that in the UK there are around 20,000 dependent children living in same-sex couple families⁷. It is unclear what the figure would be for same-sex single parents.

Therefore, at this stage, it we do not have sufficient data to suggest that people of any particular sexual orientation would be any more or less likely than the rest of the population to have children or be affected by the proposed changes to update the scheme in line with some national welfare changes. Therefore, it is anticipated that the proposed changes to the CTRS will not have a disproportionate impact on this protected characteristic.

⁵ 2011 Census

⁶

<https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/sexuality/articles/subnationalsexualidentityestimates/uk2013to2015#introduction>

⁷ <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/SN03372#fullreport>

7. Religion or Belief (or No Belief)

We do not hold data on religion or belief among Haringey's CTR caseload. However, the borough and region's data can be summarised as the following:

Table 1.8 – Religion in Haringey and London

Religion/Belief	Haringey	London
Christian	45.0%	48.9%
Buddhist	1.1%	1.0%
Hindu	1.8%	5.0%
Jewish	3.0%	1.8%
Muslim	14.2%	12.4%
Sikh	0.3%	1.5%
Other religion	0.5%	0.6%
No religion	25.2%	20.7%
Religion not stated	8.9%	8.5%

The distribution of religions in Haringey broadly tallies with London. There is a slightly higher proportion of residents with no religion than in London.

Therefore, at this stage, we do not have sufficient data to suggest that people of any particular religion or belief would be any more or less likely than the rest of the population to have children or be affected by the proposed changes to update the scheme in line with some national welfare changes.

Therefore, it does not appear likely that the proposed changes to the CTRS will have a disproportionate impact on this protected characteristic.

8. Pregnancy & Maternity

Table 1.9 – CTRS caseload by Dependant Category

Dependents Categories	Pensionable	Vulnerable	Working Age Employed	Working Age Other	Total CTR Claimants	Total Working Age (excluding pensioners & vulnerables)	% Total CTR Claimants	% Total Working Age (excluding pensioners & vulnerables)
Those with dependants aged 1 and under	<10	120	479	432	1032	911	3%	8%
Those with dependants aged 5 and under	<10	446	1585	1238	3275	2823	11%	26%
Those with dependants aged 16 and under	69	1516	3511	2165	7261	5676	27%	52%
Those with more than 3 dependants	<10	149	415	105	669	520	3%	5%
Count of All Lone Parents with dependants	38	1107	1807	2065	5017	3872	15%	36%

Table 2.0 – Proportion of 0-4 year olds in Haringey and London

	Haringey	London
Proportion of 0-4 year olds	7.1%	7.2%

Table 1.9 provides statistics on a number of scenarios regarding dependants. It should be noted that there will be considerable overlap between the different scenarios (for example, the number of claimants with dependants aged 1 and under is accumulated in the number of claimants with dependants aged 5 and under, etc).

The data shows that the 27% of claimants have a dependant aged 16 and under. Of this, a majority (52%) of non-protected working age claimants have a dependant aged 16 and under. This is higher than the borough and regional averages.

A significant proportion of households on CTR are single-parent households. This proportion increases among non-protected working age claimants, who are currently subject to the 80.2% maximum level of support.

The preferred option includes increasing the maximum entitlement to Council Tax Reduction for working age claimants with children.

Therefore we can infer that the preferred option is likely to disproportionately impact on the group with this protected characteristic.

9. Marriage and Civil Partnership

We do not hold data on marriage and civil partnership among Haringey's CTR caseload. However, the borough and region's data can be summarised as follows:

Table 2.1 – Marital and civil partnership status in Haringey and London

Marital and civil partnership status	Haringey	London
Married (heterosexual couples)	32.2%	40%
Civil Partnership	0.6%	0.4%

At this stage, we do not have data to suggest that people who are married or in a civil partnership would be any more or less likely than the rest of the population to have children or be affected by the proposed changes to update the scheme in line with some national welfare changes.

Therefore, it is anticipated that the proposed changes to the CTRS will not have a disproportionate impact on this protected characteristic.

4. a) How will consultation and/or engagement inform your assessment of the impact of the proposal on protected groups of residents, service users and/or staff?

Please outline which groups you may target and how you will have targeted them

Further information on consultation is contained within accompanying EqlA guidance

The Council used the public consultation to understand the views of current recipients of CTRS in Haringey and wider Council Tax payers. The consultation findings provide the opportunity to further assess the impact of the proposed changes on groups who share protected characteristics.

The consultation targeted:

- Existing recipients of CTRS
- Wider Council Tax payers

The consultation comprised of:

- Drop-in sessions at public sites (including libraries)
- Physical copies of the consultation in all of the borough's libraries and two Customer Service Centres
- Online consultation form via the Council's website
- Targeted social media campaign
- Use of physical advertisements across the borough

The consultation aimed to be inclusive and not discriminate on the basis of any protected characteristics. It included open ended questions and free text boxes, to allow respondents to provide information about equalities issues if they had any concerns.

4. b) Outline the key findings of your consultation / engagement activities once completed, particularly in terms of how this relates to groups that share the protected characteristics

Explain how will the consultation's findings will shape and inform your proposal and the decision making process, and any modifications made?

Headline Findings

The Council consulted on the preferred option, alternative options and the proposed funding of the changes. Summary tables have been provided which outline the breakdown of consultation responses by protected characteristic.

The consultation findings identified that 52% of respondents were in favour of element 'a' of the preferred option and 57% of respondents were in favour of element 'b' of the preferred option.

Overall, the equality data sourced from the consultation did not suggest that individuals or groups who share a protected characteristic would be negatively impacted by the preferred option and therefore do not suggest that changes should be made to the proposal.

Table 2.2 – Breakdown of Consultation Responses by Sex

Male	Female	Prefer not to say	No reply	Total
109	176	32	25	342
32%	51%	9%	7%	100%

Table 2.2 identifies that 32% of respondents identified as male, as opposed to 51% of respondents who identified as female. This compares to 40% of existing CTR claimants who identified as male and 58% who identified as female claimants. Therefore, it can be inferred that the proportion of respondents who identify as female and male was broadly representative of the proportion of existing CTR caseload who identify as such.

Overall, it is considered that the consultation findings do not suggest the preferred option will disproportionately negatively impact this protected characteristic.

Table 2.3 – Breakdown of Consultation Responses by Gender Reassignment

Yes	No	Prefer not to say	No reply	Total
<10	243	39	54	342
<3%	71%	11%	16%	100%

Table 2.3 identifies that 2% of respondents have undergone gender reassignment, which is slightly higher than national projections (of less than 1% of the UK population⁸). It is not considered that this represents a significant deviation from what the Council would expect to be the case.

Overall, it is considered that the consultation findings do not suggest the preferred option will disproportionately negatively impact this protected characteristic.

⁸ <https://www.equalityhumanrights.com/en/trans-inequalities-reviewed/introduction-review>

Table 2.4 – Breakdown of Consultation Responses by Age

Under 20	21-24	25-29	30-44	45-59	60-64	65-74	75-84	85-89	90 and over	No reply	Total
<10	<10	28	130	90	25	39	12	-	-	11	342
<3%	<3%	8%	38%	26%	7%	11%	4%	-	-	3%	100%

Table 2.4 identifies that a majority (64%) of respondents were between the ages of 30-59. Working age CTR claimant are the individuals who would be affected by the proposed changes to the CTRS. Therefore, this indicates that a significant majority of respondents were those who would actually be affected by the proposed changes.

Overall, it is considered that the consultation findings do not suggest the preferred option will disproportionately negatively impact this protected characteristic.

Table 2.5 – Breakdown of Consultation Responses by Disability

Deafness or partial loss of hearing	Development disorder	Physical disability	Blindness or partial loss of sight	Mental ill health	Other disabilities	Learning disability	Long term illness or condition	No disabilities	Prefer not to say	Other	No reply	Total
15	<10	22	<10	17	<10	<10	36	161	44	<10	56	342
4%	<3%	6%	<3%	5%	<3%	<3%	11%	47%	13%	<3%	16%	100%

Of the respondents who submitted a response to this question, 30% identified as having a disability. This is higher than the local, regional and national averages, but is representative of the Council's existing CTRS claimant caseload, where over 33% have a disability.

Overall, it is considered that the consultation findings do not suggest the preferred option will disproportionately negatively impact this protected characteristic.

Table 2.6 – Breakdown of Consultation Responses by Race and Ethnicity

White			White Other						Mixed				Black or Black British		
British	Irish	Greek/ Greek Cypriot	Turkish/ Cypriot	Turkish	Kurdish	Gypsy/ Roma	Irish Traveller	Other	White and Black African	White and Black Caribbean	White and Asian	Other	African	Caribbean	Other
174	10	<10	<10	<10	<10	<10	<10	52	<10	<10	<10	<10	16	19	<10
51 %	3 %	<3 %	<3 %	<3 %	<3 %	<3 %	<3 %	15 %	<3 %	<3 %	<3 %	<3 %	4 %	6 %	<3 %

Asian or Asian British					Chinese or other Ethnic Group		Total
Indian	Bangladeshi	Pakistani	East African Asian	Other	Chinese	Any other Ethnic Background	
<10	<10	<10	<10	<10	<10	<10	342
<3%	<3%	<3%	<3%	<3%	<3%	<3%	100%

Table 2.6 identifies that 51% of respondents identified as White British. The Council holds limited data on the race and ethnicity of its existing CTRS claimants, therefore the Council must rely on comparisons with data for the borough. The representation of White British respondents was higher than the proportion of White British residents in Haringey. Similarly, the next highest proportions of other ethnicities in the responses to the consultation are lower than that of the proportions of residents in the borough. Therefore, it may be the case that the consultation is less useful in assessing the impact on this protected characteristic.

Overall, it is considered that the consultation findings do not suggest the preferred option will disproportionately negatively impact this protected characteristic.

Table 2.7 – Breakdown of Consultation Responses by Sexual Orientation

Heterosexual	Gay	Lesbian	Bisexual	Prefer not to say	No reply	Total
193	14	<10	<10	67	55	342
56%	4%	<3%	<3%	20%	16%	100%

Table 2.7 identifies that 56% of respondents identified as heterosexual.

A greater proportion (8%) of respondents identified as Lesbian, Gay or Bisexual (LGB) than the estimated proportion of LGB residents in Haringey (3.7%). Although this indicates this group were over-represented amongst respondents, the proportion is not materially different and the ONS Sub-National Sexual Identity Data may be an underestimate. Therefore, it may be the case that the consultation is less useful in assessing the impact on this protected characteristic.

Table 2.8 – Breakdown of Consultation Responses by Religion or Belief

Christian	Hindu	Muslim	Sikh	Jewish	Rastafarian	Buddhist	No Religion	Prefer not to say	Other	No reply	Total
79	<10	13	<10	<10	<10	<10	139	51	10	41	342
23%	<3%	4%	<3%	<3%	<3%	<3%	41%	15%	3%	12%	100%

Table 2.8 identifies that the highest proportion of respondents identified as having no religion (41%), which is higher than the borough average. The proportion of respondents who identified as Christian (23%) is lower than that of the borough. However, the borough data is based on 2011 and wider national projections suggest that the proportion of individuals identifying as Christian continues to fall. Therefore, it may be the case that the consultation is less useful in assessing the impact on this protected characteristic.

Pregnancy and Maternity

The consultation did not explicitly ask respondents about their pregnancy and maternity circumstances. However, the Council holds age-related data on the current CTRS caseload, which identifies the proportion of younger children. The analysis of this data is included in section three of the Equality Impact Assessment.

Marriage and Civil Partnership

Table 2.9 – Breakdown of Consultation Responses by Marriage and Civil Partnership Status

Single	Married	Separated	Divorced	In a same sex civil partnership	Co-habiting	Widowed	Prefer not to say	No reply	Total
92	107	<10	12	<10	21	<10	55	38	342
27%	31%	<3%	4%	<3%	6%	<3%	16%	11%	100%

Table 2.9 identifies that 31% of respondents were married, which tallies with the proportion of married individuals in Haringey (32%).

The proportion of respondents who were in a same sex civil partnership (1%) is higher than the proportion of residents in same sex civil partnerships in Haringey (0.2%), however, it is considered that this does not represent a significant deviation from what the Council would expect to be the case.

5. What is the likely impact of the proposal on groups of service users and/or staff that share the protected characteristics?

Please explain the likely differential impact on each of the 9 equality strands, whether positive or negative. Where it is anticipated there will be no impact from the proposal, please outline the evidence that supports this conclusion.

Further information on assessing impact on different groups is contained within accompanying EqIA guidance

1. Sex

Women are overrepresented in the current CTRS caseload and so are likely to be disproportionately affected by the proposed changes.

It seems likely from the data that most single parents in the Haringey CTRS caseload are women, as women are overrepresented in the caseload. The Council's preferred option would provide additional financial support to households with children for non-protected working age claimants.

There may be some women who do not qualify for up to 100% maximum CTR as a result of not being pensioners, entitled to certain disability benefits or having children. The proposal to align with national welfare changes is likely to generally have a positive financial impact on CTRS claimants. Some of this cohort may financially lose out as a result of the changes to non-dependant income bands and deductions. However, the

number of people affected is likely to be comparatively small once the other proposed changes are taken into account (including increases to allowances and premiums) and the maximum financial loss would be a maximum of 95p per week.

Therefore, on balance it is considered that the overall impact on this protected characteristic would be positive.

Positive	X	Negative		Neutral impact		Unknown Impact	
----------	---	----------	--	----------------	--	----------------	--

2. Gender reassignment

Overall, the preferred option would leave most affected claimants financially better off than under the existing scheme.

It is anticipated that the proposed changes to the CTRS will not have a disproportionate impact on this protected characteristic as the data available does not suggest that this characteristic is overrepresented. Therefore, it is considered that the impact is likely to be neutral.

Positive		Negative		Neutral impact	X	Unknown Impact	
----------	--	----------	--	----------------	---	----------------	--

3. Age

The preferred option is considered likely to have a disproportionate impact on both children. Claimants of pensionable age will not be affected by the proposed changes.

Children

Overall, the proposed changes are likely to have a positive impact on children because it is proposed to increase the maximum CTR for working age claimants to 100%. This aims to provide additional financial assistance to a group in particular need. For example, working age claimants with children who currently receive the maximum 80.2% Council Tax Reduction would no longer pay any Council Tax.

Even once the proposed changes to align with some national welfare changes are taken into account, the net result is likely to mean non-protected working age claimants with children will be financially better off.

Child poverty is a significant issue in the borough and the proposed changes will reduce the financial contribution that working households with children are required to pay towards their Council Tax.

Therefore, it is considered likely that the preferred option will have a positive impact for children.

Adults aged between 25 and 44

Generally, the preferred option is likely to have a positive financial impact on most adults within this group. This is because more adults are likely to gain from the proposed changes than to not.

There may be some in this group who do not qualify for up to 100% maximum CTR. This cohort may financially lose out as a result of the changes to non-dependant income bands and deductions. However, the number of people affected is likely to be comparatively small once the other proposed changes are taken into account (including increases to allowances and premiums) and the maximum financial loss would be a maximum of 95p per week.

Therefore, on balance it is considered that the overall impact on this protected characteristic would be positive.

Positive	X	Negative		Neutral impact		Unknown Impact	
----------	---	----------	--	----------------	--	----------------	--

4. Disability

It is considered unlikely that persons with a disability would be disproportionately affected by the proposal to increase the maximum CTR to 100% for working age claimants with children because protected working age CTRS claimants are already entitled to a maximum 100% CTR.

It is considered likely that persons with a disability would be disproportionately impacted only by the proposed changes to align the CTRS with some national welfare changes as they are overrepresented in the CTRS caseload.

Generally, the preferred option is likely to have a positive financial impact on most CTRS claimants. There may be some persons with a disability who financially lose out as a result of the proposed changes to align the CTRS with some national welfare changes non dependant income bands and deductions. However, the maximum financial loss would be a maximum of 95p per week and the number of people affected is likely to be comparatively small once the other proposed changes are taken into account (including increases to allowances and premiums).

Therefore, on balance it is considered that the overall impact on this protected characteristic would be positive.

Positive	X	Negative		Neutral impact		Unknown Impact	
----------	---	----------	--	----------------	--	----------------	--

5. Race and ethnicity

It is considered likely that the Black and Minority Ethnic population will be disproportionately impacted by the preferred option, as the borough profile data suggests that this protected characteristic is overrepresented.

Generally, the preferred option is likely to have a positive financial impact on most CTRS claimants. There may be some who do not qualify for up to 100% maximum CTR who financially lose out as a result of the changes to non-dependant income bands and deductions. However, the number of people affected is likely to be comparatively small once the other proposed changes are taken into account (including increases to allowances and premiums) and the maximum financial loss would be a maximum of 95p per week.

Therefore, it is thought likely that it would also have an overall positive impact on the Black and Minority Ethnic CTRS claimants.

Positive	X	Negative		Neutral impact		Unknown Impact	
----------	---	----------	--	----------------	--	----------------	--

6. Sexual orientation

Overall, the preferred option would leave most affected claimants financially better off than under the existing scheme.

It is anticipated that the proposed changes to the CTRS will not have a disproportionate impact on this protected characteristic as the data available does not suggest that this characteristic is overrepresented. Therefore, it is considered that the impact is likely to be neutral.

Positive		Negative		Neutral impact	X	Unknown Impact	
----------	--	----------	--	----------------	---	----------------	--

7. Religion or belief (or no belief)

Overall, the preferred option would leave most affected claimants financially better off than under the existing scheme.

It is anticipated that the proposed changes to the CTRS will not have a disproportionate impact on this protected characteristic as there is no data that suggests this protected characteristic would be disproportionately impacted. Therefore, it is considered that the impact is likely to be neutral.

Positive		Negative		Neutral impact	X	Unknown Impact	
----------	--	----------	--	----------------	---	----------------	--

8. Pregnancy and maternity

The proposed changes are expected to have a positive impact on groups who share this protected characteristic because the proposal will increase the maximum level of CTR from 80.2% to 100% for working age households with children.

Those households with children who fall into the existing pensionable category will not be affected by the proposed changes as their maximum level of CTR and other rules/entitlements remain unchanged and have been defined separately.

Those households with children who fall into the protected working age group will continue to receive up to 100% CTR.

Even once the proposed changes to align with some national welfare changes are taken into account, the net result is likely to mean non-protected working age claimants with children will be financially better off.

Child poverty is a significant issue in the borough and the proposed changes will reduce the financial contribution that working households with children are required to pay towards their Council Tax.

The proposed changes will positively impact this group because for those claimants with children who are not already 'protected' (by falling into the pensionable or protected categories) the maximum level of support will increase from 80.2% to 100%. Moreover, the proposed changes will support single-parent households, who make up a significant proportion of the CTRS caseload. This will have a positive financial impact on those non-protected working age claimants with children, as they will have less or nothing to pay towards their Council Tax liability.

Therefore, the impact on this protected characteristic is considered likely to be positive.

Positive	X	Negative		Neutral impact		Unknown Impact	
----------	---	----------	--	----------------	--	----------------	--

9. Marriage and Civil Partnership

Overall, the preferred option would leave most affected claimants financially better off than under the existing scheme.

It is anticipated that the proposed changes to the CTRS will have a disproportionate positive impact on this protected characteristic as the proposed changes will provide additional financial support to households with young children.

Positive		Negative		Neutral impact	X	Unknown Impact	
----------	--	----------	--	----------------	---	----------------	--

10. Groups that cross two or more equality strands e.g. young black women

- Female-headed single parents;
- BAME women;

The data suggests that female-headed single parents and BAME women are more likely to be disproportionately positively impacted by the preferred option as the equality strands are overrepresented in the CTRS caseload.

There is nothing to suggest that these groups will be negatively impacted by the preferred option.

Overall, the preferred option would leave most affected claimants financially better off than under the existing scheme.

Outline the overall impact of the policy for the Public Sector Equality Duty:

- Could the proposal result in any direct/indirect discrimination for any group that shares the relevant protected characteristics?
- Will the proposal help to advance equality of opportunity between groups who share a relevant protected characteristic and those who do not?

This includes:

- a) Remove or minimise disadvantage suffered by persons protected under the Equality Act
 - b) Take steps to meet the needs of persons protected under the Equality Act that are different from the needs of other groups
 - c) Encourage persons protected under the Equality Act to participate in public life or in any other activity in which participation by such persons is disproportionately low
- Will the proposal help to foster good relations between groups who share a relevant protected characteristic and those who do not?

The preferred option will not affect claimants of pensionable age. Pensioners follow a national scheme and their level of entitlement to Council Tax Reduction will not change.

The preferred option will affect working age claimants. The assessment has identified that, where we have data, overall the proposed changes to the existing Council Tax Reduction Scheme would have a positive impact on the groups that share protected characteristics:

- Sex
- Age
- Disability
- Race and Ethnicity
- Pregnancy and Maternity

Proposed changes to maximum level of CTR for non-protected working age claimants in households with children:

- An increase of the maximum level of CTR from 80.2% to 100% will positive impact those households with children who are currently not 'protected' or fall into the pensionable category of the existing scheme. This will either reduce or eliminate any Council Tax liability for households with children, which will have a positive impact on those families, whom the Council deems vulnerable and in particularly difficult financial circumstances.
- The change would play a clear role in fostering equality of opportunity for working age claimants in households with children, but also in fostering equality of opportunity for the children in those households. The preferred option provides support and reduces financial burdens on households, promoting equality of opportunity.

Proposed changes to update the scheme to align with national welfare changes:

Generally, the preferred option is likely to have a positive financial impact on most CTRS claimants. There may be some who do not qualify for up to 100% maximum CTR who financially lose out as a result of the changes to non-dependant income bands and deductions. However, the number of people affected is likely to be comparatively small once the other proposed changes are taken into account (including increases to allowances and premiums) and the maximum financial loss would be a maximum of 95p per week.

In many cases, the overall financial impact on affected claimants is likely to be offset by the increases to allowances and premiums. For working age households with children, any financial loss is likely to be significantly mitigated by the increase to the maximum level of CTR that can be awarded.

Duties to particular groups

As above, the preferred option is considered likely to have a positive impact on child poverty and persons with a disability. As most CTRS claimants are considered likely to financially benefit from the preferred option it is thought likely that this would reduce the risk of homelessness by reducing the financial burden on groups in particular need.

Since 2013, the Council's CTRS has reflected armed forces benefits.

Outside the CTRS, the Council holds a range of Council Tax Discounts, Exemptions and Disregards. These powers include support complete Council Tax exemption for residents who are "Severely Mentally Impaired".

Additional benefits of the proposed potential changes

- Some claimants will no longer have any remaining Council Tax liability to pay to the Council. The groups most likely to fall into this category are those with children.
- We know that some of the households with children who currently receive up to a maximum of 80.2% Council Tax Reduction are unable to pay their remaining liability and are taken to court (and in some cases referred to Enforcement Agents). By removing the liability, the Council will avoid using enforcement action with some households with children. In 2017/18, 21.8% of all non-protected working age claimants receiving the current maximum 80.2% CTR were summonsed. Moreover, 11.7% of all non-protected working age claimants with children receiving CTR were summonsed. The proposals are likely to reduce the number of cases being summonsed in 2019/20.

Additional powers to support vulnerable residents:

- The Council has the discretionary power, under S13A(1)(c) of the Local Government Finance Act, to eliminate the Council Tax liability for residents in extenuating circumstances.

Funding the proposed changes:

Should the Cabinet approve the proposed new CTRS, the Council is proposing to fund it through its General Fund. Therefore, the proposals in this report would exacerbate the financial pressures for the wider organisation. As with other cost pressures, the Council will have to explore savings proposals from other services as well as options to generate additional income to pay for the additional costs associated with the proposed 2019/20 CTRS.

At this stage in the development of the Council's next medium term financial strategy it is impossible to identify where those savings might originate. Moreover, the Council does not connect individual savings with individual cost pressures in its budget. Therefore, it is difficult to identify whether certain groups who share protected characteristics would be disproportionately affected by the preferred option to change the CTRS.

The General Fund is used to deliver the Council's Corporate Plan. An outcome of the Corporate Plan is 'A Fair and Equal Borough'. Individuals and groups protected under the Equality Act are most likely to benefit from the delivery of the outcome.

Therefore, the Council can infer that individuals and groups protected under the Equality Act may be disadvantaged and may stand to lose out as a result of the proposed changes. However, the identity of those groups that would financially lose out cannot be predicted with certainty. The financial impact is not considered significant, particularly when weighed against the overall additional financial support arising from the preferred changes to the CTRS.

6. a) What changes if any do you plan to make to your proposal as a result of the Equality Impact Assessment?

Further information on responding to identified impacts is contained within accompanying EqlA guidance

Outcome	Y/N
No major change to the proposal: the EqlA demonstrates the proposal is robust and there is no potential for discrimination or adverse impact. All opportunities to promote equality have been taken. <u>If you have found any inequalities or negative impacts that you are unable to mitigate, please provide a compelling reason below why you are unable to mitigate them.</u>	Yes
Adjust the proposal: the EqlA identifies potential problems or missed opportunities. Adjust the proposal to remove barriers or better promote equality. Clearly <u>set out below</u> the key adjustments you plan to make to the policy. If there are any adverse impacts you cannot mitigate, please provide a compelling reason below.	No
Stop and remove the proposal: the proposal shows actual or potential avoidable adverse impacts on different protected characteristics. The decision maker must not make this decision.	No

6 b) Summarise the specific actions you plan to take to remove or mitigate any actual or potential negative impact and to further the aims of the Equality Duty

Impact and which relevant protected characteristics are impacted?	Action	Lead officer	Timescale
N/A	N/A	N/A	N/A
Please outline any areas you have identified where negative impacts will happen as a result of the proposal but it is not possible to mitigate them. Please provide a complete and honest justification on why it is not possible to mitigate them.			
N/A			

6 c) Summarise the measures you intend to put in place to monitor the equalities impact of the proposal as it is implemented:

Regardless of the decision in relation to proposed CTRS changes for 2019/20, the Council will continue to provide support to Council Tax payers where vulnerabilities are identified and respond appropriately. This includes:

- Supportive and flexible payment arrangements
- Promotion of wider support available in the Council and with our Voluntary and Community Sector partners across the borough
- Signposting to Citizens Advice Haringey

The Council is currently reviewing its practice of recording equality data with a view to ensuring that comprehensive data is available for equality impact assessments.

7. Authorisation

EqlA approved by


Jon Warlow, Director of Finance

Date

7/1/19

8. Publication

Please ensure the completed EqlA is published in accordance with the Council's policy.

Please contact the Policy & Strategy Team for any feedback on the EqlA process.

Proposed changes to 2019/20 Council Tax Reduction Scheme – Consultation Report

Context

The Council Tax Reduction Scheme is a way of helping people on low or no income pay their Council Tax bill.

Currently, Haringey's Council Tax Reduction Scheme provides up to 100% support for pensioners and working age claimants in receipt of disability-related benefits. For all other working age claimants, the scheme provides up to 80.2% support.

In Haringey, over 26,000 residents currently receive some level of support under the Council Tax Reduction Scheme.

On 14 August 2018, the Cabinet agreed to go out to consultation on proposed changes to the 2019/20 Council Tax Reduction Scheme. The Council's preferred option was a combination of changes to prioritise additional support:

- a) Increasing the maximum level of Council Tax Reduction from 80.2% to 100% for working age residents with children; and
- b) Updating the scheme to align with some national welfare changes, some of which would affect the level of Council Tax Reduction for working-age claimants and some of which would not.

The findings of the consultation, summarised in this report, will inform the final decision at Full Council on 31 January 2019.

Consultation Activities

The consultation ran for ten weeks, from 3 September to 12 November 2018.

A number of consultation methods were used:

- Online questionnaire – promoted on the Council's website and social media platforms.
- Hard copy Consultation booklet with questionnaire – the booklet outlined the proposed changes, details of how to respond and referenced the dedicated CTRS webpages on the Council's website. The booklets were available on request and available in the borough's two combined customer service and library centres and all of the branch libraries.

The Council publicised the consultation through a number of channels:

- Press release – accompanied the launch of the consultation which was picked up by the Ham & High, Tottenham Independent and Tottenham Community Press. It was shared on the Council's website and social media platforms.
- The Council's social media accounts (Facebook and Twitter) – regular updates to inform residents about the drop-in sessions and to encourage residents to share and participate in the consultation.
- The Council's website homepage – as a homepage feature.
- Local library posters – Displayed prominently at reception desks and notice boards.
- *Haringey People* magazine – Main news piece in the October/November edition. This is distributed to every household in the borough, including every household in receipt of Council Tax Reduction.
- *Haringey People Extra* newsletter – Several news items to signpost people to the consultation web pages and to encourage them to respond to the consultation
- *Tottenham News* – News item in the October edition of bi-monthly newsletter
- *Homes for Haringey* notice boards (Homes for Haringey is an Arms Length Management Organisation responsible for the day to day management of Haringey's council homes).
- *In-Haringey* – a bulletin for council staff.
- Wider circulation – the consultation was communicated to frontline officers and a number of independent organisations, including Haringey Citizens Advice and the local DWP, to expand the reach of the consultation and equip relevant front-line professionals with the relevant information if they engaged with affected residents.

- Six drop-in sessions – held at various locations throughout the consultation period, enabling residents to ask specific questions and address any issues. Officers regularly monitored the levels of participation in the consultation and re-supplied consultation booklets where there was high demand. Officers were able to engage with more than 20 people who presented with queries during the consultation and was able to give out consultation booklets to additional people passing the desk for the drop-in sessions.

Table 1.1 – Drop-in sessions held during the consultation

Date / Time	Location
Thursday 13 September, 4pm-7pm	Marcus Garvey Library, 1 Philip Lane, Tottenham, N15 4JA
Saturday 29 September, 10am-1pm	Wood Green Library, 187-197A High Road, Wood Green, N22 6XD
Tuesday 9 October, 3.30pm-6.30pm	Selby Centre, Selby Road, Tottenham, N17 8JL
Friday 19 October, 4pm-7pm	St Ann's Library, Cissbury Road, Tottenham, N15 5PU
Wednesday 24 October, 4pm-7pm	Hornsey Library, Haringey Park, Crouch End, N8 9JA
Monday 5 November, 3pm- 5pm	Marcus Garvey Library, Tottenham Green, 1 Philip Lane, Tottenham, N15 4JA

Analysis of respondents

Consultation activities

The preferred method of responding to the consultation was through the Council's online questionnaire, which tallies with a majority of the Council's recent borough-wide consultations. Of the 342 responses to the consultation, only 4 responses were received as hard copies, delivered to library receptions.

Equality Monitoring

The Council included an equality monitoring questionnaire in the consultation. Of the 342 respondents, all 342 respondents chose to complete this section.

The findings of this section of the consultation questionnaire will be included in the Council's final Equality Impact Assessment.

Volume

The Council received 342 responses to the consultation, with the vast majority of respondents opting to take part via the online survey (338 responses online and 4 hard copy responses received at libraries).

In addition, the Council received 4 email representations through the dedicated CTRS inbox.

The vast majority of respondents were Haringey residents (96%). The remaining 4% were Ward Councillors.

Complexity

Some respondents (just under 10% of the total number of respondents) used the free text boxes to highlight the complex nature of the consultation and the difficulty with which they completed it. This may reflect the fact that the proposal to align with some national welfare changes is technical by nature. It was necessary to strike a balance between ensuring that the consultation materials were as accessible and user-friendly as possible and the need to ensure they were accurate

A number of efforts were made to ensure the consultation was inclusive and maximised participation, for example holding several face-to-face drop-in sessions across the borough and at different times of the day, where questions could be answered. Statutory and non-statutory agencies were also contacted to expand the reach of the consultation and equip relevant front-line professionals with the information if they engaged with affected residents.

The margins between the results and the quality of some of the free text responses did not suggest that the outcome of the consultation would have been materially affected had it not referred to some technical information which it was considered right to include.

Consultation Responses

Summary of findings

The majority of respondents were in favour of both elements of the Council's preferred option, with 52% in favour of Option 1a and 56% in favour of Option 1b. The full breakdown of results can be found below.

Quantitative questions

Question 1: To what extent do you agree with the following aspects of the Council's preferred option?

- a) Increasing the maximum level of Council Tax Reduction from 80.2% to 100% for working age residents with children**

Table 1.1 – Summary of responses to Question 1a

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Total answered
Number of respondents	123	53	29	32	105	342
Percentage	36%	16%	8%	9%	31%	100%

Graph 1.1 – Summary of responses to Question 1a

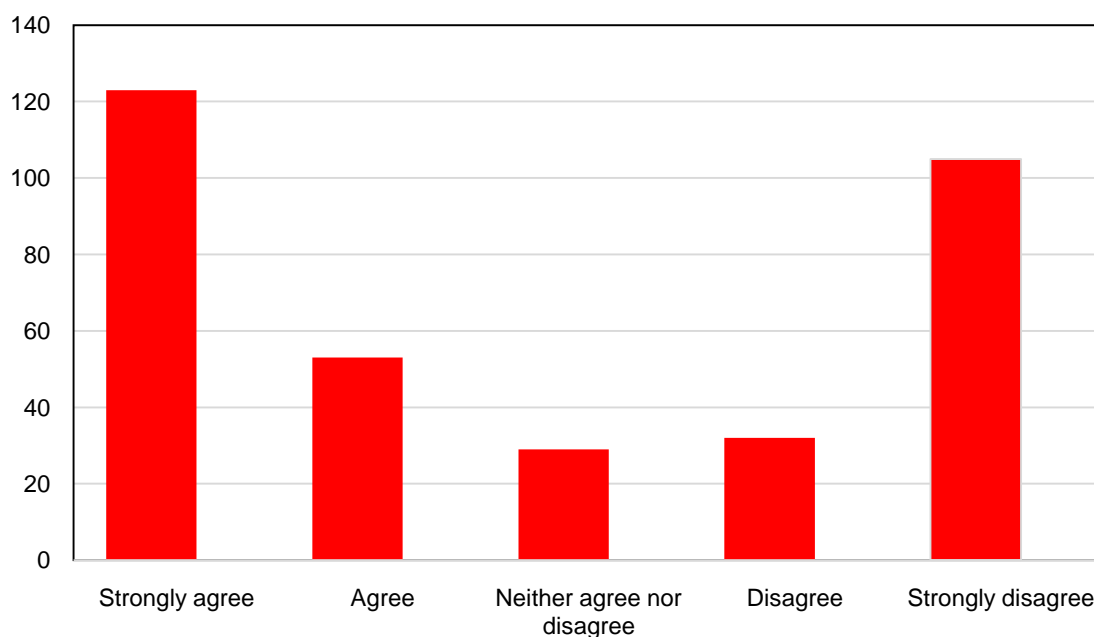


Table 1.1 highlights that 52% of respondents said they agreed or strongly agreed with the proposal, as opposed to 40% who disagreed or strongly disagreed. The remaining 8% neither agreed nor disagreed with the proposal.

b) Updating the scheme to align with some national welfare changes

Table 1.2 – Summary of responses to Question 1b

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Total answered
Number of respondents	97	100	77	17	51	342
Percentage	28%	29%	23%	5%	15%	100%

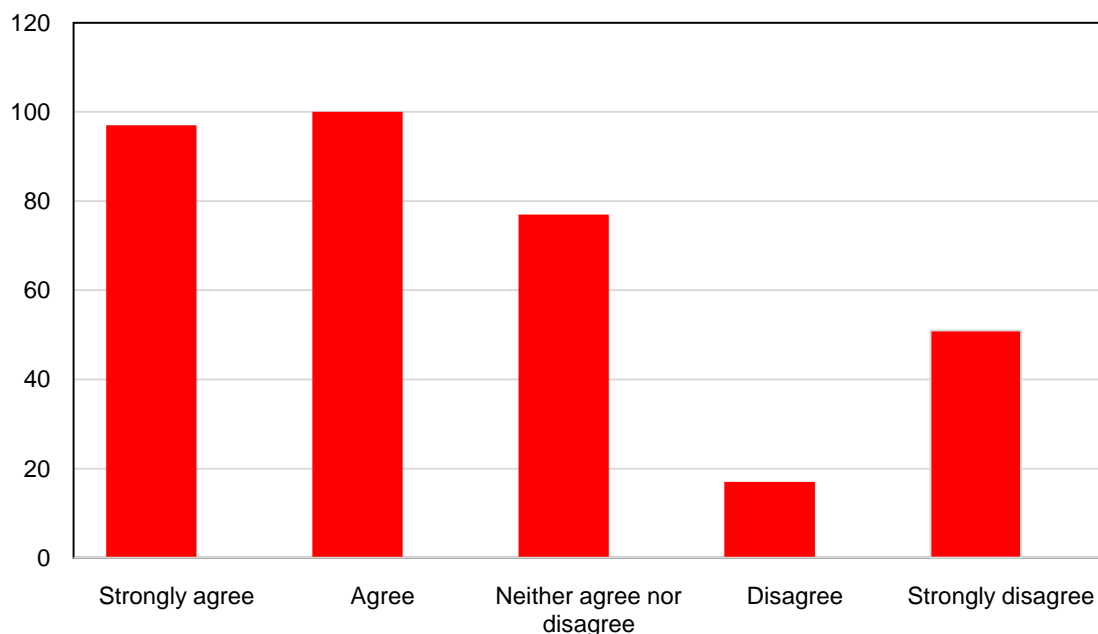


Table 1.2 highlights that 57% of respondents said they agreed or strongly agreed with the proposal, as opposed to 20% who disagreed or strongly disagreed. 23% of respondents neither agreed nor disagreed with the proposal, which is higher than in response to Question 1a. There are a number of potential reasons for this, for example it could be that the proposal to align with some national welfare changes:

- Was not perceived as making as much financial difference as and so did not elicit as strong a response; or
- Was difficult to understand, due its technical nature.

Question 2: Do you think the Council should consider one of the alternative options mentioned on page 5?

Table 1.3 – Summary of responses to Question 2

Yes	No	No Opinion	Total
189	87	66	342
55%	26%	19%	100%

Table 1.3 identifies that a majority of the respondents thought the Council should consider one of the alternative options. This may appear to contradict the responses to questions 1a and 1b, which suggest that 52% and 57% of respondents agreed or strongly agreed with the relevant parts of the preferred option. However, there are multiple possible reasons for this, for example:

- Respondents may have agreed with the nature of the preferred option (i.e. to make the CTRS more generous) but wanted the Council to go even further. Notably, as below, the most popular alternative option was to increase the maximum level of CTRS from 80.2% to 100% for all working age claimants.
- Respondents may have wanted the Council to combine the preferred option with an alternative option. For example, to adopt the preferred option but also alter the capital savings limit.
- Respondents may have wanted the Council to seriously *consider* an alternative but not necessarily chose it if, on reflection, there were good reasons for not doing so.

Question 3: If your answer is yes, please let us know which alternative you would prefer.

Table 1.4 – Summary of responses to Question 3

Alternative Option	Number of votes	Percentage of overall votes
No change to the Council Tax Reduction Scheme	81	24%
Increase the maximum level of Council Tax Reduction from 80.2% to 100% for all Working Age Claimants	100	29%
Limit the amount of Council Tax Reduction received in higher value properties to the amount provided in a designated band	41	12%
Alter the capital savings limit	4	1%
No Reply	116	34%
Total	342	100%

Table 1.4 summarises the breakdown of votes from the 224 respondents who indicated their preference for one of the alternative options mentioned in the consultation document.

Comparing tables 1.3 and 1.4, more respondents went on to indicate a preference for an alternative option than initially said “yes” to Question 2 “***Do you think the Council should consider one of the alternative options mentioned on page 5?***”. This might suggest that respondents simply indicated which alternative they wanted the Council to consider if the Council *had* to consider one of the alternative options mentioned in the consultation document. It is notable that consultation questions can be interpreted in different ways, which creates results which contradict each other.

Of the four alternative options, the most popular (selected by 99 respondents, representing 24% of the total number of respondents and 44% of the respondents who answered question 3) chose “***Increase the maximum level of Council Tax Reduction from 80.2% to 100% for all Working Age Claimants***”. This indicates support for making the CTRS more generous, which is also true of the preferred option. It could be the case that, of these respondents, some would still indicate support for the Council’s preferred option, even if they do not believe it goes far enough towards making the CTRS more generous.

The second most popular option was “*No change to the Council Tax Reduction Scheme*”, with 80 respondents choosing this option, representing 36% of the vote share.

However, the largest number of respondents (116) to Question 3 opted for “No Reply”, representing 34% of all respondents. This may reflect the fact that, in response to Question 2 “***Do you think the Council should consider one of the alternative options mentioned on page 5?***”, 87 respondents indicated that they did not think the Council should consider one of the alternative options mentioned on the consultation document and 65 said they had no opinion.

Qualitative Questions

Question 4: If you would prefer one of the above alternatives, please tell us why.

Most of the respondents who used this free text space did so to express their criticism of the proposed changes.

The key themes include:

- **Funding** – the Council cannot afford to pay for the proposed increase to the maximum level of reduction;
- **Impact on wider services** – Council services will take the biggest impact if the Council went ahead with the proposed changes;
- **Minimum contribution** – all residents need to make some form of contribution to the Council services they receive;
- **Council Tax increase** – Council Tax will have to increase in order to support this scheme, meaning everyone else will suffer too;
- **Unfair on households without children** – the scheme is not fair and discriminates against those who do not have children;
- **Go further** – the Council should extend its support beyond the proposed changes;
- **Other options** – there should be other options in the consultation;
- **Working with agencies** – the Council should be working more closely with other agencies to support households on CTR; and
- **Property valuation band redistribution** – people in higher property bands should pay more.

Some respondents used the free text box to reiterate their support for the Council's preferred option.

Question 5: Do you think there are alternatives (other than those above) that would better provide support to those in need?

A significant number of the respondents did not provide an answer or stated that they did not know of an alternative option.

Of those respondents who did provide a substantive answer, the key themes included:

- **Means testing** – the CTRS’s means test should be sufficiently robust
- **Wider support for unemployed residents** – the Council should provide training, voluntary opportunities, adult and youth apprenticeships and wider courses to up-skill residents who are struggling to secure employment;
- **Removing barriers to employment** – the Council subsidise the cost of childcare and nursery to enable parents to re-enter the labour market;
- **Financial education** – the Council should teach residents about how to manage their finances;
- **Housing costs** – the Council should subsidise rent levels;
- **Increase taxes** – the Council should target tax increases on landlords, developers, and households in properties in higher valuation bands;
- **Raising Council Tax** – to support the funding of any changes;
- **Lowering Council Tax** – to support people in need; and
- **Reduce Council expenditure in other areas** – to reduce “unnecessary” Council expenditure free up funds to pay for any changes.

This demonstrates that most respondents commented on other action they wanted the Council to take in relation to wider services, or ways of increasing revenue and reducing expenditure, rather than providing alternative options for the CTRS.

The main themes of alternative options put forward were amending the means test for the CTRS and linking the CTRS to the valuation band of a property, for example limiting CTR for people in large properties.

Question 6: The Council is proposing that if an increase in Council Tax Reduction support was put in place in 2019/20, the additional costs would be met by its services making further savings. Do you have any comments on how you think the Council Tax Reduction Scheme should be paid for?

Overall, respondents suggested ways the Council should increase its revenue and reduce expenditure, and put forward some practical ideas. There was also a high number of respondents who felt strongly that, if the changes were to go ahead, then there should be no impact on Council services or existing tax-payers.

Of those respondents who made suggestions as to how the Council should fund the scheme, the key themes included:

- **Not at the expense of Council Tax payers** – Council Tax in Haringey is already amongst the highest in London so should not be increased.
- **No cuts to services** – The proposed changes should not have an impact on council services as they have already been reduced enough.
- **Generate income** – The Council should raise revenue, for example through Parking charges, and increasing tariffs on the use of Alexandra Palace grounds and other open spaces for concerts.
- **Increase Council Tax for the wealthy** - Some said Council Tax should only be increased for those who can afford it.
- **Higher Council Tax for those in higher value properties** – The Council should increase Council Tax for those in the highest valuation bands (F-H) to redistribute wealth within the borough (with means tests to subsidise the asset rich and cash poor). Consider creating new bands above Band H.
- **Tax on Landlords** – there should be a tax on second homes, owners of AirBnBs, landlords, developers, and owners of houses in multiple occupation.
- **Higher business rates** – to encourage businesses such as Tottenham Hotspur FC to support their local community.
- **Stop private contracts** – the Council should bring council services back in house, to improve services at a lower cost.
- **Residents contribution** - Residents should be given the opportunity to make additional voluntary payments into investment funds for services they value, such as adult social care, children's social care, recreation etc.
- **Reduction in central staffing** – the Council should reduce internal spending within the Council, and reduce the pay for senior managers and Council staff, either generally or for all staff above a certain threshold.
- **Higher government grants** – the Council should pressure central government to allocate funding to Haringey as an inner London Borough.

Question 7: Do you have any general comments about the overall consultation proposals (whether the preferred option, the identified options, or any other options)?

Many of the respondents to this question expressed their objection to the proposed changes.

The key themes of the responses included:

- **Funding** – the Council does not have the funds to support the proposed changes to scheme. It is not sustainable in the long-term; this will have a knock-on impact on wider Council services;
- **No cuts to services** – Council services are already stretched to breaking point.
- **Not at the expense of Council Tax payers** - Council Tax in Haringey is already a huge burden on most ordinary working people whether below or over the threshold for the proposed reductions, and so it should not be increased to pay for the proposals.
- **Fairness** – This was frequently mentioned from different perspectives. The different views were along the following lines:
 - In order for Council Tax to be fair to everyone, those who can afford to pay more should, while those on low incomes should be supported.
 - Those on lower incomes should be supported, whether or not they have children.
 - The proposed changes would be unfair on middle-income earners.
 - Everyone should pay a minimum contribution to Council Tax.
 - Council Tax support should not be more generous for residents in higher banded properties.
- **Support for the preferred option** – some respondents said the changes would help those on a lower income who are currently struggling to pay the 20% Council Tax imposed on them.

Conclusion and Next Steps

The Council will use the consultation findings to inform a final decision on the proposed changes to the 2019/20 Council Tax Reduction Scheme.

The full responses to the consultation will be available for members to review.

This page is intentionally left blank

Full consultation responses

Proposed changes to 2019/2020 Council Tax Reduction Scheme - Consultation 2018

Are you:

Haringey Resident	A Business in Haringey	Ward Councillor	Other	TOTAL
331	-	5	6	342
97%	-	1%	2%	100%

Q1. To what extent do you agree with the following aspects of the Council's preferred option?

a) Increasing the maximum level of Council Tax Reduction from 80.2% to 100% for working age residents with children

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	TOTAL
123	53	29	32	105	342
36%	15%	8%	9%	31%	

b) Updating the scheme to align with some national welfare changes

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	TOTAL
97	100	77	17	51	342
28%	29%	23%	5%	15%	

Q2. Do you think the Council should consider one of the alternatives options mentioned on page 5?

Yes	No	No Opinion	TOTAL
189	87	66	342
55%	25%	19%	

Q3. If your answer is yes, please let us know which alternative you would prefer

No change to the Council Tax Reduction Scheme	81
	24%
Increase the maximum level of Council Tax Reduction from 80.2% to 100% for all Working Age Claimants	100
	29%
Limit the amount of Council Tax Reduction received in higher value properties to the amount provided in a designated band	41
	12%
Alter the capital savings limit	4
	1%
No Reply	116
	34%
Total	342

Q4. If you would prefer one of the above alternatives, please tell us why:

1. The vast majority of residents need to have their bills reduced as far as possible, not just claimants. I support policies, which are for the many, not just the few.
2. If you are single or family with children or single parent - You should definitely be entitled to a reduction.
3. The savings allowance is higher than lots of young people in the borough have who are not eligible for council tax support and so this should be reduced to ensure fairness
4. The savings to household seem relatively low. The same group of people will likely be hit by the service reductions to fund this scheme. Given there is no proposal as to what those cuts will be (which I think is poor form for a consultation like this), it is hard to make a fully informed opinion on this issue.
5. Reduce bureaucracy by simplifying the system rather than having multiple Reduction rates
6. I don't understand what the options are. Paying council tax when on a really low income is cruel whether you have dependent children or otherwise. The philosophy of making everyone pay something feeds into exclusion not inclusion.
7. Services have already been cut hugely in Haringey, in particular children's services. There is simply not the funds to deliver this further council tax reduction, without cutting services.

8. Because families are hardest hit by welfare reform via benefit cap, 2 child policy, bed tax, freezing of income. Child poverty is increasing,
9. The Council should prioritise the interests of those paying residents, rather than those that are asked to pay a little but receive vast amounts of help already.
10. I believe more better co working with the DWP to get people of working age back into employment is the key factor together with helping parents get good childcare. Residents should also be given financial help from the CAB on how to manage their finances. Many of the poorest families are the ones that are ignored by the DWP and very little training, support is given to them
11. I believe that ALL Haringey residents have been impacted by austerity and not only those in receipt of Council Tax Benefits. It cannot be right that residents who already pay the highest Council Tax charges and receive very little back from in return should be looked to in order to enable others to pay nothing. Every Haringey adult resident must be required to contribute towards the Council Tax burden in some small way; how else can a sense of ownership and pride in the borough be fostered? Further, cultivating a 100% support dependence is unhealthy and will inevitably cause resentment and division among residents
12. To support the proposed changes council tax will have to be increased. This will be additional cost and relatively high for those who may be earning just above the limit. This will especially affect young professionals who are less likely to own a property and one of substantial value. Council Tax Reduction is already significantly subsidised. If the Council Tax Reduction has to be increased, limiting the amount of Council Tax Reduction received in higher value properties seems like a more viable options as equity can be released from those properties.
13. Council Tax should be reduced, the amount residents pay for the condition of the streets, the quality of resources available do not warrant the mount we are required to pay.
14. While I understand how important is that Taxpayers pay Council Tax, I feel it's also important to reduce it as much as possible that for those who struggle to pay it. Especially now that finding decent paid jobs is hard every single pound can make a difference for someone in need.
15. Money is short in most sections of our society; robbing Peter to pay Paul is not an alternative.
16. You claim not to have enough money so are making cuts to things like mental health and substance misuse services so you clearly need the income from council tax. Also, working people with no children already pay enough council tax so I don't want to have to pay more because people choose to have children they can't afford.
17. How will this be paid for? Councils are already struggling as it is.
18. Because the proposed changes will only serve to fuel the lazy brigade and create display with those on the cusp
19. I think pay too much tax and it already paid from wages .so some say the low income is no good some of us don't really work, some say its still class thing , in this area a lot of woman work zero contracts , and its hrs can be up/ down its difficult to be able to save or plan to buy you have to go for a lower pay back rate with special

6 month delay before start paying to do with rate, interest is frozen. may be flexibility is needed with several recessions tightening of belts so much so that we food banks , breakfast clubs and children young adults are sent away from their work experience because they are unfit , ill prepared , for work. I can say in later years in Haringey since the real kick effect coming into play 2013 there been more crying in the shopping mall and supermarket .:; oh what have you got child :in the great cheapest January London sales, and well put it back I cant get a second gift this year , Nor did I have a spare penny any spare penny's, that I gave in any place where from a loan I pay back later scheme. Never mind the absolute hysteria of which I did cry too. only barter for my hrs people with children first and also beg on our knees I witnessed other worker s do and at the interviewees .so it was better a new flexible pay time perhaps . discounted .perhaps none for some.

20. No scheme is brilliant at targeting those In real poverty as opposed to those just getting by. It's very hard to do this, but given that cuts will come because of this then it needs reflection . Would 90% work better?
21. Should reduce the council tax for disabled people who can't work
22. While it is important that children are not raised in poverty, I think it is important that we support residents who do not have children (often for the very fact that children are expensive). You shouldn't be penalised for not having had children.
23. I don't believe that because people choose to have children they should receive a reduced rate in their council tax, especially not if they can afford to live in a higher value property. By having children, these households are using more of the services that council tax helps to pay for so reducing the amount that these households pay seems utterly ridiculous at a time when essential services are being cut because of funding
24. I cannot see how anyone can consider this scheme to be fair. People such as myself, who are child free (not by choice, but because of a medical condition) will be forced to pick the bill for the many people in the borough who have children. I also feel that there are many people with children, who are on benefits who are already getting much more than those who are in full time work. Introducing this scheme gives them even less of an incentive to work, when the kids are older. The council seem to think that anyone without kids, or who has a mortgage is living on a pot of gold. I found this, when I was out of work - those who rented got all the help, whilst I almost lost my house because there was no help for me as a homeowner. Haringey Council needs to stop and take a long hard look at the way benefits are handled. This latest idea is full of discrimination, it's unrealistic & extremely unfair. I will definitely be attending one of your sessions to (strongly) vocalise this
25. Discrimination against those with no children. The council is making cuts as is, why should it now be reducing the amount of council tax it collects.
26. This should NOT happen
27. A lot of working families are on low incomes, I think it is fair to support them in not paying council tax.
28. I absolutely agree that lower income households should receive support to pay council tax but I cannot agree with your funding proposal. At a time when services are already being cut, you are proposing making this cost effective by cutting even

more council services. That is not what you promised when we elected you as council leaders. The council tax bands need to be fairer, if that means higher earning households must pay more to ensure that the council has sufficient funds to run important services, then that should be looked at. Taking £1.6m from general reserves is not sustainable.

29. London is very expensive, if you work hard to earn 20k per year and have children, the money is not enough, with this salary that is very low we have to pay school dinners and very high council tax. They should stop council tax for people with children than earn less than 25k per year
30. Firstly the booklet is difficult to understand making it inaccessible for most people. I live in a single household and whilst I work, I would not welcome an increase to my bracket. I think the council has a responsibility to find the income from it's own resources. After all, Haringey makes a lot of money from parking, it is not exactly a cheap place to live. I would be interested to know how money from parking is used and not just to maintain roads which seems to be the message Haringey promotes
31. There is a need for a new evaluation of properties + further work on the taxable base before any long term changes are made. London prices are far higher than those almost anywhere else in England
32. I'm a [REDACTED]-year old full-time worker who, just now, is finally able to live by myself in a RENTED property (I don't have hope I'll ever be able to afford my own flat). As a single occupant, I applied for a small discount on my council tax that I already struggle to pay, along with all other bills. If the discount to people with children increases to 100%, that means everybody else will pay the difference and I simply cannot afford. I can barely afford the way it is now, with the pathetic discount I receive! At [REDACTED] years old, I finally made a TINY little progress by leaving a (disgusting, old, illegal) sharing accommodation, even though that means I won't ever go on holidays unless I get a pay rise. As much as I appreciate that some people need support to get their lives on track (and I agree with all benefits we already have), nothing is ever done to help people who work full-time and struggle to pay bills. We keep getting squeezed more and more, while senior public workers keep taking home massive bonuses for doing bloody nothing - with money that come out of our pockets. Improve education to stop teenagers and families without financial security from having more and more children instead. I can't afford kids, so I don't have one. Why should I pay MORE (because I already do) for others that are irresponsible and selfish? Another reason: Haringey has one of the most expensive council taxes in London, and we get NOTHING back. I don't ever see police in the streets (I live [REDACTED]), there is no control over drug dealers and awful drivers who are a danger to everybody else, the rubbish collection is awful, the streets are always dirty, there are constant "roadworks" disturbing our daily lives and closing bus stops that don't seem to make any difference or whatsoever (and we're never informed in advance about them), etc. The few times I needed the council, no one would answer the phone for ages, until a horrible arrogant staff (paid with MY taxes) treated me like [REDACTED] on the other side of the line. So, in other words, the council is utterly useless and we get NOTHING back from the council tax. It's simply legalised robbery. DO NOT INCREASE COUNCIL TAX for workers unless you want to put more of our residents into this situation of needing government support. I'm honestly tired. I'm tired of this life.

33. i'd like to ask if you 'd offer reduction to students ages between 19 to 25 whom are at college/university and with a unemployed person on JSA. or one living with a partner who is disabled and past 65. Why should they not be entitled to reductions on payment of the council tax when they have to take out student loans as well as have living expenses to pay whether or no they have young children. Whether or not they're a single parent at college/university be it single parent father or single mother. There's many of them about in various borough and they want to finish college/university that financial burden of having to pay back council tax as well as their student loan.
34. It's not fair to those who have worked to pay for their higher value properties.
35. I'm disabled work 16 hrs a week on minimum wage and I have to pay the full council tax because I get a little bit tax credit, so why shouldn't others pay something towards it. I more agree with money taken off for families working with children.
36. It has to be fair to everyone.
37. Owners of large properties should pay more council tax since they probably charge extortionate rents from their tenants
38. Options too complicated for the ordinary council tax payer to properly understand
39. The reduction in available support to working age residents was immoral Council tax on second homes should be doubled at least.
40. those with children have other benefits received.
41. I feel it be fair
42. The council tax is too high in Haringey. What we earn each month does not pay off for all the essentials in life. It makes us poor and therefore Haringey borough looks poor and dirty. Haringey must look into cutting council tax altogether and help us keep our jobs, and allow residence to live happily. Haringey is a sad and dull council
43. As a person on limited income (living on a finely honed budget) I still think it is very important that people should pay towards the services they receive, even if it is at an 80% reduction. I'm of the opinion that this gives all residents an equal 'stake' in the borough and may even make people more 'mindful' before they drop litter and commit other acts of A.S.B.
44. Would help marginalised households who are only managing with wages.
45. The council tax I am paying, is too high. I am single but still receive some help with my rent from the council. I am paying an annoying rate of £107 monthly for my council tax which is the highest amount, I have ever paid especially when I am still on some form of Housing Benefit. I do understand paying that amount if I was working and not getting any help towards my rent. However, I am working but still getting a bit of help with my rent and should therefore qualify for Council Tax Reduction.
46. No, because there are other options. These include making the changes necessary to bring local arrangements into line with current national welfare arrangements but keeping the reduction at current levels: it is not good that you create a class of

people who make no contribution at all to the costs of running the society in which they have chosen to live.

47. We cannot afford a rate increase. Many of us are not eligible for welfare help but have very limited ability to absorb a rate increase.
48. Because we consider that is high enough. Thank you for considering my survey.
49. It's important that everyone makes at least some contribution to the services they receive. Others including People on incomes just above the threshold will have to pay considerably more than the cost of the services effectively paying for the services of others who are paying nothing. This is a disincentive to working and saving. It is already the case that people on quite modest incomes struggle to pay for a whole range of services including social care, council tax, dentistry, prescriptions, opticians, transport, childcare etc. people who may be able to work are dis-incentivised to do so as they would lose so many benefits. Also how would the council check whether there are non dependants living with claimants who should be contributing? It also creates an anomaly whereby people will have the right to vote for representatives advocating policies involving spending decisions for which others not them will have to pay.
50. Because a lot of people are struggling too much on low wages doing hard work if you are on minimum wages every bit of help you can get makes a great difference some people work but after they pay all their bills and debts they have no money left for food or fares to go to work
51. I would like to see a 50% reduction for single families earning less than 50k pa
52. I chose this option firstly because I believe it will have an impact on those who do actually work as if the working age claimants are getting more benefit, then it will mean we will end up paying more. Working people are already struggling to make ends meet. If that's the case then why is everyone not on benefits?
53. Residents should pay at least something towards their Council Tax so that they can be made to feel responsible in some way. As it is there are a lot of residents who abuse our borough i.e rubbish dumping, not recycling properly or in some cases not at all and they should pay towards this. Why is it only residents with children, even those who earn a large salary - what about couples with no children who earn a low amount, what about pensioners living alone on just their pension. This proposed scheme is totally unfair.
54. This would include more people who might find themselves unable to pay
55. Make the tax fairer - low income pay less / nothing. Higher income pay more.
56. Because people should not be penalised / treated differently for not having children. By the way, I could not find anything on any of the documents or your website about Question 1(b) – what's it about?
57. People have suffered enough from this so-called austerity and need a break!
58. it would be more redistributive and recognise that there are some very wealthy households in Smugwell Hill and Crouch End that could afford to pay more.
59. Everyone should make some kind of contribution towards the council services they receive

60. Haringey council tax already poor value. Keep the pool of payers as big as possible to spread the burden.
61. There is already a lack of funding for every service and this would create additional pressure on the general fund. More should be done to encourage parents to go back to work, such as more council tax relief for parents working that are having to pay for childcare.
62. We keep hearing about how strapped for cash the council is. Assuming this would be a great loss of income I do wonder: Where will the additional money come from?
63. £1.6m is a considerable ongoing annual pressure to fund this. There are many universal and targeted initiatives that are likely to also support the target group that will be cut as a result. The council has not presented information that sets out why this is the best initiative to support this group of people compared with alternatives.
64. Stop c/tax payments for all seniors only people on working age to pay seniors have paid enough. Start a weekly smaller charge which can be paid weekly so it's less to pay if you have to pay it out weekly it would be better also you need to save money stop wasting it on lost causes instant fines for fly tipping Haringey is a dumping ground for all I have lived here for 40years and it's the worst iv ever seen it less Road sweepers more sweep up carts your road sweepers spend more time on their mobiles. Start using youngsters from job centre to set up a program to clean up the borough they are already getting money so you would not have to pay them
65. A fairer option
66. Support for (financially) vulnerable families could be provided by other means without tinkering with the existing arrangements, which will no doubt add to administration and processing costs.
67. Changing the current scheme will only benefit certain people, and am not in the category of those who will benefit from the change. Also, I know there are others who are in the same situation as me, so I do not see why we need to pay more so others can benefit.
68. I fear later on those paying full council tax will end up paying for this council reduction. Also people who might qualify for this reduction, would start moving into the borough to take advantage of this, thereby depleting the funds quickly. Have the Council consider this. I think the reduction should not be 100% but below this amount, everyone should pay something, however small towards the service they receive as it's more likely to be appreciated, with residents taking care of the services received if they pay towards it and have a stake in the services, rather than getting it free and be classed as a charity case. Not good for someone's self esteem.
69. Because you would increase the council tax for people who have to pay it because they're able to pay. They are able to pay because they're conscientious & work hard to have a decent life.
70. You cannot enable people to pay zero council tax, where is the incentive to work if you get everything for free. There is already plenty of disrespect with people dumping mattresses and rubbish in places, this stuff isn't free it's paid for by hard working people like myself. I have no faith in Haringey council and this confirms my feelings.

71. There is no reason to remove completely obligations to pay council tax from 6,000 while thousands of other residents just above threshold will continue to strangle with council tax and service charges.
72. This should be means tested, having kids or not having kids is only one indicator of affordability. Earnings, healthcare, delta and other indicators needs to be considered. Many residents with kids can still affords to pay. Especially in the new private housing stock coming online. Many people are happy to pay if the can see where the money goes, infrastructure and social improvements
73. I think that I should get a reduction for no children. just because people have children they should pay their way like the rest of us or don't have kids
74. Reducing council tax for poor people with children will encourage them to have more children. The council should priority attracting working citizens that can contribute council tax.
75. If people who must pay full council tax must pay more when living in a larger property, it's only fair and equitable that those who receive benefits must also take into the consequences of their lifestyle choice. If they find a larger property/nicer area not economically viable then they should downscale like the rest of us.
76. I see income redistribution policies as primarily the responsibility of central rather than local government.
77. today's date is the 15th of October 2018 once again the dumb uni thinks everyone has seen page 5 because they have because the problem is that no one has seeing page 5 because this is online problem with the dumb Council is that they always assume everyone else has seen what they've seen
78. The Council needs to be seen to be fair to all Haringey Residents i.e. those who are paying the full amount, maybe living in an area who's value has increased and who may not necessary be earning the average national way.
79. I believe proposed changes to CTRS from 80.2% to 100% will cause deficit of £1.6 million or more. There is no clear explanation of where this gap will be covered from apart from raising council tax for people who are already paying their taxes. I think this council should invest in providing opportunities for young people rather then giving them tax relief.
80. This would benefit low income people and families. I am unemployed and a single parent. I suffer from mental illness so I cant keep up with everyday tasks. A maximum council tax reduction would be a relief me and others in my situation who need added help to get by in the community and help move on.
81. I do understand that some residents need more financial help than others, however I am concerned that those of who are deemed 'financial secure' because we do not receive any benefits will be forced to pay more to help the council recuperate the difference. Also, I question how this will encourage those on low incomes to do more to help themselves financially in the long run.
82. Already enough reduction
83. I strongly disagree that a council should subsidise National policy on Benefits. We should campaign on a national level. Haringey does not have enough money to give away to any minority group when it can't provide safe services for children or older

people. We are constantly told we have no money to repair roads, clean our streets ,social care , day centres and many more services which the Council have cut over the last 10years. If the Council ties council tax benefit to income you are bringing back The Poll Tax which we fought hard to scrap. Haringey think again, try to collect more council tax instead of giving it away to one group. What about low income pensioners we could argue for changes there. No the Council's job is to provide local services that we all pay for and not to give our money away. Thus supporting bad Tory policy. There should have been more visible notice of this proposal in the Borough.

84. The alternative is to change the scheme to bring it up to date - but not the 100% discount because someone has to pay for that and it will be me - middle income earner, struggling as it is with a family. This is a foolish idea with no regard for the financial consequences
85. The current council tax reduction should enough if it increases to 100% percent other residents will have to pay more council tax which would be unfair
86. You should not be subsidised to live in a large property
87. The current financial commitment to paying residents of the council tax is already excessive and has a major impact on our household budget. I strongly believe any changes should not affect the already burden working households.
88. Everyone should equally pay their taxes. If one lives in Haringey they need to contribute to the expenses of the council and how the borough is being run. There should be no free pass unless people have no revenue at all (including not ring on benefits...). Some hard working families who earn enough to not get any housing or child benefits end up being worst off than the plethora of lazy bums who live at the expense of everyone else. Sorry but everyone needs to pay full, and stop thinking about increasing for people who earn more.
89. This is a sticking [plaster and only considers those of working age with children. It should be funded nationally and by central government. I am a single disabled person with no children. I have a very small pension because had to retire early because of my disability. I do not and have not ever claimed state handouts. Why should I, trying to survive on a poverty level pension (not yet eligible for British State retirement pension)- subsidise someone just because they have chosen to have children. Another ill-considered -if well intentioned- proposal from a council whose councillors have both feet firmly planted in mid-air.....and yet as a traditional Labour supporter they will still expect me to vote for them come an election..... another winter where I cannot afford the fuel or food I need and they want to take more from me. Try taxing those living in the most expensive properties in the highest council tax band. Don't soak those who are already struggling on very low incomes whilst taking what is a flea bite from those with high disposable incomes living in the most expensive properties.....
90. How can it be fair or indeed right that someone who owns a band 'h' house can be exempted from paying Council Tax?
91. I'm concerned that with the changes in Universal Credit there will be more people struggling with debt and financial difficulties. Having worked with a local authority who has done some study on debt in their area, Council Tax was a significant part

of what people in debt were struggling to cope with. I believe this to be a positive impact on low income people/families.

92. all residence should be contributing to Council Tax for the services we all receive.
93. Everyone benefits from the use of council tax, regardless - so everyone should contribute. Just because someone may live in a 'higher value property' (which in itself is dictated by market fluctuations), doesn't mean they have plenty of cash.
94. all residence should be contributing to Council Tax for the services we all receive.
95. Everyone benefits from the use of council tax, regardless - so everyone should contribute. Just because someone may live in a 'higher value property' (which in itself is dictated by market fluctuations), doesn't mean they have plenty of cash.
96. It is fairer to the most
97. there are more important issues that the council should be addressing and spending our money on
98. It would restore the lost council tax benefit that existed up to 2013
99. You don't have enough money so don't make the situation worse
100. Because jobseekers allowance is not gone up since 2015 and other external factors including inflation and devaluation of the UK currency. Very unlikely to go up next year that will that mean that people like myself have not had increase for four years.
101. Cost of living going up but income and benefits are not in line with this. Give low-income households a break.
102. Aside from the great social injustice of making people on subsistence benefits pay over money they don't have the administrative cost and burden of collecting such relatively small sums is absurd.
103. Families on low income are struggling to pay the bills, because of increasing cost of life.
104. Because people are hurting
105. Unfair to people without kids who have issues and needs but who may not be in receipt of disability benefits for a variety of reasons.
106. Seems fairer
107. My husband and I both work part time but fortunately we do not pay a lot of rent which is £675.00 but it's not even a one bedroom flat but a bedroom separate and there's no separate dining or living room nor kitchen but all a combo, and we both receive under one thousand pounds each until we pay out for all our bills and council tax it's crippled us to do save or do anything else with our lives which where living in poverty as the government is getting richer the people are getting poorer and with more mental health issues fault of the present government fascist ways.
108. page (5) options are all contradictive for the council tax reduction scheme!
109. you can do anything but put up council tax to pay for these changes
110. The Council should not be taking on the burden of any government changes, Haringey needs the funds to provide all residents with basic needs. Any increase to

the maximum level would negatively impact the provision of both education and social service provision - both services called on most often by those with children and the elderly.

111. If feasible and doesn't have a negative impact, could be a good way to balance revenue loss of the council tax reduction scheme
112. Any claimant having more cash in their pockets are likely to improve their living conditions, spend locally and generally have a beneficial effect on the whole community
113. The council need to sort out the rubbish and fly tipping problem in Tottenham before it reduces the Council Tax. When this is sorted out then do it. In the meantime, use the money to educate and enforce fines for those that litter and fly tip.

Q5. Do you think there are alternatives (other than those above) that would better provide support to those in need?

1. This presupposes that only claimants are "in need." This is untrue.
2. Might be.
3. Means testing of pensioner benefits
4. Increase single occupancy discount
5. How has the council identified who is in need and to what extent. Without this, it is hard to think of other solutions. Increase council tax for wealthy residents.
6. I think all options are unfair and will ultimate lead to everyone else having to pay more council tax for years to come!
7. No
8. no
9. Valuing people and the contributions they make. Greater use of supported voluntary work. Paying the volunteers not just the administrators Circumventing the draconian job centre ethos. I don't know where the next weeks rent is coming or not under the current regime.
10. Yes it should be means tested.
11. I think generally the welfare situation is atrocious and those who need support the most are the ones who struggle to access it and are too often turned away so I welcome the decision of the Council to support them further in this way. There are other long-term options, for example the provision of affordable childcare so that both parents are able to work, which the Council should consider to ensure the situation for those in need can be improved in the long run.
12. Possible higher non dependent deductions for those working on high incomes
13. More help for those in need
14. have just mentioned in Question 4 that more emphasis needs to be put on retraining the poorest families get them into voluntary work to help them gain experience so they can be employable

15. Unsure
16. Set up schemes to provide training/support to upskill residents of households who are struggling to find employment. PROVIDE BOTH ADULT AND YOUTH APPRENTICESHIP SCHEMES Employment opportunities rather than increased financial support for sections of the borough is degrading and will improve long term prospects of low income households
17. I think there should be more categories of reductions, with various bands of course. But, for example, as a Part Time student I struggle to find well paid jobs because sometimes my studies impact my working hours and the fact that I can't ask for a reduction really takes a toll on me and my expenses. The people living in Haringey are all different and diverse, I think a wider range of reductions could fit the needs of each individual citizen.
18. Why not introduce a rent adjustment for those working families affected; that way the help targets where it matters the most and when circumstances change the assistance can be quickly redistributed elsewhere.
19. No
20. Spend less money on crap in the council like that logo change- still haven't forgotten about the massive waste of money that was. Companies that can afford it should pay higher rates.
21. Keep at the same. Encourage those on borderline salary to get off their backside and earn more
22. no maybe just amend instead of change.
23. It's a very unfair situation that the Tory government forces on local councils. Hardship results - I've seen it particularly for older women on their own in their parents house.
24. More fairer scheme. Just because someone doesn't have children doesn't mean they are not in need
25. don't think so
26. The council should raise council tax on other residents to fund this
27. Council tax is a relatively minor annual expense when compared to outgoings such as rent. More should be done to help people who rent within the borough with things such as rogue landlords and extremely high prices. This would help more than just people who already need to receive financial support as it would also affect people who are just scraping by on their salaries. More focus should be on helping a wider cross section of people, not just by giving reductions in council tax etc. but longer term help for things that help people live more stable and secure lives within the borough and London on the whole
28. Cut the child care & nursery fee's in order to encourage people to go back to work. Don't penalise them, give them incentives to get work - free/subsidised nursery places, lower tax rate. Many boroughs offer free nursery places for under 3's
29. No
30. The system is fine as it is.

31. Yes, we already pay taxes. Decrease council tax to £50-£60 per household.
32. Those in need are already adequately supported
33. Encourage people to only have families they can afford to keep themselves for a start. Then encourage those that are physically able to work, but don't, to do so to help support themselves. If everybody pays a bit of council tax as we ALL use the services supplied, then maybe it wouldn't be such a burden on the council.
34. no
35. Education support so they can get better paid jobs
36. Increase support to get people into work
37. Enough support is already given.
38. No
39. Your funding proposal requires you to pay for this by cutting additional council services. How does this help low income households? The council should assess a fair way of collecting council tax from the highest income households to pay for this. Not cut services - that is totally detrimental to helping low income families and is not sustainable. The effect of closing children's centres, youth clubs, libraries etc. can be felt for decades.
40. I don't know
41. Of course it help low income families in the borough
42. stop council tax for those on benefit
43. Yes
44. Yes, a change to income tax & some wealth taxes
45. I believe even people in need should make some contribution to the cost of providing council services so would recommend increasing the percentage reduction people receive to an amount less than 100% e.g. 90%
46. Don't know of any
47. no
48. Children are not an excuse for everything. Look at the big picture and come up with better education methods to prevent teenagers from having kids (and families that can't afford more kids too).
49. I think the scheme needs to be extended to cover families with no recourse to public funds. These families are often on very low income but get no benefits and therefore can not qualify for discount in their council tax. This is unfair and creates further disadvantage for their children.
50. don't change a thing
51. Leave things the way they are, despite the situation already being unfavourable towards those who pay in the most in the first place
52. Means test based on income at that point of making a claim

53. I'm able to solve the solution
54. No - as long as these tenants are genuine (otherwise this could be seen to being unfair to tenants who pay full council tax - people who have worked hard all their lives to pay their bills)
55. Teach people how to budget. We all need to pay towards the service otherwise we do not value or appreciate the service we receive. Yes I understand that people on a small budget find it hard, but there are also a large group who have a small income but savings and are therefore excluded from any reductions.
56. No
57. I do not have the specialised knowledge to enable me to answer the question, but probably yes
58. N/A
59. none
60. Volunteer credits (within the borough) to offset council tax
61. Yes! Raise awareness within the Borough of where Council Tax is spent and how necessary it is. I am reluctant to say it is a 'Community Charge' (too many echoes of the 'Poll Tax'). Council Tax provides the non-essential services that the Council are not required to give us, and if we as residents, were to pay for these 'Free' services, I am sure we would all be paying much, much more to have them at the point of delivery. As a resident, I don't use many other than the 'necessary services' (rubbish collection, community spaces cared for, litter picking) but I certainly don't mind paying for play parks for children and fitness classes for pensioners.
62. Improved support for students especially as evidence is always offered. Council tax bands should be based on the household income rather than property bands. improved support for those displaying ALL forms of disability and not just physical conditions (provided evidence can be shown) supporting single parent households with council tax
63. You talk about financial hardships experienced by families in Haringey, so what about making available the Discretionary Housing Benefit Payment for those having this problem in paying their rent? I applied for this and was turned down because I was told that it was not an emergency. I am owing thousands of overpayments to Haringey which I am paying monthly but would really do with Discretionary Housing Benefit Payment to offset this overpayment. So think about that and get back to me.
64. Only the rich should pay council tax while everyone else should not have to pay anything.
65. People need not only support but incentive not to be supported. There is no reason why people without disabilities should not contribute to local society. There should also be a taper on any amount payable for families with more than 2 children so people can develop some appreciation of the costs their family planning choices impose on wider society.
66. Yes
67. No council tax, we already pay enough tax for everything

- 68. No
- 69. Yes. The benefits system should pay for needs of those on benefits. But just as claimants pay for fuel, transport etc even if with some concessions, they should make some contribution to their rubbish collection, parks, libraries, social care etc though this should be allowed for those on full universal benefits.
- 70. No
- 71. 100 - 80 % reduction for a single person.
- 72. It is important that ALL residents have a stake in their environment. Encouraging localised areas to reduce the burden on the council would be a better idea for long term sustainability. If local areas/wards for instance were encouraged to litter less, use their bins appropriately then residents could enjoy a reduction in council tax. Council tax is needed to support the vulnerable and to pay for long term care, this cost is only going to increase. We need to empower residents to reduce unnecessary burden on the council and to realise that at an individual behaviour level they could contribute to their local society and future of the next generation. Also asking those who have more if they would be prepared to pay more council tax if they new EXACTLY where the money was going may also work. E.g would you be prepared to pay £10 more per year on your council tax to help us to better support our looked after children.
- 73. Tax the rich landlords who are expanding/developing properties to house more people.
- 74. Not really
- 75. No
- 76. No lower income household still use all the facilities that fall under council tax
- 77. Everyone should pay something - no matter how small an amount - to make them more responsible for things going on in our Borough. If they pay nothing they will not care and consequently should not have a say in how the Council allocates money.
- 78. No
- 79. Pressure the government to increase the council's budget with other councils as a national campaign.
- 80. Not that I am aware of
- 81. Money is the key really – having more of it when you're poor is the best and most empowering remedy and this is a great step in the right direction
- 82. No, except for the Council to join with other Councils to pressure central government to fund councils better and establish a fairer, more efficient way of funding Local Authorities. (Rates?????) For Haringey in particular, you should come together with other Council to pressurise the government to introduce Highgate Council Tax Bands so that those who are living in multi-million pound houses, and there are many of us in Highgate, are paying more Council Tax.
- 83. Tax the rich, end off shore tax havens and replenish the welfare state !

84. No - I don't have enough knowledge to think of a better option, but it seems like you've really thought it through.
85. yes a local referendum to raise council tax for higher banded households
86. No
87. If people are to have a stake in our society and local community they should make some kind of contribution towards its costs - anything else is deeply patronising and will encourage people to opt out of their civic duties on other ways
88. Make developers pay more and improving services (especially street cleaning in N15)/reducing council tax for all. The council has helped the developers make huge profits by waving through unwelcome developments such as the one where Apex House used to be.
89. More should be done to encourage parents to go back to work, such as more council tax relief for parents working that are having to pay for childcare.
90. Enhanced nursery care, support for employment, working with higher education institutions and local businesses to develop skills amongst local people for employment, support for digital skills and literacy and numeracy to allow access to work and career progression, support for apprenticeships.
91. Yes you need to manage the funds your given better
92. I think the percentage can be increased to 90%, or even 95%, but should not be 100%.
93. 100% reduction for adults with a DLA
94. no comment
95. Yes. The support could be better targeted to those truly in financial need.
96. not at the moment
97. not at the moment
98. no
99. Having been prevented under Thatcher governments from buying votes by subsidising council rents it seems to us that this is the same idea via the back door!
100. Analysing individual cases and provide financial help only to those who really need it (unfortunately many of those claiming benefits are better off than those who can't claim)
101. Yes reduce from 85 - 90% not 100%
102. Re install full council tax benefit to those on low incomes
103. I don't know
104. Provide work opportunities, working one's way out rather than getting bail out.
105. Stop charging so much council tax to begin with. You get so much money from things like wireless. Westminster has low council tax fees did to the amount of rates

from companies. You should be encouraging more decent businesses to open up in the borough instead of more and more pound shops and take away shops

106. Yes, use the money to support local employment and subsidise childcare to enable people not to be reliant on council tax breaks while out of work.
107. See my answer in Q4
108. Yes, if you can't afford to have children, don't have them, it's outrageous and unfair for people who work having to pay benefits for those who are "not fit" to work, but can have 5 children.
109. Yes. Full employment with decent wages
110. Not with the present level of government funding for LAs
111. attracting more professional working people that can pay their full council tax. Having a higher proportion of people that contribute rather than take from the council 'pot' will mean there is more money for those in need.
112. Help them get higher waged jobs please. Help them move into smaller places. Build more social housing.
113. if you wish to provide support for people in need change the attitude of some of your workers
114. No
115. Council should invest in young people to provide them opportunities rather than taking easier route to give tax relief.
116. The policy objective of the preferred proposal is right. However it is important that all who have a vote in council elections, when using their vote, can make a legitimate choice between parties with different positions on tax and spend - because in the end that is where most difference between parties is found. Giving 100 % reduction removes one side of that equation for those benefiting and therefore introduces moral hazard into the choice - someone else will pay if spend on services increases but I will not pay. Increasing the reduction to 90% would go towards the policy objective whilst avoiding this problem.
117. I think the council has to reform the disability means. People who suffer from different disabilities and mental health including myself cant think clearly and manage everyday the council tax by no intention just difficulty understanding and doing. It would help if people with disabilities could get extra help. I suffer from mental health and cant concentrate. Sometimes I find it hard to read a letter. If it looks too wordy I have to put it aside. I can't understand. My illness and difficulty to manage the council tax creates a repeating anxiety. When the poor and ill could manage themselves someone could pay council tax. There a very poor families and ill living in Haringey especially with children. I think improving the welfare of the vulnerable and young children is very important. Mental illness a an epidemic.
118. At Westminster City Council they have asked wealthier residents to make higher contributions to their council tax and many individuals have taken-up this offer. I personally would deeply resent having to pay more council tax and not receive better or improved services. Also, it does seem unfair if the amount difference is enforced on those who are deemed ineligible to apply for exemption.

119. No
120. Campaign for better incomes for families. The Universal credit is postponed so families should not suffer. We can give parents support on budgeting , cheaper child care in the borough.
121. Comment. Regarding the proposal to end council tax. I disagree with this proposal and feel that the council is giving out the wrong message to persons claiming that they cannot afford their council tax. I believe that by ending council tax for some that there will be no incentive to prioritise expenditure i.e. pay council tax first ahead of one's mobile phone bill! Plus, there is a prediction that with the proposed changes, and possible reductions and delays to Universal Credit, that benefits may even be reduced further. What then? What will these persons not be able to afford then? I believe that Haringey could assist these persons in a more constructive way and that could in itself prevent worse situations from occurring i.e. homelessness, sofa-surfing. This help is by creating a pamphlets / letters / leaflets and holding public talks on the following subjects. List not exhaustive Benefits. Make sure that the persons concerned are receiving the correct benefits. The disabled and students for example are entitled to extra benefits. Certain disabilities are entitled to the Freedom Pass. Child Support. Is there an absent parent not paying? Mobile Phone. Everyone needs a mobile phone but is it necessary to have the latest model? Do children need mobile phones? Re-examine your tariff and consider changing provider every year for a better deal. A mobile phone in EE, Wood Green, this week is on sale for 79 pence plus a free £10 credit. The internet is free in the library. Smoking. Smoking and poverty are linked. Give up smoking. It is so expensive. Go to smoking cessation classes. Pets. Most pets are expensive to keep. Can you really afford to own a pet?. Online subscriptions. Consider ones online subscriptions. Sky TV, Amazon Prime, Netflix, etc. Cancel them. Rent DVD's from the library. Household tariffs. Are you paying more than your neighbour for gas & electricity, insurances, etc? There is no loyalty in staying with the same provider. Shop around. Food Wastage. We are all guilty. Arrange lessons in old- fashioned cooking and planning of meals to avoid waste. Invite a home economics teacher to volunteer some time for a talk. Foodbanks. Get referred to a foodbank. Gambling Addictions. The horrors of this. Gambling online and lottery can be addictive. There are 5 betting shops in view of Wood Green Tube Station and more in the High Road. Does someone in a struggling household visit one? Motor vehicles . Is it really necessary to own a car in London? ----- Possibly the Citizens Advice Bureau, and speakers from relevant charities, teachers and maybe even Martin Lewis the TV money advisor would be willing to contribute / advise. My view is that almost every household, including mine, could make savings. Remember many things are free. The parks and libraries, and the NHS.
122. Cut remove all council tax to disable people, people on ESA, OAP, young people under 25 years old
123. Make them pay more council tax, not less
124. Don't know
125. no
126. No
127. No

128. They should probably live in areas which is more affordable
129. My only opinion would be not to burden further full paying council tax residents with increasing tax of the council tax which has already increased this year and had additional part of the tax towards the council's social care cost. Working households cannot afford to pay more tax without often getting into debt to afford the increases.
130. Help them find jobs
131. Yes- reduce councillors allowances and the salaries of those working for the council getting paid more than £50,000 per year.
132. Just align CTRS with national welfare changes.
133. Pressure groups on private business such as cleaning contractors to raise wages. Campaign to raise min wages
134. Consider looking wider at Rent and Council Tax together. Work closely with local debt/money support organisations to understand causes and impact of debt better.
135. Would prefer in-centivisation over increased subsidy/welfare support via council tax.
136. n/a
137. At a time of austerity when everyone's budget is being pushed to the limit, the only acceptable approach is to lobby central government for funding NOT take unilateral local action with money you do not have.
138. It depends on which group you decide to target as everyone who receives benefits apart from pensioners have not seen an increase in their income. When my mother was alive if you are to combine my income but my mother's state pension income would be over £200 a week now living by myself on £73.10 a week I pay out more in comparative to my income that I did with a for higher weekly income.
139. Get them to work just like everyone else does.
140. Yes make them get a job
141. Stop benefit sanctions Provide a proper level of support around getting back into employment or education Give individuals who are getting back into work longer support around travel costs, clothing costs etc
142. Families with children have more expenses, but can't work at the same capacity because of the care for children. It would be fairer if carers received wages for their work.
143. No
144. Means test for all council tax reduction claimants with up to 100% CT reduction.
145. I am interested to improve my council tax and housing benefit thanks.
146. No, not really
147. Do not charge the people for council tax full stop! if people are renting their private landlords should pay the council tax that's what I call being fair and allowing people living like myself in poverty to be able to breath again.

148. No. You can change the scheme to update to align with changes to universal credit etc. but I know that by increasing the support you give the few you will increase the pressure on the rest of us. How on earth does the council intend to pay for this when we already have cuts in budget?! I understand people need the help and support but not at the detriment of everyone else.
149. out of the 26,000 residents receiving council support - do you think a closer inspection should be made of the genuine needy of the funds. see page (3) why you are proposing changes to council tax reduction striking a balance between the needy to provide extra financial support to a group of residents you think required it) have you checked?
150. no comment
151. no
152. For home owners and/or mortgaging their home, who may be at risk of losing their home or unable to carry out repairs, a scheme could be designed like an equity release, whereby (with proper protection) the council would have some part ownership. This could avoid some homelessness, or enable a retired person to carry out adaptations and repairs. This suggestion is in addition to the CTR.
153. Family on low income, need support. Council tax is an additional expense that we just don't need. Life is hard enough!
154. Council should be helping people with kids find work not encouraging them to just be raising their children at every else's expense. Council should start by getting job centres to actually do the job they are supposed to do and not just tick boxes. I do speak of experience, job centres are a huge waste of public funds.
155. People of working age should be working. I don't believe in rewarding people for having children when I can't afford to have kids myself whilst paying full rent. Why should I contribute to others for something I cannot have myself.
156. I do not have the knowledge to answer this question
157. I don't know
158. no

The Council is proposing that if an increase in Council Tax Reduction support was put in place for 2019, the additional costs would be met by its services making further savings.

Q6. Do you have any comments on how you think the council Tax Reduction scheme should be paid for?

1. I reject the CTRS.
2. PCN's
3. Council tax in Haringey is already amongst the highest in London so I feel strongly that any increase in Council Tax Reduction should not come from an increase in Council Tax.

4. If Haringey does this, it must come at no extra cost to other council tax payers; savings need to be made at a council level e.g. no corporate jollies to Cannes, lunches with PR agencies etc.
5. There needs to be a careful balance between the council tax reduction scheme and impact of further cuts. Funding the scheme through cuts is dangerous as the impact on the same vulnerable people when services are cut will be worse.
6. Not to increase council tax for people not entitled to any benefits. Living in London is expensive as it is. Council can't keep streets clean and some areas are a disgrace with amount of rubbish.
7. Increase council tax bills for all so as not to affect services, especially social care
8. This concerns me greatly as I suspect the cuts would hit the same group of people. We already have faced cuts to youth services, which is perhaps a factor in the terrible levels of violent crime in the area this year. We also have major issues with fly tipping and litter. This is not only a blight on the landscape, it also reduces local pride and respect for the area. There are costs to reducing local services that may not be immediately easy to measure. I would like to see Businesses such as Spurs encouraged to support the community even further. Meanwhile, I would increase tax for the wealthy to offset this scheme before I would cut local services. In fact I would hope to see local services get increased investment next year
9. Further savings? further savings to an already small purse doesn't work for me - again the ones who suffer will be the majority of people to work, pay taxes and reap none of the benefits
10. no
11. You'll have to raise council tax Levy a premium on vacant properties (I think there is one already after a year - double it) Levy a premium vs. landlords on short let / airbnb properties
12. By all means support the genuinely poor across the board. by this I mean people who don't have money
13. Means tested
14. Services should not be cut further, they have already been cut too much
15. I don't think Council services making further savings is a sustainable solution in the long run. Services are already stretched and in many cases poor due to ongoing cuts, cutting even further could make living in the borough harder and less pleasant. The Council could think about bringing certain services (such as waste collection and disposal, which is abysmal) back in house to see if services could be improved at a lower cost.
16. Taxing those who can afford to pay more, especially landlords and developers. Bringing private contracts back into house where money can be saved.
17. As HB is being replaced by universal credit, then costs would be saved on housing benefit administration. Also if the council look at costs paid to rubbish services like the lewisite centres and swim schools that are subsidised by council funding they might save money

18. It should be done asap.
19. No ideas at present but the council needs to start thinking of how to generate revenue.
20. Unsure
21. It sounds as though Haringey has already decided this is the way forward. is there any real point to this 'consultation?'
22. Reduce the benefits paid to non working people and put this money forward to support the reduction.
23. The only thing worrying me is that if there's higher reduction on one side there's going to be higher taxes on the other. But I'm hoping that's not the case.
24. There is no certainty in the above claim, furthermore, any savings made should be returned to all Council Tax payers the citizens.
25. I do not think that the improvements in CTR need to be met by reduced spending elsewhere. Increase in council tax should also be considered.
26. Given that you're already digging into your Budget Resilience Reserve, what savings are you expecting to be able make that you aren't already? If you can make savings, doesn't this suggest that currently you're overspending in those areas? Why are you proposing to spend more money that clearly you don't have, when you're already draining funds from services that you then ask residents to pay for (your new policies on waste collection, for example)? In fact - are you still spending half a million a year on the white elephant magazine that is 'Haringey People'? Stop producing it immediately - that will help...
27. You'll end up charging the rest of us more even though we already pay enough. You'll also continue the cuts to vital services so don't do it. If people were paid a proper wage and rents/house prices weren't immorally high, people wouldn't need this help. Also, there are people living in social housing in the borough who have homes rented out in other countries- I work with at least three people like that so sort that out.
28. I think you intend to take from middle to higher class earners which is unfair and serves to punish those who have worked hard to get to there "privileged" position. You will cut back on services full paying citizens pay for to prop up others. Disgusting
29. I am not sure how the Council thinks it is going to cover the costs of the scheme. It should certainly not be covered by making cuts in other services
30. The council tax should reduction scheme should be paid for by PARKING , CHARG TOO MUCH MONEY FOR TOW AND CLAMP PLUS TICKET , YOU COULD PUT AT THE BOTTOM OF PCN , THIS 40PERCENT OFF YOUR COUNCIL BILLOR 60- 100 PERCENT . SO MAY BE ACYCLE OF REUSING THE SAME MONEY BIT LIKE HAND ME DOWNS , CAN ALWAS STEAM IT UP . HA HA.
31. Funding is already stretched. There are big gaps in social services support, particularly for the elderly. There is a growing need to fund youth services to try and make sure our young people don't follow the wrong path. If cuts have to be made

you might fund it in savings from consultants fees for all the regeneration schemes that have been going on: that would be ok. But there is not a lot else. For those residents who pay full council tax, and who don't have school age children, there are very few services they receive anyway. Street cleaning and refuse collection are already cut to the bone. Those cuts are going to have to be invisible to be fair. Can that be done?

32. This is a joke you already have cut services...if people want to have children let them support them
33. It should paid to the most needed i.e. disabled and vulnerable people who have low income.
34. Increase tax for wealthier people. Services should NOT be cut and people should NOT be fired. The borough is home to many wealthy people who can easily afford to pay more
35. I think the service that Haringey Council provides is already pretty poor so to further cut services would be a mistake.
36. Raise Council Tax for those in highest bands. With some safeguards in place for those who would be unable to pay.
37. There are enough cuts as it is. You've stopped the free garden recycling & now want people to pay £75 for a green garden bin. You used to have a yearly collection & everyone put their unwanted items on the gardens - this was free & was a great way to reduce fly tipping. It actually felt as if you were getting something out of the council tax payments you made. Nowadays, I find that my bins aren't emptied when they should be - the collection men often rush in/out & don't bother. Reducing the already stretched/limited services would be a further insult to those Haringey residents who pay council tax
38. No
39. Don't reduce council tax. It is not fair and not right to cut services.
40. Yes we already pay taxes.
41. Ask for more money don't make more cuts. This is a nonsense if you do it this way. What you've done with green waste is a joke
42. It shouldn't result in residents who don't apply having to pay more!
43. The additional council tax reduction scheme is a mistake. It should not be done and can not be afforded.
44. Everybody uses the services , therefore EVERYONE should pay, why should I have to pay and yet my neighbours don't, THEY GET THE SAME SERVICES! I am elderly and have a fixed pension, and in my youth struggled to make ends meet, but did not claim from the council for anything, we managed as best we could these days everybody wants the latest gear and don't know how to manage their budgets, rents are ridiculously high, but they still have more children than they can afford, perhaps education needs updating first!
45. no

46. Those further savings mean that council services will be cut/reduced or need to be directly paid for by other Haringey residents to replace council funding. This increases the financial burden on other Haringey residents that don't qualify for CTRS but find themselves having to fork out for more and more services to support the poorer people in the community.
47. Additional higher rate council tax bands
48. Cutting back on Social Services in the borough.
49. Put council tax up for those properties in higher value bands
50. It should NOT be paid for by cutting services. The council needs to explore other models to cover the costs.
51. I think any cuts in services are likely to affect those in most need. I don't think there should be cuts
52. I don't know
53. Similar to Q4, as a resident I am charged to park my car outside, parking is extremely expensive in Haringey therefore I use the bus. Now along with other councils Haringey has introduced a fee for garden waste. It is remarkable that the amount of money a resident like myself is charged cannot be found from the council's own funding sources. I think the council needs to do much more and this is a start. I have lived in Haringey for over 20 years. It is becoming increasingly expensive and I cannot see the results of how council tax currently is spent. Therefore, I am in favour of making it more affordable for families and for Haringey to find the money - it is one of the most expensive boroughs to park in - use some of that money, I would advise.
54. no, cuts in services would be working
55. 1) Part of the reason for my response to Q5 is that the effects of reductions to services potentially affects all members of the borough including those who do not receive the benefit of reduced Council Tax. 2) The Council should bite the bullet and have a referendum on increasing Council tax by more than 2.99% 3) The Council should not try to get round a higher general rate of Council Tax by further increasing fees for services such as residents parking or garden waste disposal or try to think of other stealth taxes.
56. Increase Council Tax for those who can afford
57. I have seen first hand how the most vulnerable have suffered due this financial burden
58. DO NOT INCREASE COUNCIL TAX FOR EVERYBODY ELSE. We get nothing back. The council is useless. USELESS.
59. I think we should increase council tax in Haringey. Could we also offer residents the opportunity to make additional voluntary payments into to investment funds for services they value: Adult social care, children's social care, recreation etc. I am part of a local group campaigning for fair access to free school meals, currently children whose parents have 'No recourse to Public Funds' written into their visa get no free school meals, no pupil premium and no help with uniform. I have visited quite a lot of school around the borough campaigning on this and it has surprised

parents and many have asked what they can do to help. Based on this experience I think residents would be happy to pay extra to extend free school meals to cover all disadvantaged children in Haringey. I would like parents to be given the option to make additional voluntary contributions to the borough.

60. People like me and my family will once again feel the strain of these proposals. It will be down to us to fill in the shortfall - how is this fair?
61. If you mean from the council's general fund budget that's fine. But I want my question answered in point 4. Thanks for explaining the alternative options.
62. Increasing the council tax payments on large and expensive properties.
63. Those in receipt of benefits already have more support than any of those who are working. Why should those working have to supplement those who choose not to work even further? If anything, it would give those who don't pay in a bit of ownership. They would feel more inclined to properly recycle and pick up their litter if they knew that they had to pay for it also. Every resident should pay their own way, as otherwise, it just creates a further divide in the community.
64. Council tax for higher band property should be increased to pay for services.
65. No I just feel it's unfair people like me who will suffer and low earning families because our bill will go up
66. No
67. How can you keep making further savings from services. Are they at present wasting funds?
68. Not in social services!! There are enough cuts as it is. Try cutting admin and office staff and increase the people who count, namely care workers. Also look into rip off care agencies whose charges are extortionate.
69. I believe the Council Tax bands have not been revised since 1991 - single retired people living in large properties [3 or 4 bedrooms or more] should be downsizing or paying more Council Tax
70. It seems as though the council is caught between the role of supporting residents and improving the local economy and developing opportunities for residents. I would prefer to see the current situation maintained, with the scarce available council funds used to create opportunities
71. None
72. Tax everyone more. I.e. increase council tax overall.
73. Charge at least double council tax on second homes.
74. Existing services should not be further cut back
75. not acceptable, why be different from the rest of UK.
76. By higher earning tax payers
77. Making it means tested
78. I don't understand, sorry

79. This year, because of council cuts, the communal lawns were cut only three times. This resulted in 5 residents being hospitalised with breathing difficulties. Is this really a 'Saving' or just a cost that is shifted to a different funding body? The investment in the N17 part of the Borough has left an obvious shortfall in the service provision in the N15 part. Any further reduction will make N15 a No Go Area along with increases in crime et cetera (as evidenced at present).
80. I think we have made huge cuts already and there is no doubt they have hurt the most vulnerable in Haringey. In the short term making further cuts may be the only way to fund this change but in the medium term an increase in council tax on the most able to pay is the prudent option - balancing the needs of our communities for the services we provide and financial sense.
81. reduce public spending on initiatives which don't benefit the majority in local areas
82. Definitely not through your Council Tax because it is very expensive enough as it is. I believe there are other services you can take that from.
83. Don't change the scheme so as to create higher costs!
84. Parking, using parking fine you hold. I am sure you have enough parking fine fee in your budget
85. Council tax should be raised to fund the changes to this scheme. I believe the council should attempt to hold a referendum to support a council tax raise beyond the 2.99% limit.
86. These savings should go towards improving the quality of existing services whilst keeping rates flat.
87. Reduction in central staffing, salaries and pensions in all case where these are above the incomes of the people who have to pay council tax. A cap of £60000 on higher incomes.
88. No
89. Help in buying general and decomposable bin bags
90. Again I think reducing council tax for a few is a narrow way to look at a very big problem. A sustainable system is needed. Yes lower income families should be able to have freezes perhaps in paying but generally all residents need to know how they can contribute both financially and with their behaviour to improving the position of Haringey council
91. Tax the richest people in the borough...second homeowners and property developers
92. Ideally, the Council Tax Reduction scheme should be funded by local taxation on higher value properties - creating new bands above Band H. However, I appreciate this is not v possible under current legislation
93. Currently the streets are dirty, council workers are working over and above 36 hrs a week to provide a service the majority of which are not receiving any additional payments. If 26,000 households are no longer making any payments but are accessing the services this will be a strain on communities and residents who do - another two tier system!!

94. Decrease in advertising budget
95. I would like to see an increase in council tax paid by owners of properties in the highest bands. These payments have not been reviewed for many years. I am such an owner and would have no objection to paying more for council services.
96. The Council is I believe scrutinising the terms of it's contracted out services: this is one possible source of economies but obviously the conclusions of these reviews need to be studied and discussed.
97. The higher council tax bands pay more.
98. The council tax banding means that, in parts of west Haringey, homes worth well in excess of £1m, pay only a minute fraction of their market value in property tax (ie council tax) The proposed changes to council tax reduction scheme are supported as the current solution Labour policy, at national and London levels, should enable councils to set higher council tax rates for high value domestic properties, reflecting their market value more accurately (with exceptions for elderly or disabled residents) These higher receipts should be used to reduce the council tax in the lower bands and to fund the vital services, being cut by the tory government's slow strangulation of local government
99. Plenty. – A tariff on the use of Alexandra Palace grounds for concerts. People coming in from outside the borough to use council amenities that have been put beyond local use? That's something that needs to be paid for. – Put everyone else's council tax up by £4 – Look at why your insurance claim and compensation pay-outs are so big – The Head of IT should be able to get a better deal on their mobile contract – Buy and run temporary accommodation rather than relying on B&Bs – Buy and run long term accommodation rather than relying on the private sector – The council spends huge sums on housing – look at arrangements with contractors
100. Yes. For many years I have tried to bring a potential funding stream to the Council's attention namely: When Planning Permission is given for work that could change the Council Tax Band of a house, eg crossovers and off street parking, extensions, up down and sideways, They should check if the work has been done and either inform the Valuation Office Agency that the property needs flagging with an 'improvement indicator, or ask Haringey Finance to do it. I have never been able to find out who is responsible and how it works. What I do know of is a flat which almost doubled in size nearly 15 years ago, still being charged at Band C and houses which have had major extensions and work done on them, still being valued at Band F and Band G. When I drew the Planning Department's attention to one particular street, [REDACTED], in great detail, magically the houses in that street were flagged up for reassessment on the LVA website and the whole street was updated from houses that had been turned into flats, to flats which had been turned into houses <http://cti.voa.gov.uk/cti/RefSResp.asp?lcn=0>, I have just looked at the 'evens' on [REDACTED]. The last house to have had an improvement indicator flagged on the VOA website is number 14 in in 1996. since then there have been significant planning applications for extensions and improvements on 14 different houses, not one of which has been flagged up. <http://cti.voa.gov.uk/cti/InitS.asp?lcn=0>. This means that when the houses have been sold, or are sold in the future, they will continue to be valued at Band G, when the likelihood is that they should be Band H. As far as I am aware, no other houses, that have been 'improved' rather than 'new build' have been flagged up in

this way. When my daughter extended her house in Berkshire, it was flagged up immediately. Of course, in the ten years since I first tried to bring this to the Council's attention, the housing market has boomed and there has been much buying and selling. this is no longer the case. Even so the Council should set somebody to go through the planning applications street by street, check they have been implemented and flag it up with the Valuation Office Agency. I, personally, will volunteer to do the ground work if you want. For further details, please contact me,

██

101. Reduce any marketing/promotional/advertising spending. Reduce spending on grass cutting by planting wildflower meadows instead of lawns (more beautiful, better for biodiversity, much lower maintenance requirements). Can you tax all the big ticketed events in Alexandra Park somehow (I think the park is not under council control, but can you not still put a tax on events?)? Request small voluntary extra CT contributions from higher band homes that don't receive CTR - supposing people paid an extra £2 a month or something, that might add up to quite a lot and I know some people in the borough would be happy to help in that way. There might be other things the council could invite voluntary contributions for as well.
102. yes by reducing councillors expenses, reducing the pay bill for senior managers in the council, by raising parking charges, by charging owners of houses with multiple occupancy more to register with the council. By making better use of Ally Pally and other council assets
103. Though I agree that a referendum on council tax should not be planned to meet this particular cost, I think it should be considered as a way of stopping further cuts to services.
104. I don't agree with the proposal but if it gets forced through I would suggest that a reduction in councillors expenses should form part of the contribution
105. Make developers pay more and improving services (especially street cleaning in N15)/reducing council tax for all. The council has helped the developers make huge profits by waving through unwelcome developments such as the one where Apex House used to be.
106. This could severely affect other services. They are already under funded and could further damage educational services, or social care services.
107. I do worry that the council has made so many cuts already that there may not be anywhere it can cut further.
108. It is very difficult to respond to this without knowing which services are likely to be cut as a result
109. Yes from the welfare budget the government give if they are in need that's what it's for
110. What will you cut? A good idea would be to cut free teas coffees etc. for all Council staff;
111. no comment
112. No. But what if the savings on services (which ones?) cannot be achieved to sufficiently cover the (full) costs of the CTRS?

113. increase council tax for those who can pay
114. I'd prefer income generation rather than savings. What opportunities are there for the council to become commercial where services are not statutory? It might have been in the larger document I didn't read, but whilst instinctively and politically I agree with this, what are the outcomes we are hoping to see for our poorest families - how can we help ensure that the money back in the families hands is used in the most effective way. I'd also like to know what savings might be made from the new scheme reducing the amount of recovery action for families that fall into Council Tax debt. Also how can this tie in with outreach work such as at Heartlands High School on 10th October re family income maximisation. In summary I would have preferred to see where this scheme fits in with broader ambitions for our residents.
115. As long the new proposal does not mean that certain people have to pay more is good. But I read previously certain people will need to pay up to 95p more per week, although this amount does not sound much but it does add up.
116. Higher Council Tax (or any other available income generation sources) for everyone and only when the maximum available, after referendum, is exhausted should any services be cut.
117. Having been prevented under Thatcher governments from buying votes by subsidising council rents it seems to us that this is the same idea via the back door!
118. I think the council tax should be increased for those able to afford it.
119. It absolutely should not be funded by a cut in services. Completely disagree with this.
120. This is ridiculous. Our streets are already dirty, buildings ran down etc. Cut benefits for those who fraudulently claim them and the money will be found. Rather than regenerating Wood Green again from scratch, save money by adding to what's already there. 2) Save money by not funding so many community centres, and events for just one ethnic group of people, but for all to enjoy who lives in the borough. You can't be all to every one.
121. Higher business rates
122. Why make cuts to other services? They other service users might be more deserving!
123. Should not be paid for, these people are subsidised enough as it is. The council will also get increased revenues from all these new flats being built
124. No more shifting cost to hard-working people who don't claim or receive benefits, i.e. the squeezed middle.
125. Rates from businesses. Haringey is not good value for money for residents. We have so many potholes, fly tipping arc. There's a reason the riots began here.
126. It shouldn't be implemented when basic services are cut to children and the elderly
127. Optimisation of processed , digital transformation. These will provide cost reduction
128. my council or my tax payments should be increased, do reductions can be applied.

129. Why penalising hard workers to benefit people who can, but choose not to work and have multiple children?
130. No
131. No more cuts to services. Stop this scheme.
132. Putting up Council tax for those who can afford it as soon as you can
133. I think everyone should pay their way regardless of circumstances. why should I pay for others peoples kids?
134. I don't think the council can afford to pay for it. Haringey's streets already look like a war zone, with fly tipping and rubbish dumping totally out of control. How come Hackney manages to keep it's streets clean?
135. Increase council tax for better off residents.
136. I'm pleased this question is being asked, though don't personally feel qualified to respond.
137. Revamp the council tax structure, for example introduce more bands to the system, instead of just considering how many bedrooms a house/flat has, also consider how many people live in there. If residents have more than one property in the borough and renting them out, have higher council tax rates for their primary property. Have higher council tax rates for properties that are being let on a short term basis, for instance on air bnb making higher profits, instead of having long term regular contract tenants. Raise more money by fining residents and save more by getting them to volunteer at the council; who are guilty of littering, antisocial behaviour and vandalism within the borough, which is rampant.
138. do what other councils have done in the past you sack the people that you've got working there and you higher than back on a lower contract or maybe not it's an easy way of getting rid of most of the ones that don't do any work you tell them it's a sure thing that there will be hired back but as you know nothing so sure thing if they voluntarily give up the job then that's part of how you kick them out of the job there in
139. You could slightly increase Council tax in the top band.
140. Please do not increase the council tax for all other residents. One suggestion for savings is to move staff around the Council. There should be a forum for Managers to call upon where staff can be moved to support teams/projects at short notice to get job done and which will save costs on recruitment.
141. Why people who are already paying their council tax should suffer. There has been increase in council tax for past 2 years in a row, we can not afford for any more rise in council tax causing by the deficit of £1.6 million.
142. Difficult one! I would try to keep existing library and old people's services intact - but I have no idea how to make "fair" cuts elsewhere.
143. In general it is right that level of Council Tax should increase to pay for necessary services. If the extra cost is met by further savings , the probable consequence will be benefiting one lot of disadvantaged people at the expense of other groups who

rely on services and who may often be relatively disadvantaged compared with the general Haringey population.

144. Part on high valued properties.
145. How does 'additional costs met by its services' make further savings? If services are being forced to pay for the difference frothier budget, how does this help them to save money and provide adequate services?
146. Yes, cut some services
147. This proposal is a disgrace. Why should other groups suffer and have further cuts in services. We all pay into the pot and deserve access to a service when needed. Robbing Peter to pay Paul never works as it discriminates against another group. eg Pensioners. See my previous answers.
148. You should not be making it - you cut services, to all including those just above the discount threshold to help those already getting a massive discount.
149. UK British Passport holders in maximum discount no CT for under 25's, OAP, ESA, and disabled people. British Passport holders out of work should receive 100% reduction. Budget should come from central government.
150. n/a as it shouldn't be introduced in the first place
151. I would back some sort of income-linked increase in council tax, if possible.
152. No comment
153. if it does go ahead which is likely considering you brought it to light anyway. Then the everyday resident shouldn't be the ones who carry the financial burden
154. The Council can use you the savings generated from reducing the weekly rubbish collection to fortnightly collection.
155. I would be prepared to pay more council tax
156. It's should be paid for by residents who pay council tax the council need to fit the bill
157. The council is already running down its reserves to fund care which is only going to increase, council tax should be increased by 10% and if the council had the guts to face up to the mess they are getting into then they would be truthful with the people and have a referendum, can't be many people like me who have actually read the accounts
158. I think the council cannot at the present time afford to pay for this proposal in particular when they are already trying to budget their reduce funding from the government. Although the intention is honourable at present they have no means of paying for it unless there is a detriment to over under funded services.
159. This is ludicrous. We all know what will happen, others will end up paying more.
160. Reducing the salaries and packages from the upper echelons of management in the borough and the elected leadership. Do not reduce frontline services till the gravy train for council leadership and senior officers is curtailed.

161. The additional costs should not be borne by services used by all residents (eg environment and waste services, road repairs). * Council tax should not be increased.
162. Yes, increase the council tax for houses which cost more.
163. Unless the extra money required for this scheme comes from central government it can only come from cuts in services or an increase in the Council Tax that everyone else pays. If cuts in services what specifically would these be? If an increase in Council Tax how much would that be?
164. Mixture of capital reserves, higher council tax for paying residents and looking at costs of other services.
165. making further savings to services does not help the full paying Council Tax residence that rely on them, again every household should contribute to Council Tax even if its a small amount.
166. The Council needs to think very carefully about how and where to spend and save money, on an already tightened budgetary environment. In order to make Haringey a better, more community-minded place to live, everyone - regardless of situation - must contribute. Already the borough is suffering under budget cuts re: services, running the risk of destroying neighbourhoods.
167. I am tired of getting reduction on services to just benefit a portion of the residents
168. higher government grants
169. see above
170. Through increasing Council Tax for those in higher band Council Tax properties (F-H) - i.e. redistribution from wealthiest to poorest in the borough with means tested subsidy for those who are asset rich and cash poor.
171. Increasing Council Tax for those in highest bands (F-H) - a distribution of wealth within the borough (with means tests to subsidise the asset rich and cash poor).
172. I think you need to increase your council tax bands to pay for services and reduction scheme or you can also increase charges on empty homes.
173. Reduce salaries of local government council members of staff
174. (head of Haringey, councillors etc) Raise council tax if household income and property value are over certain amounts Council needs to become better at generating income, instead of just making cuts
175. I would prefer that wealthier residents of the borough, such as myself in Highgate, should pay for these changes. If savings have to be made please make it from the West of the borough regardless of the screams of those that live here.
176. As a quick fix Council could increase top rates of Council Tax; to make it sustainable, the system requires a complete overhaul where money could be saved by decreasing bureaucracy and implementing modern technology to pass on as living wage for all individual citizens.
177. I think the Reduction Scheme should be paid for by increasing Council Tax for the better-off residents in the borough.

178. Up to 3% increase in council tax Increase in parking fines and parking costs. This would have positive consequences for the environment. Ask/invite people who have built extensions without having band increases to pay a levy.
179. Ask Central Government to contribute
180. No
181. Without having the relevant information it would be difficult to say but the poorest in our community should be exempt from council tax payments. Many in the West of the Borough could afford to pay more, so I think they should be asked to do so.
182. surely you would of thought of that before proposing something you can't afford to pay for? No i don't have any suggestions and if you can't afford it - DON'T DO IT. I'm all for helping people that need it but there is a limit to what you can do if people aren't willing to help themselves. It just doesn't seem fair
183. there would not be a need to increase council tax support if the below comments were adhered with
184. no comment
185. I don't know
186. Firstly bring pressure to bear on central government to allocate funding to Haringey as an inner London Borough, with deprived communities suffering from austerity. Saving on services is difficult. I would not recommend job losses. Could we use local government bonds? A possible saving could be made by bringing refuse collection and recycling, with street cleaning back in house; in addition have street stewards taking some responsibility for monitoring local standards, in order to encourage local civic pride and care of their streets.
187. It should be mean test. Those on high income who are not struggling.
188. I would not want any cuts to come from health, education or policing
189. As above
190. Close the job centres, as they are useless, they just tick boxes and go through the motions and offer no assistance. 2. Enforcing the no entry signs especially in the West Bruce grove area. 3. Do not implement this scheme. Wages are low, rent and house prices are high as is cost of living, transport, travel. It's ludicrous to suggest working people should suffer in favour of those who simply choose not to work.
191. I am opposed to the council tax reduction scheme. Our borough has had too many funding cuts as it is.
192. I cannot see how the savings would be made so it is impossible for me to answer without having this additional information.
193. No
194. Yes, additional support from central Government, paid by higher corporation tax on big companies especially ecommerce giants!
195. By doubling the council tax on empty properties and on homes. in the longer term seek the introduction of higher bands for council tax

196. The council need to sort out the rubbish and fly tipping problem in Tottenham before it reduces the Council Tax. When this is sorted out then do it. In the meantime use the money to educate and enforce fines for those that litter and fly tip.

Q7. Do you have any general comments about the overall consultation proposals (whether the preferred option, the identified alternative options, or any other options)?

1. I think it is good to move forward and review in fair
2. The information is very poorly put together and difficult to understand. I had to read it several times and consider myself someone of reasonable intelligence. There are errors in the FAQs document, including one answer to a question "do we really need this question", which is clearly a note from someone internal that has been left in the final document. For those entering the survey online, it is impossible to skip back to check "what did you think about page 5 in the booklet". All of this has no doubt alienated some of the very people this scheme is designed to support. There is no explanation as to how the council came to the conclusion this scheme needs to happen. Put the council tax up for those who can afford it. We can't stand more cuts to services, especially when schemes to regenerate the area, providing potential sources of income are being rejected and fought against.
3. You'll do what you want regardless of what we think
4. no
5. when you ask people to take part in a survey clearly and concisely inform them about what it is you wish them to give their view on. I still don't know what changes he council is proposing
6. Please do not cut services to fund council tax reductions
7. The consultation itself is scarcely publicised and not very clear.
8. I support the proposal.
9. Welfare reforms are hitting the poorest of our society, and we need to support those that cannot afford the basic and their priority bills
10. I totally disagree that those working with children should get help as again these need to be given financial support from the CAB on how to budget etc.
11. Council Tax should remain the same - as it is now. No further changes are needed.
12. No
13. Struggling to understand why consultation on this proposal is such a high priority here and now. I believe the subject should have been aired in an open public debate to garner broader cross borough opinion and MORE WIDELY PUBLICIZED prior to it being casually posted on the Council website. (I stumbled across this survey by accident) Knife crime, youth opportunities, people trafficking etc. are matters for all Haringey residents in the same way that contributing towards the cost of running the borough is also a joint responsibility.

14. I don't know where you will find the money to support the changes. In the end it will fall to people who pay for this shortfall. Change the scheme to bring it in line with gov. changes that but nothing else needs to change.
15. If as previously stated savings can be made, it implies that the council tax rate 2018/2019 was set unnecessarily high and it follows that Haringey Council Tax Payers should be given a council tax refunded or 2019/2020 council tax bill be reduced in accordance with the projected savings.
16. No
17. Does not appear in the consultations section of the website.
18. Make it clearer for people to understand the potential consequences of this.
19. Said my piece already
20. MORE WAGES OR LESS TAX LOWER PRICES
21. This will be very complicated for most people to understand. It is hard to know whether the consultation will be representative or how it will be used. Generally I favour consultation so this is a good thing and should be kept for more decisions. But in the end, councillors are elected to take decisions, and given this is already a manifesto promise it's not clear how consultation helps here.
22. Do not add further burden to the rest of the Haringey residents
23. This proposal is a good one as you are upgrading and reviewing to a new system since 2013.
24. Council services are already stretched to breaking point. I agree that individuals should benefit from being in employment more than those who do not work even though they are able to- individuals that breed for financial benefits and state rewards
25. It needs to be re-thought. It's unfair & very one sided
26. NO
27. Honestly council tax should be £50 a month. Allow people to have some disposable income. people are working just to keep up with their monthly bills. Hence the increase in crime and less young people wanting to work. They can't see the advantages as it is just clouded by the ever increasing bills and poorly paid jobs. Either that or increase the minimum wage tremendously.
28. The options as you have laid them out are very confusing as is your survey. I really had to think through my answers and I am degree educated. A lot of people won't be able to answer these questions and I think this has been done deliberately for reasons I am unsure about. Probably so you can do what you want anyway but at least you have completed this box ticking exercise. Very poor.
29. .
30. I am disgusted by the whole idea
31. Yes, everyone should pay something, or none of us should pay at all'.....isn't this borough supposed to be for equality, we all use the services, we should all contribute!

32. no
33. As a middle income earner, I don't qualify for any benefits but feel that I am constantly squeezed to accommodate and pay for a section of the community who, for whatever reason, are poorer.
34. How will this be paid for on an ongoing basis after the first year? Will you give an assurance that council tax bills will not rise ever to pay for this?
35. This should NOT happen, decent tax payers are shifter by this proposal.
36. I believe this will only benefit the east of the borough which is always the way with this administration.
37. I think it is fair to support those on low incomes with council tax such as families.
38. Too much to pay in council tax, road tax, school dinners
39. I am well educated and in a professional job. I had difficulty understanding the language you have used in the consultation document. Simplify the language in documents otherwise you are only going to hear from residents similar to me and that is not a representation of the communities who live in Haringey.
40. This is not a particularly good way to survey opinion.
41. I only found out about this 'consultation' because I happened to look at the Council website. Otherwise I would have not have known it was happening!
42. No
43. No
44. You should all be ashamed. Taking tax-payers money on a daily basis for nothing, then coming up with "great ideas" like this, that pretend to help the ones in need, when it's actually just another justification to increase council tax for workers later on. You are robbing from full-time workers that struggle to make ends meet. Look at yourselves in the mirror - can you sleep at night?
45. I want Haringey to consider families with No Recourse to Public Funds, any policy that relies on access to welfare benefits as a criteria discriminates against this vulnerable group.
46. Don't change the scheme - change people's mind-sets and help them get into to education and work so they can fund and afford their own lives and children.
47. Proposals are fine, but i'm considering those you have excluded on your page 6 table. Please consider answering my question because I don't think they should be excluded. They'll end up leaving Haringey to live on other borough where they'd get more help
48. You need to have more options that consider all residents, not just the ones who won't take part in these surveys yet reap all the benefits.
49. This consultation SHOULD have been sent out via post to all Haringey residents and not simply offered via ONLINE survey. Haringey has high number of residents that do not use online services because they are either elderly or have English as a second language. Therefore you have effectively missed an important and significant amount of this demographic. Importantly, this demographic are overly

represented in being in receipt of council tax reduction and you have not allowed these people to contribute to your consultation on policy change for the reasons I've given.

50. I have a lot to say mainly why should I suffer as a low income disable person and why should a family with low income suffer with higher bills?
51. I was never consulted about this and found this out only by accident. Why hasn't there been any correspondence?
52. It has to be fair to everyone . I often hear comments that if you are honest and work hard all your life, pay all your taxes, you get nothing. If you are idle, never done a hard days work in your life you get your everything paid for.
53. As a working resident on a low income I'm struggling to pay me council tax s9 would welcome this change the council tax reduction now isn't enough
54. How many residents know about the consultation?
55. Yes, don't do it. A lot of people depend on social care as a main priority in this borough.
56. The consultation exercise is just too complicated. I hope it wasn't expensive? It seems Haringey can't even afford to have a bus indicator on Crouch End Broadway let alone increase council tax reductions for the needy.
57. Councils have little resource to deliver their core function and beyond. I do not feel this would improve the local area or communities. I'm looking for my council to create opportunities, to drive economic improvements, improve the quality and outcomes for health and care. The proposals would not achieve the above, in fact, they would risk the above by diversity scarce resource away from these priorities
58. None
59. Tax everyone more. People will pay for council services.
60. Council should stop trying to socially cleanse the borough and focus on building new social rent housing, and supporting most vulnerable residents. Prosecute Kober and Strickland for their corrupt actions.
61. No
62. Unfortunately, costs will end up being met by those who are not entitled to reductions, which is unfair. Perhaps you should challenge the government that created this mess
63. Consider over 65s on minimal state pension and housing benefit
64. Let the government decide, fair for all.
65. No
66. .
67. Look after your residence and the borough please. It's not about big bosses pocketing money, it's about unity and reputation. Also Haringey looks unpleasant e.g dog faeces on each and every road, rubbish dumped, rough sleepers only to name a few. Spend properly, don't reap of residence and make them unhappy.

When I walk in Haringey, I only see sad, worked up and tired people including myself.

68. I am pleased that all options are being considered and that the matter is 'out for consultation' with the public. In a different age and political climate I would broadly agree with the proposals, but at present, and with the demographic make-up of the Borough, I believe that it is very important to 'show inclusivity' to everyone.....even if this is in the nastier aspects of life like Council Tax.
69. A reduction or freezing the prize should be apply to family with a low income even if they don't request a discount.
70. I will only support an option not putting anymore pressures on me financially.
71. No further comments
72. Council tax in Haringey is already a huge burden on most ordinary working people whether below or over the threshold for the proposed reductions. It should not be increased to pay for the proposals.
73. Change it to help people on low income
74. Should be a scheme for single people...50% reduction
75. Not really
76. No
77. I came across this whilst looking at the Haringey web pages - something as important as this should not solely rely on one resource tool to communicate with residents. There are a number of households which do not have access to the internet. Why has this not be circulated in paper format, using your Haringey People publication?
78. No except that I haven't seen much publicity about this consultation and wonder how many responses will come in.
79. provided it can be funded without harming services for vulnerable residents, the preferred option seems to be a humane step forward and signals a real determination to assist families with dependant children
80. Council tax doesn't seem a fair tax so it should be that those who can afford to pay more do pay more. And those who can't afford shouldn't pay anything.
81. More explanation of the need for the proposed changes and the implications of the alternatives would be helpful
82. There is no guidance given for question 1(b)
83. I think Haringey should increase Council Tax by the maximum allowable and use some of that increase to mitigate the effect on disadvantaged group both through the CTR scheme and increasing and enhancing community facilities particularly in disadvantaged areas.
84. A bid end austerity once and for all and install a socialist government !
85. I'm really glad that the council is thinking seriously about how to help the most vulnerable residents in the borough. Thank you.

86. make it more redistributive - get the very rich people living in the very rich areas like Highgate to contribute more to this borough and get landlords to pay for the anti social behaviour of their tenants
87. Make developers pay more and improving services (especially street cleaning in N15)/reducing council tax for all. The council has helped the developers make huge profits by waving through unwelcome developments such as the one where Apex House used to be.
88. The people in our community who seem to be the at-risk and vulnerable are the private renters - often living in HMOs. Some don't seem to be eligible for, or seem to be unaware of, the council services they are eligible for. Aligning council tax assistance with value of property is a slippery slope that could harm these private renters who are already being exploited by greedy landlords.
89. I think more practical support for people would be a better investment. This doesn't feel like a sustained long term solution. It reminds me of the moral 'give a man a fish and you feed him for a day; teach a man to fish and you feed him for a lifetime'.
90. I think we have a very poor Borough and it's down to mismanagement we have to many hair dressers to many food establishments to many betting shops we have lost all the Morden named shops from the high St. like M&S British home stores we have to many what I call cheap low quality goods on sale you need to reduce your approval of more of these establishment you need to think healthy, change your high St to pedestrian only add some new benches some plants make it Green you could have it Gated at both ends keep them closed in day time open at night
91. I think the percentage can be increased to 90%, or even 95%, but should not be 100%.
92. no comment
93. It needs to be made much clearer exactly where and how the cost savings for the CTRS will be achieved.
94. I think the current is better CTRS.
95. no
96. Having been prevented under Thatcher governments from buying votes by subsidising council rents it seems to us that this is the same idea via the back door!
97. Have not heard of many alternate savings in the Council been considered, only what Council tax payers can do.
98. No
99. Wondering how much the council would actually listen to those who oppose the idea.
100. If this proposal results in higher council tax for the hard working proles/fools like myself, I will turn to drug dealing like my neighbours in N17. They're driving Mercedes and have fresh bikes every week while I haven't gone on holiday in four years because after taxes, rent and bills I'm not left with much.
101. No

102. Concentrate on running Haringey instead of cutting budgets or putting extra costs on council tax payers.
103. I absolutely object to money from the public purse being used to support only people with children! In an area where i receive constant homophobia from all parts of Tottenham community, money should be used to help bring an end to making working people's lives a misery!
104. I think I should get a reduction for not having any children
105. It needs to be advertised better so that all people can have a say, rather only to publications of people that support the council's political agenda.
106. if Haringey Council got rid of most of the dumb unintelligence that work there like your Facebook you put stuff on the same day for that day like if there's a meeting going on you need to put it on at least two weeks before and you need to keep putting it on everyday so people can see it so people can make arrangements in advance to be there to let their opinion be heard oh when I say heard I mean you'll listen to what they say and then disregard it because of the dumb uni you got working there you need to get rid of the people in your HR and get new people in stop hiring from the villages
107. The preferred option is good. As a single parent myself I can remember struggling to pay the council tax and the charges that were added. It was very traumatic experience so I am pleased the Council is going to help which will support the Corporate Plan, Priority 1 and 2.
108. Consultation should be fair and council should highlight more the implication of these proposals to residents who are already paying full council tax.
109. I would like to see evidence after the Consultation that the Council has properly taken it into account. Since the Council is required to undertake this Consultation, the cynical might think it is simply going through necessary procedures rather than displaying a genuine interest in what residents think. Full reporting of the feedback received could dispel this cynicism.
110. I would like the unemployed and I'll have a maximum reduction.
111. Please refer to previous answers
112. No
113. I saw the consultation by chance. no one I know has seen any information on it. IT needs to be more strongly advertised.
114. Comment. Regarding the proposal to end council tax. I disagree with this proposal and feel that the council is giving out the wrong message to persons claiming that they cannot afford their council tax. I believe that by ending council tax for some that there will be no incentive to prioritise expenditure i.e. pay council tax first ahead of one's mobile phone bill! Plus, there is a prediction that with the proposed changes, and possible reductions and delays to Universal Credit, that benefits may even be reduced further. What then? What will these persons not be able to afford then? I believe that Haringey could assist these persons in a more constructive way and that could in itself prevent worse situations from occurring i.e. homelessness, sofa-surfing. This help is by creating a pamphlets / letters / leaflets and holding public talks on the following subjects. List not exhaustive Benefits. Make sure that

the persons concerned are receiving the correct benefits. The disabled and students for example are entitled to extra benefits. Certain disabilities are entitled to the Freedom Pass. Child Support. Is there an absent parent not paying? Mobile Phone. Everyone needs a mobile phone but is it necessary to have the latest model? Do children need mobile phones? Re-examine your tariff and consider changing provider every year for a better deal. A mobile phone in EE, Wood Green, this week is on sale for 79 pence plus a free £10 credit. The internet is free in the library. Smoking. Smoking and poverty are linked. Give up smoking. It is so expensive. Go to smoking cessation classes. Pets. Most pets are expensive to keep. Can you really afford to own a pet?. Online subscriptions. Consider ones online subscriptions. Sky TV, Amazon Prime, Netflix, etc. Cancel them. Rent DVD's from the library. Household tariffs. Are you paying more than your neighbour for gas & electricity, insurances, etc? There is no loyalty in staying with the same provider. Shop around. Food Wastage. We are all guilty. Arrange lessons in old-fashioned cooking and planning of meals to avoid waste. Invite a home economics teacher to volunteer some time for a talk. Foodbanks. Get referred to a foodbank. Gambling Addictions. The horrors of this. Gambling online and lottery can be addictive. There are 5 betting shops in view of Wood Green Tube Station and more in the High Road. Does someone in a struggling household visit one? Motor vehicles. Is it necessary to own a car in London? Possibly the Citizens Advice Bureau, and speakers from relevant charities, teachers and maybe even Martin Lewis the TV money advisor would be willing to contribute / advise. My view is that almost every household, including mine, could make savings. Remember many things are free. The parks and libraries, and the NHS.

115. You don't really broadcast them but then that's your way of getting through what you want - still could be worse Kober could still be in charge.
116. Excellent consultation. Thank you for helping hard hit families, OAP, disabled, and under 25's.
117. I welcome the council making it possible for residents to learn about such proposals (in my case, through the Tottenham News newsletter delivered through the post) and make comments / contributions online, which makes it easier for residents to engage when it's convenient to them. Thanks for making this possible.
118. No comments.
119. Haringey has the same demographics as its neighbouring boroughs. Have you done your research on what goes on in the neighbouring boroughs? I know Hackney residents on low income make a contribution of 17% of the Council Tax.
120. I really support the proposal to help those on a lower income who are struggling to pay the 20% council tax imposed on them
121. My main concern is that if this council tax reduction happens myself and other residents will have to pay more for our council tax which would be unfair
122. Yes that the council should not proceed during current austerity when it is under pressure to maintain the standards of its ongoing services.
123. Further financial support will end up hurting hardworking families who are not entitled to any reductions, and will be footing the bill
124. No change

125. Dismayed at the lack of publicity for this consultation. No one knows about it. So I guess it will be proceeded with though consultation has not been meaningful. Usual lack of openness and transparency from our opaque leadership.
126. There should not be further cuts to rubbish collection services. Council tax should not be increased.
127. People need to pay for services, and through paying for it they come to value it. If you ask people, would you like to pay for it or have it for free, then of course they are going to say they want the free option... This continual subsidising of vast numbers of people the council considers poor does no good to the finances of the council, and further absolves businesses of paying a proper wage..
128. This is unfair to residents who do not have children and are not on benefits and therefore do not get any assistance especially single people on lower incomes who don't qualify for anything and would probably bear the cost
129. This Consultation has NOT been widely publicised. I had seen no mention of it until a neighbour drew it to my attention. I do NOT consider this to be fair to the residents of the borough.
130. I think it's a good and necessary option to explore this. I think further work and study of the impacts of debt and low income in the borough could help persuade those who are more concerned with how this could negatively impact them.
131. No - consider the balance of the demographic and what is needed to maintain a strong community. Not everyone is 'in need', but many are just about scraping by - and willingly pay towards maintaining their neighbourhood to make it a safe, pleasant place to live.
132. These proposals should have been made much more loudly and publicly. Clear information should have been posted through the door of every household in the borough. Instead you have chosen to hide it away in the pages of a frankly rather dull council website where only those with specific interests would be likely to find it. I only knew of it via a neighbour with an avid interest in local politics. Your behaviour suggests that this is something you would like to sneak through without anyone noticing until it is too late.
133. Good consultation
134. People should pay for the services they receive
135. I said previously it is target one group deserving as they may be and not look at overall picture you could cause resentment especially with lack of increases in state benefit. Example that you provided with someone on JSA pay more in a band B property. Can you live are £1.50 a day for food considering you supposed eating healthily and which will cost health service more money because people eating poorly in long-term which will affect. Also looking at adding in extra council tax band and charging more for empty properties discouraging people using them as investments rather than a home.
136. I don't support anymore increases in benefits which would inevitably mean people who pay full taxes will be met with further increases in outgoings when we are already struggling. I do not support paying more to support people who make no contribution

137. Give working families a break instead of people free loading
138. It is long overdue
139. No
140. No
141. Have heard about an idea of huge CT increases then rebating some people. This is nonsensical, as the administrative cost of doing this would wipe out any gain. Increases should be as low as possible. Haringey already higher relative to other boroughs.
142. No
143. No
144. The government and those who earn too much have no idea what we the little people have to go through on a daily basis children or not to pay for all these ludicrous bills, and on top have to pay for services edpe I ally the police that are either closing down or nowhere to be seen, none of our money are being used to benefit our dull and miserable high streets and shops or have more street lights for safety or get landlords to refurbish their horrible buildings all along Green Lanes or put larger bins absolutely everywhere or use up unused spaces or even the crucially more Greenery to help with our wellbeing, where is our money being spent, I have the right as a council/income tax payer to see transparency and NOT pie charts. You in local authorities are humans you are taxpayers too do you not care about your boroughs yr country yr wellbeing if so then do something so we can all live well, you only need to see Europe and see how they love their country and communities and glorious it all looks and everyone is smiling and happy it's because they have patriotism, so let be the same.
145. Where did these proposals come from?
146. Living in the borough of Haringey we have observed many (younger people) who could be taking some kind of employment to help the community (even if they have children) there is so much more for them to get assistance entirely on councils everywhere. The job centres need overhauling staff do not appear to be doing a realistic job. there was probably a ruling that one was offered the choice of 3 alternatives jobs and if not taken up would lose their entitlement. Because the social security is giving too much of these people lose the will to work and it is ending up in crime from boredom - drink problems everywhere you walk there are empty alcohol bottles!
147. it would be nice if the council stop playing silly buggers with me
148. The documentation was clear. It is well to be prepared.
149. Get rid of council tax for those single parents on low income
150. No
151. No

Appendix 3 – Case Studies for Band B properties

	Weekly household income	Weekly Council Tax charge	Weekly amount to pay in 2018/19	Estimated weekly amount to pay in 2019/20	Annual amount to pay in 2018/19 *	Estimated annual amount to pay in 2019/20 **	Change in annual amount to pay
Couple with 2 children; living on wages and Child and Working Tax Credits; living in a Band B property	£250.15	£23.51	£5.34	£0.00	£278.24	£0.00	-£278.24
Working lone parent with 1 child and 1 non-dependant looking for work; living on wages and Child Tax Credits; living in a Band B property	£119.52	£23.51	£8.30	£3.90	£432.80	£203.91	-£228.89
Working couple with 2 children and 1 non-dependant studying full time; living on wages and Child and Working Tax Credits; living in a Band B property	£277.35	£23.51	£7.18	£1.72	£374.18	£89.93	-£284.25
Single person on Universal Credit; living with 1 working non-dependant who earns £350 a week; living in a Band B property	£58.10	£23.51	£13.80	£12.55	£719.78	£656.40	-£63.38
Out of work couple; one receives the middle-rate care component and higher-rate mobility component of Disability Living Allowance and the other receives Carer's Allowance; living in a Band B property	£179.85	£23.51	£7.26	£6.29	£378.56	£328.88	-£49.68
Couple each working 25 hours a week living with a non-dependant couple who both work 16 hours a week and earn £100 each; living on wages; living in a Band B property	£374.88	£23.51	£21.74	£19.98	£1133.71	£1044.64	-£89.07
Single person on Jobseeker's Allowance (Income-based); living in a Band B property; qualifies for single person discount	£73.10	£17.63	£3.49	£3.49	£182.00	£182.50	£0.50

This page is intentionally left blank

Appendix 4 – Summary of proposal to align with some national welfare changes

Summary of proposal to align with some national welfare changes

It is proposed to update the CTRS to align with some national welfare changes that have taken place since 2013.

Council Tax Reduction is intended for residents who have a low income. Therefore, it is means-tested.

The existing means-test for working-age claimants is based on national welfare entitlement in 2013. The government has made changes to national welfare since 2013. This means that some of the language and figures used in the existing CTRS are out of date.

Therefore, the Council is proposing to update the means-test.

This would include:

- Updating the amount the government says people need to live on per week;
- Updating income brackets;
- Updating deduction rates; and
- Updating the language used.

For pensioners, the CTRS automatically updates each year to align with national welfare changes. For working age claimants, the CTRS has not been updated since 2013. Therefore, it is proposed to update the scheme to ensure it is up to date, easier to understand and reflects inflationary changes.

The proposal to align with some national welfare changes would mostly either financially benefit working-age CTRS claimants or make no change to CTRS entitlement.

However, changes to income brackets and deduction rates could mean some working-age CTRS claimants pay up to 95p per week more Council Tax. This could happen if you live with a non-dependant adult, are not in receipt of a prescribed disability benefit or premium, and have no children in your household. Non-dependant adults are normally adult children or relatives who are working.

The people most likely to be affected are those living with multiple non-dependants. However, for most people, it is expected that changes which could have meant they pay up to 95p per week more Council Tax would be off-set by the other proposed changes that make the CTRS more generous.

Updating the amount the government says people need to live on per week

When working out whether someone is entitled to Council Tax Reduction, the Council compare the applicant's weekly income to the amount the government says they need to live on. This is called the applicable amount, and it is calculated by adding together the relevant personal allowances and premiums. (A personal allowance is the amount the government says someone needs to live on per week. A premium is added to this if, for example, they are a carer.)

Appendix 4 – Summary of proposal to align with some national welfare changes

If their income is less than the applicable amount, they are more likely to get a reduction on their Council Tax. If their income is higher than the applicable amount, they are less likely to get a reduction on their Council Tax.

Personal allowances and premiums, and the resulting applicable amounts, have all increased since 2013 (i.e. the government have said people need more money to live on in 2018 than they did in 2013).

Therefore, if this is updated, more people will be deemed to earn less than the applicable amount and be entitled to Council Tax Reduction.

The table below shows the proposed changes to allowances and premiums:

Allowances	Current weekly rates	Proposed weekly rates	Weekly Increase
Single person	71.70	73.10	1.40
Single parent	71.70	73.10	1.40
Couple	112.55	114.85	2.30
Child allowance	65.62	66.90	1.28
Premiums	Current weekly rates	Proposed weekly rates	Weekly Increase
Carer	33.30	36.00	2.70
Disability - couple	44.20	47.80	3.60
Disability - single	31.00	33.55	2.55
Disability - child	57.89	62.86	4.97
Enhanced disability - child	23.45	25.48	2.03
Enhanced disability - couple	21.75	23.55	1.80
Enhanced disability - single	15.15	16.40	1.25
Family	17.40	17.45	0.05
Severe disability - single	59.50	64.30	4.80
Severe disability - couple	119.00	128.60	9.60

Appendix 4 – Summary of proposal to align with some national welfare changes

Support component	34.80	37.65	2.85
--------------------------	--------------	--------------	-------------

Updating income brackets

A Council Tax bill can be reduced in certain circumstances if a resident has a second adult living with them who is not their partner and their combined weekly income is less than a certain amount (currently £239 per week).

This type of reduction is known as the second adult reduction.

The government has increased the income brackets used for pensioners to reflect inflation. For example, the top bracket for pensioners has increased from £239 to £260 per week since 2013.

If this is updated for working-age residents in the CTRS, more people would have an income under £260 per week than have an income under £239 per week. Therefore, more people would be eligible for second adult reduction.

No claimant is expected to be financially worse off as a result of this proposed change.

The table below shows the proposed changes to second adult reduction:

Current gross weekly income (all second adults)	Current rate of Second Adult reduction on Council Tax bill	Proposed gross weekly income (all second adults)	Proposed rate of Second Adult reduction on Council Tax bill	Income band increase
Passport benefit	25%	Passport benefit	25%	N/A
Less than £183.00	15%	Less than £201.00	15%	£18.00
£183.00 to less than £239.00	7.5%	£201.00 to less than £260.00	7.5%	£18.00 - £21.00

Based on the above, second adults (non-dependants) with a combined gross income of:

- less than £183.00 will continue to qualify for a 15% rate
- £183.00 - £201.00 will see a 7.5% increase (i.e. move up from 7.5% to 15%)
- £201.00 - £239.00 will continue to qualify for a 7.5% rate
- £239.00 - £260.00 will now qualify for a 7.5% rate (and do not currently qualify)

Updating deduction rates

Appendix 4 – Summary of proposal to align with some national welfare changes

Council Tax Reduction is normally reduced for every non-dependant who lives with the applicant. Non-dependants are normally adult children or relatives who are working. The amount of Council Tax Reduction is reduced because it is assumed they will contribute to Council Tax bills.

The amount by which it is reduced depends on the income of each non-dependant. The higher the income bracket they fall into, the larger the amount deducted.

The government has increased the income brackets used for pensioners to reflect inflation. If the income brackets were updated for working-age claimants, more non-dependants would fall into lower income brackets and have a smaller deduction applied.

It is also proposed to increase the deduction rates to match the rates for pensioners.

This would mean that, if a non-dependant's income stays in the same bracket, a larger amount will be deducted from the Council Tax Reduction. In some circumstances, this could mean a claimant would be liable to pay more Council Tax.

The people most likely to be affected are those with multiple non-dependants and those where a non-dependant's gross income remains in the same income band. However, for most people, it is expected that the larger deductions would be off-set by the other proposed changes which make the CTRS more generous.

The table below shows the proposed changes to non-dependant deduction rates and income bands:

Current weekly income	Current weekly deduction	Proposed weekly income	Proposed weekly deduction	Income band increase	Deduction rate increase
Less than £186.00	£3.65	Less than £202.85	£3.90	£16.85	0.25p
£186.00 - £322.00	£7.25	£202.85 – £351.65	£7.90	£16.85 - £29.65	0.65p
£322.00 - £401.00	£9.15	£351.65 – £436.90	£9.95	£29.65 - 35.90	0.80p
£401.00 or more	£10.95	£436.90 or more	£11.90	35.90	0.95p

Looking at the above, each non-dependant with current weekly income of:

- £436.90 or more will incur an increase of 95p
- £401 – £436.90 will see a decrease of £1.00
- £351.65 to £401.00 will incur an increase of 80p
- £322 - £351.65 will see a decrease of £1.25
- £202.85 - £322.00 will incur an increase of 65p
- £186.00 - £202.85 will see a decrease of £3.35
- £202.84 or less will incur an increase of 25p

Updating the language used

The following proposed changes would not affect anyone's entitlement to Council Tax Reduction:

- The government have abolished the Work Related Activity component of Employment and Support Allowances, and replaced it with reference to a Work Related Activity Group. Therefore, it is proposed to amend the references to this in the CTRS.
- The current CTRS does not refer to Employment and Support Allowance Support component or Armed Forces Independence Payment in the list of prescribed disability benefits. However, these benefits are still taken into account in practice. Therefore, it is proposed to make this clearer by including reference to them in the CTRS.
- The government has brought in Bereavement Support Payments. Therefore, it is proposed to replace 'bereavement payment' with 'Bereavement Support Payments' in the list of incomes that are taken into account.

This page is intentionally left blank

**London Borough of Haringey
Council Tax Reduction Scheme**

Introduction

This scheme is based on the Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012 (SI 2012/2886) and incorporates the statutory obligations detailed in the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 (SI 2012/2885).

Certain elements of the Default Scheme have been removed or amended within this scheme and apply solely to persons who have not reached the qualifying age for state pension credit.

This scheme will be amended to take into account any circumstances subsequently identified, through government statute. This scheme will be treated as having been amended to accommodate any changes the government may make to The Prescribed Requirements. Where references are made to the Prescribed Requirements or Default Scheme, these will relate to the most recently published edition of those documents. Where either is revoked, the last published version(s) will apply.

Features of the scheme

Key changes from the Default Scheme (of which apply to persons who have not reached the qualifying age for state pension credit) are as follows:

- Applicants of working-age will have their Council Tax support assessed against 80.2% of their council tax liability
- Applicants in receipt of certain disability benefits and premiums and applicants responsible for a child(ren) or young person(s) in the same household will receive protection from the above measure. These applicants will have their Council Tax support assessed against 100% of their council tax liability
- A minimum weekly Council Tax Support award of £1 has been introduced
- A capital savings limit of £10,000 has been introduced
- Child benefit and war pensions will be fully disregarded when calculating entitlement for all applicants
- The maximum period for backdating claims shall be 6 months
- Any change of circumstance which is advantageous to council tax support entitlement and reported by the applicant outside one month, will take effect from the date on which it is reported

Application, appeals, revisions and superseded decisions

Provisions at Part 3 and Schedule 1 of this scheme set out how applications for a Council Tax Reduction must be made and how appeals are to be made to the authority.

General administration of the scheme

Apart from where statutorily required, advice of any award granted, removed or revised will be by an adjustment to the council tax bill and the bill itself will be the formal notification. Haringey Council reserves the right to include additional notifications.

Any excess award of Council Tax Reduction will be rectified by the amount being recovered by an adjustment to the council tax bill.

Uprating

This scheme proposes that certain figures for working age claimants set out in the scheme may be uprated in line with changes to social security benefit rates for Housing Benefit, as prescribed in the Housing Benefit Regulations 2006 as amended from time to time.

Data sharing, fraud and error

Information provided by applicants will be used by Haringey Council to process applications for Council Tax Reductions. Information may also be shared internally to facilitate the processing of applications.

Information provided by applicants will also be used by Haringey Council for the prevention and detection of fraud and may also be shared with external and internal bodies responsible for auditing or administering public funds for these purposes.

Haringey Council is the data controller for the purposes of the Data Protection Act.

Penalties

Haringey Council has a responsibility to protect taxpayers and the public purse by effectively fighting fraud. The Council takes all forms of fraud seriously and will take action to recover any money that has been claimed based on false information, a failure to provide (disclose) information or a failure to notify a change of circumstances, possession or supply of articles for use in fraud or more generally obtaining services dishonestly. Such action could include a civil penalty and/or prosecution.

Haringey Council is committed to developing a culture of honesty, and zero tolerance to fraud. Individuals can anonymously notify the Council of a potential fraud.

To report all cases of fraud or corruption please call Fraudwatch on Freephone 0500 500 777

Alternatively please contact:

Audit and Risk Management can be contacted at:
Level 7, Alexandra House,
10 Station Road, Wood Green,
London, N22 7TR
Telephone: 020 8489 3768

Email: fraudcall@haringey.gov.uk

London Borough of Haringey Council Tax Reduction Scheme

This Scheme is based upon the Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012 (SI 2012/2886).

Application

The Scheme set out below is the reduction scheme for the London Borough of Haringey pursuant to section 13A(2) Local Government Finance Act 1992, approved on [INSERT DATE].

These rules may be cited as the Council Tax Reduction Scheme 2019 and come into force on 1 April 2019. These rules are decided by and apply to Haringey Council.

CONTENTS

Part 1 Introduction

- 1 Introduction

Part 2 Interpretation

- 2 Interpretation
- 3 Application of scheme: pensioners and persons who are not pensioners
- 4 Meaning of "couple"
- 5 Polygamous marriages
- 6 Meaning of "family"
- 7 Circumstances in which a person is to be treated as responsible or not responsible for another
- 8 Households
- 9 Non-dependants
- 10 Remunerative work

Part 3 Procedural Matters

- 11 Procedure for reduction applications and appeals against reduction decisions

Part 4 Classes of Person Entitled to a Reduction Under this Scheme

- 12 Classes of person entitled to a reduction under this scheme
- 13 Class A: pensioners whose income is no greater than the applicable amount
- 14 Class B: pensioners whose income is greater than the applicable amount
- 15 Class C: alternative maximum council tax reduction--pensioners
- 16 Class D: persons who are not pensioners whose income is less than the applicable amount
- 17 Class E: persons who are not pensioners whose income is greater than the applicable amount
- 18 Class F: alternative maximum council tax reduction--persons who are not pensioners
- 19 Periods of absence from a dwelling: pensioners
- 19A Periods of absence from a dwelling: persons who are not pensioners
- 19B Transitional provision

Part 5 Classes of Person Excluded from this Scheme

- 20 Classes of person excluded from this scheme
- 21 Class of person excluded from this scheme: persons treated as not being in Great Britain
- 22 Class of person excluded from this scheme: persons subject to immigration control
- 23 Class of person excluded from this scheme: capital limit
- 24 Class of person excluded from this scheme: students

Part 6
Applicable Amounts

- 25 Applicable amounts: pensioners
- 25A Transitional Provision
- 26 Applicable amounts: persons who are not pensioners
- 27 Polygamous marriages: persons who are not pensioners
- 28 Applicable amount: persons who are not pensioners who have an award of universal credit

Part 7
Maximum Council Tax Reduction for the Purposes of Calculating Eligibility for a Reduction Under this Scheme and Amount of Reduction

- 29 Maximum council tax reduction amount under this scheme: pensioners and persons who are not pensioners
- 30 Non-dependant deductions: pensioners
- 30A Non-dependant deductions: persons who are not pensioners

Part 8
Alternative Maximum Council Tax Reduction for the Purposes of Calculating Eligibility for a Reduction Under this Scheme and Amount of Reduction

- 31 Alternative maximum council tax reduction under this scheme: pensioners and persons who are not pensioners

Part 9
Amount of Reduction Under this Scheme

- 32 Amount of reduction under this scheme: Classes A to F

Part 10
Income and Capital for the Purposes of Calculating Eligibility for a Reduction Under this Scheme and Amount of Reduction

Chapter 1
Income and Capital: General

- 33 Calculation of income and capital: applicant's family and polygamous marriages
- 34 Circumstances in which income and capital of non-dependant is to be treated as applicant's

Chapter 2
Income and Capital: Pensioners In Receipt of Guarantee Credit or Savings Credit

- 35 Applicant in receipt of guarantee credit: pensioners
- 36 Calculation of applicant's income and capital in savings credit only cases: pensioners

Chapter 3
Income and Capital Where there is an Award of Universal Credit

37 Calculation of income and capital: persons who are not pensioners who have an award of universal credit

Chapter 4
Income: Other Pensioners

38 Calculation of income and capital where state pension credit is not payable: pensioners
39 Meaning of "income": pensioners
40 Calculation of weekly income: pensioners
41 Earnings of employed earners: pensioners
42 Calculation of net earnings of employed earners: pensioners
43 Calculation of earnings of self-employed earners: pensioners
44 Earnings of self-employers earners: pensioners
45 Notional income: pensioners
46 Income paid to third parties: pensioners

Chapter 5
Income: Persons Who are Not Pensioners

47 Average weekly earnings of employed earners: persons who are not pensioners
48 Average weekly earnings of self-employed earners: persons who are not pensioners
49 Average weekly income other than earnings: persons who are not pensioners
50 Calculation of weekly income of employed earners: persons who are not pensioners
51 Earnings of employed earners: persons who are not pensioners
52 Calculation of net earnings of employed earners: persons who are not pensioners
53 Earnings of self-employed earners: persons who are not pensioners
54 Calculation of income other than earnings: persons who are not pensioners
55 Capital treated as income: persons who are not pensioners
56 Notional income: persons who are not pensioners

Chapter 6
Income: Further Provisions Applying to Pensioners and Persons Who are Not Pensioners

57 Calculation of income on a weekly basis
58 Treatment of child care charges: pensioners
58A Treatment of child care charges: persons who are not pensioners
59 Calculation of average weekly income from tax credits
60 Disregard of changes in tax, contributions etc
61 Calculation of net profit of self-employed earners
62 Calculation of deduction of tax and contributions of self-employed earners

Chapter 7
Capital

63 Calculation of capital

- 64 Income treated as capital: persons who are not pensioners
- 65 Calculation of capital in the United Kingdom
- 66 Calculation of capital outside the United Kingdom
- 67 Notional capital
- 68 Diminishing notional capital rule: pensioners
- 69 Diminishing notional capital rule: persons who are not pensioners
- 70 Capital jointly held
- 71 Calculation of tariff income from capital: pensioners
- 72 Calculation of tariff income from capital: persons who are not pensioners

Part 11
Students

Chapter 1
General

- 73 Interpretation
- 74 Treatment of students
- 75 Students who are excluded from entitlement to a reduction under this scheme

Chapter 2
Income

- 76 Calculation of grant income
- 77 Calculation of covenant income where a contribution is assessed
- 78 Covenant income where no grant income or no contribution is assessed
- 79 Relationship with amounts to be disregarded under Schedule 8
- 80 Other amounts to be disregarded
- 81 Treatment of student loans
- 82 Treatment of payments from access funds
- 83 Disregard of contribution
- 84 Further disregard of student's income
- 85 Income treated as capital
- 86 Disregard of changes occurring during summer vacation

Part 12
Extended Reductions

Chapter 1
Extended Reductions: Pensioners

- 87 Extended reductions: pensioners
- 88 Extended reductions (qualifying contributory benefits): pensioners
- 89 Duration of extended reduction period (qualifying contributory benefits): pensioners
- 90 Amount of extended reduction (qualifying contributory benefits): pensioners
- 91 Extended reductions (qualifying contributory benefits)--movers: pensioners
- 92 Relationship between extended reduction (qualifying contributory benefits) and entitlement to a reduction by virtue of classes A to C
- 93 Continuing reductions where state pension credit claimed: pensioners

Chapter 2
Extended Reductions: Persons who are Not Pensioners

- 94 Extended reductions: persons who are not pensioners
- 95 Extended reductions: persons who are not pensioners
- 96 Duration of extended reduction period: persons who are not pensioners
- 97 Amount of extended reduction: persons who are not pensioners
- 98 Extended reductions--movers: persons who are not pensioners
- 99 Relationship between extended reduction and entitlement to a reduction by virtue of classes D to F
- 100 Extended reductions (qualifying contributory benefits): persons who are not pensioners
- 101 Duration of extended reduction period (qualifying contributory benefits): persons who are not pensioners
- 102 Amount of extended reduction (qualifying contributory benefits): persons who are not pensioners
- 103 Extended reductions (qualifying contributory benefits)--movers: persons who are not pensioners
- 104 Relationship between extended reduction (qualifying contributory benefits) and entitlement to reduction by virtue of classes D to F

Chapter 3
Extended Reductions: Movers in the Authority's Area

- 105 Extended reductions: applicant moving into the authority's area

Part 13
When Entitlement Begins and Change of Circumstances

- 106 Date on which entitlement begins
- 107 Date on which change of circumstances is to take effect
- 108 Change of circumstances where state pension credit in payment

Part 14
Applications (Including Duties to Notify Authority of Change of Circumstances)

- 109 Making an application
- 110 Date on which an application is made
- 111 Back-dating of applications: pensioners
- 112 Back-dating of applications: persons who are not pensioners
- 113 Information and evidence
- 114 Amendment and withdrawal of application
- 115 Duty to notify changes of circumstances

Part 15
Decisions by Authority

- 116 Decision by authority
- 117 Notification of decision

Part 16
Circumstances in Which a Payment May be Made

- 118 Payment where there is joint and several liability

SCHEDULES

SCHEDULE 1	Procedural matters
SCHEDULE 2	Applicable amounts: pensioners
SCHEDULE 3	Applicable amounts: persons who are not pensioners
SCHEDULE 4	Amount of alternative maximum council tax reduction: pensioners and persons who are not pensioners
SCHEDULE 5	Sums disregarded from applicant's earnings: pensioners
SCHEDULE 6	Amounts to be disregarded in the calculation of income other than earnings: pensioners
SCHEDULE 7	Sums disregarded in the calculation of earnings: persons who are not pensioners
SCHEDULE 8	Sums disregarded in the calculation of income other than earnings: persons who are not pensioners
SCHEDULE 9	Capital disregards: pensioners
SCHEDULE 10	Capital disregards: persons who are not pensioners

**Part 1
Introduction**

Introduction

1

This scheme relates to the financial year beginning with 1st April 2018 and may be cited as the London Borough of Haringey Council Tax Reduction Scheme.

**Part 2
Interpretation**

Interpretation

2

(1) In this scheme--

"the 1992 Act" means the Local Government Finance Act 1992;

"Abbeyfield Home" means an establishment run by the Abbeyfield Society including all bodies corporate or unincorporated which are affiliated to that society;

"adoption leave" means a period of absence from work on ordinary or additional adoption leave by virtue of section 75A or 75B of the Employment Rights Act 1996;

"an AFIP" means an armed forces independence payment payable in accordance with an armed and reserve forces compensation scheme established under section 1(2) of the Armed Forces (Pensions and Compensation) Act 2004;

"alternative maximum council tax reduction" means the amount determined in accordance with paragraph 31 and Schedule 4;

"applicable amount" means--

(a) in relation to a pensioner, the amount calculated in accordance with paragraph 25 and Schedule 2, and

(b) in relation to a person who is not a pensioner, the amount calculated in accordance with--

(i) paragraph 26 and Schedule 3; or

(ii) paragraph 28,

as the case may be;

"applicant" means a person who has made an application;

"application" means an application for a reduction under this scheme;

"approved blood scheme" means a scheme established or approved by the Secretary of State, or trust established with funds provided by the Secretary of State, for the purpose of providing compensation in respect of a person having been infected from contaminated blood products;

"assessment period" means--

(a) in relation to pensioners--

- (i) in relation to the earnings of a self-employed earner, the period determined in accordance with paragraph 43 for the purpose of calculating the weekly earnings of the applicant; or
- (ii) in relation to any other income, the period determined in accordance with paragraph 40 for the purpose of calculating the weekly income of the applicant;

(b) in relation to persons who are not pensioners, such period as is set out in paragraphs 47 to 49 over which income falls to be calculated;

"attendance allowance" means--

- (a) an attendance allowance under Part 3 of the SSCBA;
- (b) an increase of disablement pension under section 104 or 105 of that Act;
- (c) a payment by virtue of article 14, 15, 16, 43 or 44 of the Personal Injuries (Civilians) Scheme 1983 or any analogous payment; or
- (d) any payment based on need for attendance which is paid as part of a war disablement pension;

"the authority" means the London Borough of Haringey by virtue of paragraph 4(6) of Schedule 1A to the 1992 Act;

"basic rate" has the meaning given by the Income Tax Act 2007;

"the benefit Acts" means the SSCBA, the Jobseekers Act 1995, the State Pension Credit Act 2002 and the Welfare Reform Act 2007 and the Pensions Act 2014;

"board and lodging accommodation" means accommodation provided to a person or, if he is a member of a family, to him or any other member of his family, for a charge which is inclusive of the provision of that accommodation and at least some cooked or prepared meals which both are cooked or prepared (by a person other than the person to whom the accommodation is provided or a member of his family) and are consumed in that accommodation or associated premises;

"care home" has the meaning given by section 3 of the Care Standards Act 2000 and in Scotland means a care home service within the meaning given by section 2(3) of the Regulation of Care (Scotland) Act 2001 and in Northern Ireland means a nursing home within the meaning of Article 11 of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 or a residential care home within the meaning of Article 10 of that Order;

"the Caxton Foundation" means the charitable trust of that name established on 28th March 2011 out of funds provided by the Secretary of State for the benefit of certain persons suffering from hepatitis C and other persons eligible for payment in accordance with its provisions;

"child" means a person under the age of 16;

"child benefit" has the meaning given by section 141 of the SSCBA;

"child tax credit" means a child tax credit under section 8 of the Tax Credits Act 2002;

"close relative" means a parent, parent-in-law, son, son-in-law, daughter, daughter-in-law, step-parent, step-son, step-daughter, brother, sister, or if any of the preceding persons is one member of a couple, the other member of that couple;

"concessionary payment" means a payment made under arrangements made by the Secretary of State with the consent of the Treasury which is charged either to the National Insurance Fund or to a Departmental Expenditure Vote to which payments of benefit or tax credits under the benefit Acts or the Tax Credits Act 2002 are charged;

"contributory employment and support allowance" means a contributory allowance under Part 1 of the Welfare Reform Act 2007 as amended by the provisions of Schedule 3, and Part 1 of Schedule

14, to the Welfare Reform Act 2012 that remove references to an income related allowance and a contributory allowance under Part 1 of the Welfare Reform Act 2007 as that Part has effect apart from those provisions;

"council tax benefit" means council tax benefit under Part 7 of the SSCBA;

"couple" has the meaning given by paragraph 4;

"designated office" means the office of the authority designated by it for the receipt of applications--

- (a) by notice upon or with a form supplied by it for the purpose of making an application; or
- (b) by reference upon or with such a form to some other document available from it and sent by electronic means or otherwise on application and without charge; or
- (c) by any combination of the provisions set out in paragraphs (a) and (b);

"disability living allowance" means a disability living allowance under section 71 of the SSCBA;

"earnings" has the meaning given by paragraph 41, 44, 51 or 53 as the case may be;

"the Eileen Trust" means the charitable trust of that name established on 29th March 1993 out of funds provided by the Secretary of State for the benefit of persons eligible for payment in accordance with its provisions;

"electronic communication" has the same meaning as in section 15(1) of the Electronic Communications Act 2000;

"employed earner" is to be construed in accordance with section 2(1)(a) of the SSCBA and also includes a person who is in receipt of a payment which is payable under any enactment having effect in Northern Ireland and which corresponds to statutory sick pay or statutory maternity pay;

"the Employment, Skills and Enterprise Scheme" means a scheme under section 17A (schemes for assisting persons to obtain employment: "work for your benefit" schemes etc) of the Jobseekers Act 1995 known by that name and provided pursuant to arrangements made by the Secretary of State that is designed to assist claimants for job-seekers allowance to obtain employment, including self-employment, and which may include for any individual work-related activity (including work experience or job search);

"employment zone" means an area within Great Britain designated for the purposes of section 60 of the Welfare Reform and Pensions Act 1999 and an "employment zone programme" means a programme established for such an area or areas designed to assist claimants for a jobseeker's allowance to obtain sustainable employment;

"enactment" includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament or the National Assembly for Wales;

"extended reduction" means a reduction under this scheme for which a person is eligible under Part 12 (extended reductions);

"extended reduction period" means the period for which a person is in receipt of an extended reduction in accordance with paragraph 89, 96 or 101;

"extended reduction (qualifying contributory benefits)" means a reduction under this scheme for which a person is eligible in accordance with paragraph 88 or 95;

"family" has the meaning given by paragraph 6;

"the Fund" means moneys made available from time to time by the Secretary of State for the benefit of persons eligible for payment in accordance with the provisions of a scheme established by him on 24th April 1992 or, in Scotland, on 10th April 1992;

"guarantee credit" is to be construed in accordance with sections 1 and 2 of the State Pension Credit Act 2002;

"a guaranteed income payment" means a payment made under article 15(1)(c) (injury benefits) or 29(1)(a) (death benefits) of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011;

"housing benefit" means housing benefit under Part 7 of the SSCBA;

"an income-based jobseeker's allowance" and "a joint-claim jobseeker's allowance" have the meanings given by section 1(4) of the Jobseekers Act 1995;

"income-related employment and support allowance" means an income-related allowance under Part 1 of the Welfare Reform Act 2007;

"independent hospital"--

(a) in England means a hospital as defined by section 275 of the National Health Service Act 2006 that is not a health service hospital as defined by that section;

(b) in Wales has the meaning given by section 2 of the Care Standards Act 2000; and

(c) in Scotland means an independent health care service as defined by section 10F of the National Health Service (Scotland) Act 1978;

"the Independent Living Fund (2006)" means the Trust of that name established by a deed dated 10th April 2006 and made between the Secretary of State for Work and Pensions of the one part and Margaret Rosemary Cooper, Michael Beresford Boyall and Marie Theresa Martin of the other part;

"invalid carriage or other vehicle" means a vehicle propelled by a petrol engine or by electric power supplied for use on the road and to be controlled by the occupant;

"the London Bombings Relief Charitable Fund" means the company limited by guarantee (number 5505072), and registered charity of that name established on 11th July 2005 for the purpose of (amongst other things) relieving sickness, disability or financial need of victims (including families or dependants of victims) of the terrorist attacks carried out in London on 7th July 2005;

"the London Emergencies Trust" means the company of that name (number 09928465) incorporated on 23rd December 2015 and the registered charity of that name (number 1172307) established on 28th March 2017;

"lone parent" means a person who has no partner and who is responsible for and a member of the same household as a child or young person;

"the Macfarlane (Special Payments) Trust" means the trust of that name, established on 29th January 1990 partly out of funds provided by the Secretary of State, for the benefit of certain persons suffering from haemophilia;

"the Macfarlane (Special Payments) (No 2) Trust" means the trust of that name, established on 3rd May 1991 partly out of funds provided by the Secretary of State, for the benefit of certain persons suffering from haemophilia and other beneficiaries;

"the Macfarlane Trust" means the charitable trust, established partly out of funds provided by the Secretary of State to the Haemophilia Society, for the relief of poverty or distress among those suffering from haemophilia;

"main phase employment and support allowance" means an employment and support allowance where the calculation of the amount payable in respect of the applicant includes a component under section 2(1)(b) or 4(2)(b) of the Welfare Reform Act 2007 or the applicant is a member of the work-related activity group except in Part 1 of Schedule 3;

"maternity leave" means a period during which a woman is absent from work because she is pregnant or has given birth to a child, and at the end of which she has a right to return to work either under the terms of her contract of employment or under Part 8 of the Employment Rights Act 1996;

"maximum council tax reduction amount" means the amount determined in accordance with paragraph 29;

"member of a couple" means a member of a married or unmarried couple;

"member of the work-related activity group" means a person who has or is treated as having limited capability for work under either--

- (a) Part 5 of the Employment and Support Allowance Regulations 2008 other than by virtue of regulation 30 of those Regulations; or
- (b) Part 4 of the Employment and Support Allowance Regulations 2013 other than by virtue of regulation 26 of those Regulations;

"MFET Limited" means the company limited by guarantee (number 7121661) of that name, established for the purpose in particular of making payments in accordance with arrangements made with the Secretary of State to persons who have acquired HIV as a result of treatment by the NHS with blood or blood products;

"mobility supplement" means--

- (a) in relation to pensioners, a supplement to which paragraph 5(1)(a)(vii) of Schedule 5 refers;
- (b) in relation to persons who are not pensioners, a supplement to which paragraph 13 of Schedule 8 refers;

"mover" means an applicant who changes the dwelling in which the applicant is resident, and in respect of which the applicant is liable to pay council tax, from a dwelling in the area of the authority to a dwelling in the area of a second authority;

"net earnings" means such earnings as are calculated in accordance with paragraph 42 or 52, as the case may be;

"net profit" means such profit as is calculated in accordance with paragraph 61;

"new dwelling" means, for the purposes of the definition of "second authority" and paragraphs 91, 98 and 103, the dwelling to which an applicant has moved, or is about to move, in which the applicant will be resident;

"non-dependant" has the meaning given by paragraph 9;

"occasional assistance" means any payment or provision made by a local authority, the Welsh Ministers or the Scottish Ministers for the purposes of--

- (a) meeting, or helping to meet an immediate short-term need--
 - (i) arising out of an exceptional event or exceptional circumstances, or
 - (ii) that needs to be met to avoid a risk to the well-being of an individual, and
- (b) enabling qualifying individuals to establish or maintain a settled home, and--
 - (i) "local authority" has the meaning given by section 270(1) of the Local Government Act 1972; and
 - (ii) "qualifying individuals" means individuals who have been, or without the assistance might otherwise be--
 - (aa) in prison, hospital, an establishment providing residential care or other institution, or
 - (bb) homeless or otherwise living an unsettled way of life;

and "local authority" means a local authority in England within the meaning of the Local Government Act 1972;

"occupational pension" means any pension or other periodical payment under an occupational pension scheme but does not include any discretionary payment out of a fund established for relieving hardship in particular cases;

"occupational pension scheme" has the same meaning as in section 1 of the Pension Schemes Act 1993;

"partner", in relation to a person, means--

- (a) where that person is a member of a couple, the other member of that couple;
- (b) subject to paragraph (c), where that person is polygamously married to two or more members of his household, any such member to whom he is married; or
- (c) where that person is polygamously married and has an award of universal credit with the other party to the earliest marriage that still subsists, that other party to the earliest marriage;

"paternity leave" means a period of absence from work on paternity leave by virtue of section 80A or 80B of the Employment Rights Act 1996;

"pension fund holder" means with respect to a personal pension scheme or an occupational pension scheme, the trustees, managers or scheme administrators, as the case may be, of the scheme concerned;

"pensionable age" has the meaning given by the rules in paragraph 1 of Schedule 4 to the Pensions Act 1995;

"pensioner" has the meaning given by paragraph 3(2)(a);

"person on income support" means a person in receipt of income support;

"person treated as not being in Great Britain" has the meaning given by paragraph 21;

"person who is not a pensioner" has the meaning given by paragraph 3(2)(b);

"personal independence payment" has the meaning given by Part 4 of the Welfare Reform Act 2012;

"personal pension scheme" means--

- (a) a personal pension scheme as defined by section 1 of the Pension Schemes Act 1993;
- (b) an annuity contract or trust scheme approved under section 620 or 621 of the Income and Corporation Taxes Act 1988 or a substituted contract within the meaning of section 622(3) of that Act which is treated as having become a registered pension scheme by virtue of paragraph 1(1)(f) of Schedule 36 to the Finance Act 2004;
- (c) a personal pension scheme approved under Chapter 4 of Part 14 of the Income and Corporation Taxes Act 1988 which is treated as having become a registered pension scheme by virtue of paragraph 1(1)(g) of Schedule 36 to the Finance Act 2004;

"policy of life insurance" means any instrument by which the payment of money is assured on death (except death by accident only) or the happening of any contingency dependent on human life, or any instrument evidencing a contract which is subject to payment of premiums for a term dependent on human life;

"polygamous marriage" means any marriage to which paragraph 5 applies;

"qualifying age for state pension credit" means (in accordance with section 1(2)(b) and (6) of the State Pension Credit Act 2002)--

- (a) in the case of a woman, pensionable age; or
- (b) in the case of a man, the age which is pensionable age in the case of a woman born on the same day as the man;

"qualifying contributory benefit" means--

- (a) severe disablement allowance;
- (b) incapacity benefit;
- (c) contributory employment and support allowance;

"qualifying income-related benefit" means--

- (a) income support;
- (b) income-based jobseeker's allowance;
- (c) income-related employment and support allowance;

"qualifying person" means a person in respect of whom payment has been made from the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, the Scottish Infected Blood Support Scheme, an approved blood scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund or the London Bombings Relief Charitable Fund;

"reduction week" means a period of seven consecutive days beginning with a Monday and ending with a Sunday;

"relative" means a close relative, grandparent, grandchild, uncle, aunt, nephew or niece;

"relevant week", in relation to any particular day, means the week within which the day in question falls;

"remunerative work" has the meaning given by paragraph 10;

"rent" means "eligible rent" to which regulation 12 of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 refer, less any deductions in respect of non-dependants which fall to be made under paragraph 30 (non-dependant deductions);

"savings credit" is to be construed in accordance with sections 1 and 3 of the State Pension Credit Act 2002;

"Scottish basic rate" means the rate of income tax of that name calculated in accordance with section 6A of the Income Tax Act 2007;

"the Scottish Infected Blood Support Scheme" means the scheme of that name administered by the Common Services Agency (constituted under section 10 of the National Health Service (Scotland) Act 1978);

"Scottish taxpayer" has the same meaning as in Chapter 2 of Part 4A of the Scotland Act 1998;

"second authority" means the authority to which a mover is liable to make payments for the new dwelling;

"self-employed earner" is to be construed in accordance with section 2(1)(b) of the SSCBA;

"shared parental leave" means leave under section 75E or 75G of the Employment Rights Act 1996;

"single applicant" means an applicant who neither has a partner nor is a lone parent;

"the Skipton Fund" means the ex-gratia payment scheme administered by the Skipton Fund Limited, incorporated on 25th March 2004, for the benefit of certain persons suffering from hepatitis C and other persons eligible for payment in accordance with the scheme's provisions;

"sports award" means an award made by one of the Sports Councils named in section 23(2) of the National Lottery etc Act 1993 out of sums allocated to it for distribution under that section;

"the SSCBA" means the Social Security Contributions and Benefits Act 1992;

"state pension credit" means state pension credit under the State Pension Credit Act 2002;

"student" has the meaning given by paragraph 73;

"tax year" means a period beginning with 6th April in one year and ending with 5th April in the next;

"training allowance" means an allowance (whether by way of periodical grants or otherwise) payable--

- (a) out of public funds by a Government department or by or on behalf of the Secretary of State, Skills Development Scotland, Scottish Enterprise or Highlands and Islands Enterprise, or the Welsh Ministers;
- (b) to a person for his maintenance or in respect of a member of his family; and
- (c) for the period, or part of the period, during which he is following a course of training or instruction provided by, or in pursuance of arrangements made with, that department or approved by that department in relation to him or so provided or approved by or on behalf of the Secretary of State, Skills Development Scotland, Scottish Enterprise or Highlands and Islands Enterprise or the Welsh Ministers,

but it does not include an allowance paid by any Government department to or in respect of a person by reason of the fact that he is following a course of full-time education, other than under arrangements made under section 2 of the Employment and Training Act 1973, or is training as a teacher;

"the Trusts" (except where the context otherwise requires) means the Macfarlane Trust, the Macfarlane (Special Payments) Trust and the Macfarlane (Special Payments) (No 2) Trust and "Trustees" is to be construed accordingly;

"universal credit" has the meaning given by section 1 of the Welfare Reform Act 2012;

"voluntary organisation" means a body, other than a public or local authority, the activities of which are carried on otherwise than for profit;

"war disablement pension" means any retired pay or pension or allowance payable in respect of disablement under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003;

"war pension" means a war disablement pension, a war widow's pension or a war widower's pension;

"war widow's pension" means any pension or allowance payable to a woman as a widow under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003 in respect of the death or disablement of any person;

"war widower's pension" means any pension or allowance payable to a man as a widower or to a surviving civil partner under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003 in respect of the death or disablement of any person;

"water charges" means--

- (a) as respects England and Wales, any water and sewerage charges under Chapter 1 of Part 5 of the Water Industry Act 1991,

(b) as respects Scotland, any water and sewerage charges established by Scottish Water under a charges scheme made under section 29A of the Water Industry (Scotland) Act 2002,

in so far as such charges are in respect of the dwelling which a person occupies as his home;

“the We Love Manchester Emergency Fund” means the registered charity of that name (number 1173260) established on 30th May 2017;

"working tax credit" means a working tax credit under section 10 of the Tax Credits Act 2002;

"young person" means a person who falls within the definition of qualifying young person in section 142 of the SSCBA.

(2) In this scheme, where an amount is to be rounded to the nearest penny, a fraction of a penny must be disregarded if it is less than half a penny and must otherwise be treated as a whole penny.

(3) For the purpose of this scheme, a person is on an income-based jobseeker's allowance on any day in respect of which an income-based jobseeker's allowance is payable to him and on any day--

(a) in respect of which he satisfies the conditions for entitlement to an income-based jobseeker's allowance but where the allowance is not paid because of a reduction in accordance with section 19 or 19A or regulations made under section 17A or 19B of the Jobseekers Act 1995 (circumstances in which a jobseeker's allowance is not payable);

(b) which is a waiting day for the purposes of paragraph 4 of Schedule 1 to that Act and which falls immediately before a day in respect of which an income-based jobseeker's allowance is payable to him or would be payable to him but for section 19 or 19A or regulations made under section 17A or 19B of that Act; or

(c) in respect of which an income-based jobseeker's allowance would be payable but for a restriction imposed pursuant to section 6B, 7, 8 or 9 of the Social Security Fraud Act 2001 (loss of benefit provisions).

(4) For the purposes of this scheme, a person is on an income-related employment and support allowance on any day in respect of which an income-related employment and support allowance is payable to him and on any day--

(a) in respect of which he satisfies the conditions for entitlement to an income-related employment and support allowance but where the allowance is not paid in accordance with section 18 of the Welfare Reform Act 2007 (disqualification); or

(b) which is a waiting day for the purposes of paragraph 2 of Schedule 2 to that Act (employment and support allowance: supplementary provisions) and which falls immediately before a day in respect of which an income-related employment and support allowance is payable to him or would be payable to him but for section 18 of that Act.

(5) For the purposes of this scheme, two persons must be taken to be estranged only if their estrangement constitutes a breakdown of the relationship between them.

(6) In this scheme, references to any person in receipt of state pension credit includes a person who would be in receipt of state pension credit but for regulation 13 of the State Pension Credit Regulations 2002 (small amounts of state pension credit).

(7) In this scheme, references to a person in class A, B or C (as the case may be) is a reference to class A, B or C described in paragraphs 13-15 of Part 4.

(8) References in this scheme to an applicant participating as a service user are to-

(a) a person who is being consulted by or on behalf of-

(i) a body which has a statutory duty to provide services in the field of health, social care or social housing; or

(ii) a body which conducts research or undertakes monitoring for the purpose of planning or improving such services,

in their capacity as a user, potential user, carer of a user or person otherwise affected by the provision of those services;

(aa) a person who is being consulted by or on behalf of—

(i) the Secretary of State in relation to any of the Secretary of State's functions in the field of social security or child support or under section 2 of the Employment and Training Act 1973; or

(ii) a body which conducts research or undertakes monitoring for the purpose of planning or improving such functions,

in their capacity as a person affected or potentially affected by the exercise of those functions or the carer of such a person; or

(b) the carer of a person consulted as described in sub-paragraph (a) or (aa) where the carer is not being consulted as described in that sub-paragraph.

Application of scheme: pensioners and persons who are not pensioners

3

(1) This scheme applies to--

(a) pensioners who fall within any of classes A to C; and

(b) persons who are not pensioners who fall within any of classes D to F.

(2) In this scheme--

(a) a person is a "pensioner" if--

(i) he has attained the qualifying age for state pension credit; and

(ii) he is not, and, if he has a partner, his partner is not--

(aa) a person on income support, on an income-based jobseeker's allowance or on an income-related employment and support allowance, or

(bb) a person with an award of universal credit; and

(b) a person is a "person who is not a pensioner" if--

(i) he has not attained the qualifying age for state pension credit; or

(ii) he has attained the qualifying age for state pension credit and he, or if he has a partner, his partner, is--

(aa) a person on income support, on an income-based jobseeker's allowance or on an income-related employment and support allowance, or

(bb) a person with an award of universal credit.

Meaning of "couple"

4

(1) In this scheme "couple" means--

- (a) a man and woman who are married to each other and are members of the same household;
- (b) a man and woman who are not married to each other but are living together as husband and wife;
- (c) two people of the same sex who are civil partners of each other and are members of the same household; or
- (d) two people of the same sex who are not civil partners of each other but are living together as if they were civil partners.

(2) Two people of the same sex are to be treated as living together as if they were civil partners if, and only if, they would be treated as living together as husband and wife were they of opposite sexes.

Polygamous marriages

5

(1) This paragraph applies to any case where--

- (a) a person is a husband or wife by virtue of a marriage entered into under a law which permits polygamy; and
- (b) either party to the marriage has for the time being any spouse additional to the other party.

(2) For the purposes of paragraph 4 (meaning of "couple") neither party to the marriage is to be taken to be a member of a couple.

Meaning of "family"

6

(1) In this scheme "family" means--

- (a) a couple;
- (b) a couple and a member of the same household for whom one of them is or both are responsible and who is a child or a young person; or
- (c) a person who is not a member of a couple and a member of the same household for whom that person is responsible and who is a child or a young person.

(2) The references to a child or young person in sub-paragraph (1)(b) and (c) include a child or young person in respect of whom section 145A of the SSCBA applies for the purposes of entitlement to child benefit, but only for the period prescribed under section 145A(1).

(3) The references to a young person in sub-paragraph (1)(b) and (c) do not include a young person who is--

- (a) on income support, an income-based jobseeker's allowance or an income-related employment and support allowance, or has an award of universal credit;

- (b) a person to whom section 6 of the Children (Leaving Care) Act 2000 (exclusion from benefits) applies; or
- (c) entitled to an award of universal credit.

Circumstances in which a person is to be treated as responsible or not responsible for another

7

- (1) A person is to be treated as responsible for a child or young person who is normally living with him, including a child or young person to whom paragraph 6(2) applies.
- (2) Where a child or young person spends equal amounts of time in different households, or where there is a question as to which household he is living in, the child or young person must be treated for the purposes of sub-paragraph (1) as normally living with--
 - (a) the person who is receiving child benefit in respect of that child or young person, or
 - (b) if there is no such person--
 - (i) where only one claim for child benefit has been made in respect of him, the person who made that claim, or
 - (ii) in any other case the person who has the primary responsibility for him.
- (3) For the purposes of this scheme a child or young person is the responsibility of only one person in any reduction week and any person other than the one treated as responsible for the child or young person under this paragraph is to be treated as not so responsible.

Households

8

- (1) Subject to sub-paragraphs (2) and (3), an applicant and any partner and, where the applicant or his partner is treated (by virtue of paragraph 7) as responsible for a child or young person, that child or young person and any child of that child or young person, are to be treated as members of the same household notwithstanding that any of them is temporarily absent from that household.
- (2) A child or young person is not to be treated as a member of the applicant's household where he is--
 - (a) placed with the applicant or his partner by a local authority under section 22C of the Children Act 1989 or by a voluntary organisation under section 59(1)(a) of that Act, or section 81(2) of the Social Services and Well-being (Wales) Act 2014 (ways in which looked after children are to be accommodated and maintained), or in Scotland boarded out or placed with the applicant or the applicant's partner by a local authority under section 81 of the Social Services and Well-being (Wales) Act 2014 or by a voluntary organisation under section 59(1)(a) of the Children Act 1989; or
 - (b) placed, or in Scotland boarded out, with the applicant or his partner prior to adoption; or
 - (c) placed for adoption with the applicant or his partner in accordance with the Adoption and Children Act 2002 or the Adoption Agencies (Scotland) Regulations 2009 or the Adoption (Northern Ireland) Order 1987.
- (3) Subject to sub-paragraph (4), sub-paragraph (1) does not apply to a child or young person who is not living with the applicant and who--

- (a) is being looked after by, or in Scotland is in the care of, a local authority under a relevant enactment; or
 - (b) has been placed, or in Scotland boarded out, with a person other than the applicant prior to adoption; or
 - (c) has been placed for adoption in accordance with the Adoption and Children Act 2002 or the Adoption Agencies (Scotland) Regulations 2009.
- (4) The authority must treat a child or young person to whom sub-paragraph (3)(a) applies as being a member of the applicant's household in any reduction week where--
- (a) that child or young person lives with the applicant for part or all of that reduction week; and
 - (b) the authority considers that it is reasonable to do so taking into account the nature and frequency of that child's or young person's visits.
- (5) In this paragraph "relevant enactment" means--
- (a) the Army Act 1955;
 - (b) the Air Force Act 1955;
 - (c) the Naval Discipline Act 1957;
 - (d) the Matrimonial Proceedings (Children) Act 1958;
 - (e) the Social Work (Scotland) Act 1968;
 - (f) the Family Law Reform Act 1969;
 - (g) the Children and Young Persons Act 1969;
 - (h) the Matrimonial Causes Act 1973;
 - (i) the Children Act 1975;
 - (j) the Domestic Proceedings and Magistrates' Courts Act 1978;
 - (k) the Adoption and Children (Scotland) Act 2007;
 - (l) the Family Law Act 1986;
 - (m) the Children Act 1989;
 - (n) the Children (Scotland) Act 1995;
 - (na) the Children's Hearings (Scotland) Act 2011; and
 - (o) the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

Non-dependants

9

- (1) In this scheme, "non-dependant" means any person, except someone to whom sub-paragraph (2) applies, who normally resides with an applicant or with whom an applicant normally resides.
- (2) This paragraph applies to--
- (a) any member of the applicant's family;
 - (b) if the applicant is polygamously married--
 - (i) where the applicant has (alone or jointly with his partner) an award of universal credit, any--

- (aa) party to such a marriage other than the applicant's partner; and
 - (bb) any child or young person who is a member of his household and for whom he or his partner or another party to the polygamous marriage is responsible; or
- (ii) in any other case, any partner of his and any child or young person who is a member of his household and for whom he or one of his partners is responsible;
- (c) a child or young person who is living with the applicant but who is not a member of his household by virtue of paragraph 8 (households);
- (d) subject to sub-paragraph (3), any person who, with the applicant, is jointly and severally liable to pay council tax in respect of a dwelling for any day under section 6 or 7 of the 1992 Act (persons liable to pay council tax);
- (e) subject to sub-paragraph (3), any person who is liable to make payments on a commercial basis to the applicant or the applicant's partner in respect of the occupation of the dwelling;
- (f) a person who lives with the applicant in order to care for him or a partner of his and who is engaged by a charitable or voluntary organisation which makes a charge to the applicant or his partner for the services provided by that person.
- (3) Excepting persons to whom sub-paragraph (2)(a) to (c) and (f) refer, a person to whom any of the following paragraphs applies is a non-dependant--
- (a) a person who resides with the person to whom he is liable to make payments in respect of the dwelling and either--
 - (i) that person is a close relative of his or his partner; or
 - (ii) the tenancy or other agreement between them is other than on a commercial basis;
 - (b) a person whose liability to make payments in respect of the dwelling appears to the authority to have been created to take advantage of a council tax reduction scheme except someone who was, for any period within the eight weeks prior to the creation of the agreement giving rise to the liability to make such payments, otherwise liable to make payments of rent in respect of the same dwelling;
 - (c) a person who becomes jointly and severally liable with the applicant for council tax in respect of a dwelling and who was, at any time during the period of eight weeks prior to his becoming so liable, a non-dependant of one or more of the other residents in that dwelling who are so liable for the tax, unless the change giving rise to the new liability was not made to take advantage of a council tax reduction scheme.

Remunerative work

10

- (1) Subject to the following provisions of this paragraph, a person must be treated for the purposes of this scheme as engaged in remunerative work if he is engaged, or, where his hours of work fluctuate, he is engaged on average, for not less than 16 hours a week, in work for which payment is made or which is done in expectation of payment.
- (2) Subject to sub-paragraph (3), in determining the number of hours for which a person is engaged in work where his hours of work fluctuate, regard must be had to the average of hours worked over--

(a) if there is a recognisable cycle of work, the period of one complete cycle (including, where the cycle involves periods in which the person does no work, those periods but disregarding any other absences);

(b) in any other case, the period of 5 weeks immediately prior to the date of application, or such other length of time as may, in the particular case, enable the person's weekly average hours of work to be determined more accurately.

(3) Where, for the purposes of sub-paragraph (2)(a), a person's recognisable cycle of work at a school, other educational establishment or other place of employment is one year and includes periods of school holidays or similar vacations during which he does not work, those periods and any other periods not forming part of such holidays or vacations during which he is not required to work must be disregarded in establishing the average hours for which he is engaged in work.

(4) Where no recognisable cycle has been established in respect of a person's work, regard must be had to the number of hours or, where those hours will fluctuate, the average of the hours, which he is expected to work in a week.

(5) A person must be treated as engaged in remunerative work during any period for which he is absent from work referred to in sub-paragraph (1) if the absence is either without good cause or by reason of a recognised, customary or other holiday.

(6) A person on income support, an income-based jobseeker's allowance or an income-related employment and support allowance for more than 3 days in any reduction week is to be treated as not being in remunerative work in that week.

(7) A person must not be treated as engaged in remunerative work on any day on which the person is on maternity leave, paternity leave, shared parental leave or adoption leave, or is absent from work because he is ill.

(8) A person must not be treated as engaged in remunerative work on any day on which he is engaged in an activity in respect of which--

(a) a sports award has been made, or is to be made, to him; and

(b) no other payment is made or is expected to be made to him.

Part 3 Procedural Matters

Procedure for reduction applications and appeals against reduction decisions

11

Schedule 1 contains provisions about the procedure--

(a) by which a person may apply for a reduction under this scheme;

(b) by which a person may make an appeal against certain decisions of the authority;

(c) by which a person can apply to the authority for a reduction under section 13A(1)(c) of the 1992 Act.

Part 4 Classes of Person Entitled to a Reduction Under this Scheme

Classes of person entitled to a reduction under this scheme

12

(1) The classes of person described in paragraphs 13 to 18 are entitled to a reduction under this scheme.

(2) In those paragraphs, references to the applicant's income or capital include, in a case where that income or capital cannot accurately be determined, references to the applicant's estimated income or capital.

Class A: pensioners whose income is no greater than the applicable amount

13

On any day class A consists of any person who is a pensioner--

- (a) who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
- (b) who, subject to paragraph 19 (periods of absence from a dwelling), is not absent from the dwelling throughout the day;
- (c) in respect of whom a maximum council tax reduction amount can be calculated;
- (d) who does not fall within a class of person not entitled to a reduction under this scheme;
- (e) whose income (if any) for the relevant week does not exceed his applicable amount, and
- (f) who has made an application.

Class B: pensioners whose income is greater than the applicable amount

14

On any day class B consists of any person who is a pensioner--

- (a) who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
- (b) who, subject to paragraph 19 (periods of absence from a dwelling), is not absent from the dwelling throughout the day;
- (c) in respect of whom a maximum council tax reduction amount can be calculated;
- (d) who does not fall within a class of person not entitled to a reduction under this scheme;
- (e) whose income for the relevant week is greater than his applicable amount;
- (f) in respect of whom amount A exceeds amount B where--
 - (i) amount A is the maximum council tax reduction in respect of the day in the applicant's case; and
 - (ii) amount B is $2\frac{6}{7}$ per cent of the difference between his income for the relevant week and his applicable amount, and
- (g) who has made an application.

Class C: alternative maximum council tax reduction--pensioners

15

(1) On any day class C consists of any person who is a pensioner--

- (a) who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
- (b) who, subject to paragraph 19 (periods of absence from a dwelling), is not absent from the dwelling throughout the day;
- (c) in respect of whom a maximum council tax reduction amount can be calculated;
- (d) who does not fall within a class of person not entitled to a reduction under this scheme;
- (e) who has made an application; and
- (f) in relation to whom the condition in sub-paragraph (2) is met.

(2) The condition referred to in sub-paragraph (1)(f) is that no other resident of the dwelling is liable to pay rent to the applicant in respect of the dwelling and there is an alternative maximum council tax reduction in respect of the day in the case of that person which is derived from the income, or aggregate incomes, of one or more residents to whom this sub-paragraph applies.

(3) Sub-paragraph (2) applies to any other resident of the dwelling who--

- (a) is not a person who, in accordance with Schedule 1 to the 1992 Act, falls to be disregarded for the purposes of discount;
- (b) is not a person who is liable for council tax solely in consequence of the provisions of section 9 of the 1992 Act (spouse's or civil partner's joint and several liability for tax);
- (c) is not a person who is residing with a couple or with the members of a polygamous marriage where the applicant is a member of that couple or of that marriage and--
 - (i) in the case of a couple, neither member of that couple is a person who, in accordance with Schedule 1 to the 1992 Act (persons disregarded for the purposes of discount), falls to be disregarded for the purposes of discount; or
 - (ii) in the case of a polygamous marriage, two or more members of that marriage are not persons who, in accordance with Schedule 1 to the 1992 Act, fall to be disregarded for the purposes of discount;
- (d) is not a person who jointly with the applicant falls within the same paragraph of section 6(2)(a) to (e) of the 1992 Act (persons liable to pay council tax) as applies in the case of the applicant; or
- (e) is not a person who is residing with two or more persons both or all of whom fall within the same paragraph of section 6(2)(a) to (e) of the 1992 Act where two or more of those persons are not persons who, in accordance with Schedule 1 to the 1992 Act, fall to be disregarded for the purposes of discount.

Class D: persons who are not pensioners whose income is less than the applicable amount

16

On any day class D consists of any person who is not a pensioner--

- (a) who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
- (b) who, subject to paragraph 19 (periods of absence from a dwelling), is not absent from the dwelling throughout the day;
- (c) in respect of whom a maximum council tax reduction amount can be calculated;
- (d) who does not fall within a class of person not entitled to a reduction under this scheme;
- (e) whose income (if any) for the relevant week is less than his applicable amount, and

- (f) who has made an application.
- (g) any such person identified in 16(a), 16(b), 16(c), 16 (d), 16 (e) and 16(f) shall not be entitled to a council tax reduction if, once calculated, their award would have been less than £1 per week.

Class E: persons who are not pensioners whose income is greater than the applicable amount

17

On any day class E consists of any person who is not a pensioner--

- (a) who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
- (b) who, subject to paragraph 19 (periods of absence from a dwelling), is not absent from the dwelling throughout the day;
- (c) in respect of whom a maximum council tax reduction amount can be calculated;
- (d) who does not fall within a class of person not entitled to a reduction under this scheme;
- (e) whose income for the relevant week is greater than his applicable amount;
- (f) in respect of whom amount A exceeds amount B where--
 - (i) amount A is the maximum council tax reduction in his case; and
 - (ii) amount B is 2 6/7 per cent of the difference between his income for the relevant week and his applicable amount, and
- (g) who has made an application.
- (h) any such person identified in 17(a), 17(b), 17(c), 17 (d), 17 (e), 17(f) and 17(g) shall not be entitled to a council tax reduction if, once calculated, their award would have been less than £1 per week

Class F: alternative maximum council tax reduction--persons who are not pensioners

18

(1) On any day class F consists of any person who is not a pensioner--

- (a) who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
- (b) who, subject to paragraph 19 (periods of absence from a dwelling), is not absent from the dwelling throughout the day;
- (c) in respect of whom a maximum council tax reduction amount can be calculated;
- (d) who does not fall within a class of person not entitled to a reduction under this scheme;
- (e) who has made an application; and
- (f) in relation to whom the condition in sub-paragraph (2) is met.

(2) The condition referred to in sub-paragraph (1)(f) is that no other resident of the dwelling is liable to pay rent to the person in question in respect of the dwelling and there is an alternative maximum

council tax reduction in respect of the day in the case of that person which is derived from the income, or aggregate incomes, of one or more residents to whom this sub-paragraph applies.

(3) Sub-paragraph (2) applies to any other resident of the dwelling who--

- (a) is not a person who, in accordance with Schedule 1 to the 1992 Act, falls to be disregarded for the purposes of discount; and
- (b) is not a person who is liable for council tax solely in consequence of the provisions of section 9 of the 1992 Act (spouse's or civil partner's joint and several liability for tax);
- (c) is not a person who is residing with a couple or with the members of a polygamous marriage where the applicant for the reduction is a member of that couple or of that marriage and--
 - (i) in the case of a couple, neither member of that couple is a person who, in accordance with Schedule 1 to the 1992 Act, falls to be disregarded for the purposes of discount; or
 - (ii) in the case of a polygamous marriage, two or more members of that marriage are not persons who, in accordance with Schedule 1 to the 1992 Act, fall to be disregarded for the purposes of discount;
- (d) is not a person who jointly with the applicant for reduction falls within the same paragraph of section 6(2)(a) to (e) of the 1992 Act (persons liable to pay council tax) as applies in the case of the applicant; or
- (e) is not a person who is residing with two or more persons both or all of whom fall within the same paragraph of section 6(2)(a) to (e) of the 1992 Act where two or more of those persons are not persons who, in accordance with Schedule 1 to the 1992 Act, fall to be disregarded for the purposes of discount.

Periods of absence from a dwelling: pensioners

19

(1) A person is not absent from a dwelling in relation to any day which falls within a period of temporary absence from that dwelling.

(2) In sub-paragraph (1), a "period of temporary absence" means--

- (a) a period of absence not exceeding 13 weeks, beginning with the first whole day on which a person resides in residential accommodation in Great Britain where and for so long as--
 - (i) the person resides in that accommodation;
 - (ii) the part of the dwelling in which he usually resided is not let or sub-let; and
 - (iii) that period of absence does not form part of a longer period of absence from the dwelling of more than 52 weeks,

where he has entered the accommodation for the purpose of ascertaining whether it suits his needs and with the intention of returning to the dwelling if it proves not to suit his needs;

(b) subject to sub-paragraph (2B), a period of absence within Great Britain not exceeding 13 weeks, beginning with the first whole day of absence from the dwelling, where and for so long as--

- (i) the person intends to return to the dwelling;
- (ii) the part of the dwelling in which he usually resided is not let or sub-let; and
- (iii) that period is unlikely to exceed 13 weeks;

(c) subject to sub-paragraph (2D), a period of absence within Great Britain not exceeding 52 weeks, beginning with the first whole day of that absence, where and for so long as--

- (i) the person intends to return to the dwelling;
- (ii) the part of the dwelling in which he usually resided is not let or sub-let;
- (iii) the person is a person to whom sub-paragraph (3) applies; and
- (iv) the period of absence is unlikely to exceed 52 weeks or, in exceptional circumstances, is unlikely substantially to exceed that period; and

(d) subject to sub-paragraphs (2F), (3C), (3E) and (3G) and where sub-paragraph (2E) applies, a period of absence outside Great Britain not exceeding 4 weeks, beginning with the first day of that absence from Great Britain where and for so long as—

- (i) the person intends to return to the dwelling;
- (ii) the part of the dwelling in which he usually resides is not let or sub-let; and
- (iii) the period of absence from Great Britain is unlikely to exceed 4 weeks.

(2A) The period of 13 weeks referred to in sub-paragraph (2)(b) shall run or continue to run during any period of absence from Great Britain.

(2B) Where—

- (a) a person returns to Great Britain after a period of absence from Great Britain (period A);
- (b) that person has been absent from the dwelling, including any absence within Great Britain, for less than 13 weeks beginning with the first day of absence from that dwelling; and
- (c) at the outset of, or during, period A, period A ceased to be treated as a period of temporary absence,

then any day that follows period A and precedes the person's return to the dwelling, shall not be treated as a period of temporary absence under sub-paragraph (2)(b).

(2C) The period of 52 weeks referred to in sub-paragraph (2)(c) shall run or continue to run during any period of absence from Great Britain.

(2D) Where—

- (a) a person returns to Great Britain after a period of absence from Great Britain (period A);
- (b) that person has been absent from the dwelling, including any absence within Great Britain, for less than 52 weeks beginning with the first day of absence from that dwelling; and
- (c) at the outset of, or during, period A, period A ceased to be treated as a period of temporary absence,

then, any day that follows period A and precedes the person's return to the dwelling, shall not be treated as a period of temporary absence under sub-paragraph (2)(c).

(2E) This sub-paragraph applies where—

- (a) a person is temporarily absent from Great Britain;
- (b) immediately before that period of absence from Great Britain, the person was not absent from the dwelling.

(2F) If the temporary absence referred to in sub-paragraph (2)(d) is in connection with the death of—

- (a) the person's partner or a child or young person for whom the person or the person's partner is responsible;
- (b) the person's close relative;
- (c) the close relative of the person's partner; or
- (d) the close relative of a child or young person for whom the person or the person's partner is responsible,

then the period of 4 weeks in the opening words of sub-paragraph (2)(d) may be extended by up to 4 further weeks if the relevant authority considers it unreasonable to expect the person to return to Great Britain within the first 4 weeks (and the reference in sub-paragraph (iii) of that paragraph to a period of 4 weeks shall, where the period is extended, be taken as referring to the period as so extended).

(3) This sub-paragraph applies to a person who--

- (a) is a person to whom sub-paragraph (3A) applies;
- (b) is resident in a hospital or similar institution as a patient;
- (c) is undergoing, or whose partner or dependent child is undergoing medical treatment, or medically approved convalescence, in accommodation other than residential accommodation;
- (d) is following a training course;
- (e) is undertaking medically approved care of a person;
- (f) is undertaking the care of a child whose parent or guardian is temporarily absent from the dwelling normally occupied by that parent or guardian for the purpose of receiving medically approved care or medical treatment;
- (g) is receiving medically approved care provided in accommodation other than residential accommodation;
- (h) is a student;
- (i) is receiving care provided in residential accommodation and is not a person to whom sub-paragraph (2)(a) applies; or
- (j) has left the dwelling he resides in through fear of violence, in that dwelling, or by a person who was formerly a member of the family of the person first mentioned.

(3A) This sub-paragraph applies to a person ("P") who is—

- (a) detained in custody on remand pending trial;
- (b) detained pending sentence upon conviction; or
- (c) as a condition of bail required to reside—
 - (i) in a dwelling, other than a dwelling P occupies as P's home; or
 - (ii) in premises approved under section 13 of the Offender Management Act 2007,

and who is not also detained in custody following sentence upon conviction.

(3B) This sub-paragraph applies where—

- (a) a person is temporarily absent from Great Britain;
- (b) the person is a member of Her Majesty's forces posted overseas, a mariner or a continental shelf worker;
- (c) immediately before that period of absence from Great Britain, the person was not absent from the dwelling.

(3C) Where sub-paragraph (3B) applies, a period of absence from Great Britain not exceeding 26 weeks, beginning with the first day of absence from Great Britain, shall be treated as a period of temporary absence where and for so long as—

- (a) the person intends to return to the dwelling;
- (b) the part of the dwelling in which he usually resided is not let or sub-let;
- (c) the period of absence from Great Britain is unlikely to exceed 26 weeks.

(3D) This sub-paragraph applies where—

- (a) a person is temporarily absent from Great Britain;
- (b) the person is a person described in any of paragraphs (b), (c), (g) or (j) of sub-paragraph (3);
- (c) immediately before that period of absence from Great Britain, the person was not absent from the dwelling.

(3E) Where sub-paragraph (3D) applies, a period of absence from Great Britain not exceeding 26 weeks, beginning with the first day of absence from Great Britain, shall be treated as a period of temporary absence where and for so long as—

- (a) the person intends to return to the dwelling;
- (b) the part of the dwelling in which he usually resided is not let or sub-let;
- (c) the period of absence is unlikely to exceed 26 weeks, or in exceptional circumstances, is unlikely substantially to exceed that period.

(3F) This sub-paragraph applies where—

- (a) a person is temporarily absent from Great Britain;
- (b) the person is a person described in any of paragraphs (a), (d), (e), (f), (h) or (i) of sub-paragraph (3);
- (c) immediately before that period of absence from Great Britain, the person was not absent from the dwelling.

(3G) Where sub-paragraph (3F) applies, a period of absence from Great Britain not exceeding 4 weeks, beginning with the first day of absence from Great Britain, shall be treated as a period of temporary absence where and for so long as—

- (a) the person intends to return to the dwelling;
- (b) the part of the dwelling in which he usually resided is not let or sub-let;
- (c) the period of absence is unlikely to exceed 4 weeks, or in exceptional circumstances, is unlikely substantially to exceed that period.

(4) This sub-paragraph applies to a person who is--

- (a) detained in custody pending sentence upon conviction or under a sentence imposed by a court (other than a person who is detained in hospital under the provisions of the Mental Health Act 1983, or, in Scotland, under the provisions of the Mental Health (Care and Treatment) (Scotland) Act 2003 or the Criminal Procedure (Scotland) Act 1995 or, in Northern Ireland, under Article 4 or 12 of the Mental Health (Northern Ireland) Order 1986); and
- (b) on temporary release from detention in accordance with Rules made under the provisions of the Prison Act 1952 or the Prisons (Scotland) Act 1989.

(5) Where sub-paragraph (4) applies to a person, then, for any day when he is on temporary release--

- (a) if such temporary release was immediately preceded by a period of temporary absence under sub-paragraph (2)(b) or (c), he must be treated, for the purposes of sub-paragraph (1), as if he continues to be absent from the dwelling, despite any return to the dwelling;
- (b) for the purposes of sub-paragraph (3)(a), he must be treated as if he remains in detention;
- (c) if he does not fall within paragraph (a), he is not to be considered to be a person who is liable to pay council tax in respect of a dwelling of which he is a resident.

(6) In this paragraph—

“continental shelf worker” means a person who is employed, whether under a contract of service or not, in a designated area or a prescribed area in connection with any of the activities mentioned in section 11(2) of the Petroleum Act 1998;

“designated area” means any area which may from time to time be designated by Order in Council under the Continental Shelf Act 1964 as an area within which the rights of the United Kingdom with respect to the seabed and subsoil and their natural resources may be exercised;

“mariner” means a person who is employed under a contract of service either as a master or member of the crew of any ship or vessel, or in any other capacity on board any ship or vessel, where—

- (a) the employment in that capacity is for the purposes of that ship or vessel or its crew or any passengers or cargo or mails carried by the ship or vessel; and
- (b) the contract is entered into in the United Kingdom with a view to its performance (in whole or in part) while the ship or vessel is on its voyage;

“medically approved” means certified by a medical practitioner;

“member of Her Majesty’s forces posted overseas” means a person who is a member of the regular forces or the reserve forces (within the meaning of section 374 of the Armed Forces Act 2006), who is absent from the main dwelling because the person has been posted outside of Great Britain to perform the duties of a member of Her Majesty’s regular forces or reserve forces;

“patient” means a person who is undergoing medical or other treatment as an in-patient in any hospital or similar institution;

“prescribed area” means any area over which Norway or any member State (other than the United Kingdom) exercises sovereign rights for the purpose of exploring the seabed and subsoil and exploiting their natural resources, being an area outside the territorial seas of Norway or such member State, or any other area which is from time to time specified under section 10(8) of the Petroleum Act 1998;

“residential accommodation” means accommodation which is provided in--

- (a) a care home;
- (b) an independent hospital;
- (c) an Abbeyfield Home; or
- (d) an establishment managed or provided by a body incorporated by Royal Charter or constituted by Act of Parliament other than a local social services authority;

"training course" means a course of training or instruction provided wholly or partly by or on behalf of or in pursuance of arrangements made with, or approved by or on behalf of, Skills Development Scotland, Scottish Enterprise, Highlands and Islands Enterprise, a government department or the Secretary of State.

Periods of absence from a dwelling: persons who are not pensioners

19A

- (1) A person is not absent from a dwelling in relation to any day which falls within a period of temporary absence from that dwelling.
- (2) In sub-paragraph (1), a "period of temporary absence" means--

- (a) a period of absence not exceeding 13 weeks, beginning with the first whole day on which a person resides in residential accommodation where and for so long as--
 - (i) the person resides in that accommodation;
 - (ii) the part of the dwelling in which he usually resided is not let or sub-let; and
 - (iii) that period of absence does not form part of a longer period of absence from the dwelling of more than 52 weeks,

where he has entered the accommodation for the purpose of ascertaining whether it suits his needs and with the intention of returning to the dwelling if it proves not to suit his needs;

- (b) a period of absence not exceeding 13 weeks, beginning with the first whole day of absence from the dwelling, where and for so long as--
 - (i) the person intends to return to the dwelling;
 - (ii) the part of the dwelling in which he usually resided is not let or sub-let; and
 - (iii) that period is unlikely to exceed 13 weeks; and

- (c) a period of absence not exceeding 52 weeks, beginning with the first whole day of that absence, where and for so long as--

- (i) the person intends to return to the dwelling;
- (ii) the part of the dwelling in which he usually resided is not let or sub-let;
- (iii) the person is a person to whom sub-paragraph (3) applies; and
- (iv) the period of absence is unlikely to exceed 52 weeks or, in exceptional circumstances, is unlikely substantially to exceed that period.

- (3) This sub-paragraph applies to a person who--

- (a) is detained in custody on remand pending trial or required, as a condition of bail, to reside--

- (i) in a dwelling, other than the dwelling referred to in sub-paragraph (1), or
- (ii) in premises approved under section 13 of the Offender Management Act 2007,

or is detained in custody pending sentence upon conviction;

- (b) is resident in a hospital or similar institution as a patient;
- (c) is undergoing, or whose partner or dependent child is undergoing, in the United Kingdom or elsewhere, medical treatment, or medically approved convalescence, in accommodation other than residential accommodation;
- (d) is following, in the United Kingdom or elsewhere, a training course;
- (e) is undertaking medically approved care of a person residing in the United Kingdom or elsewhere;
- (f) is undertaking the care of a child whose parent or guardian is temporarily absent from the dwelling normally occupied by that parent or guardian for the purpose of receiving medically approved care or medical treatment;
- (g) is, in the United Kingdom or elsewhere, receiving medically approved care provided in accommodation other than residential accommodation;
- (h) is a student;
- (i) is receiving care provided in residential accommodation and is not a person to whom sub-paragraph (2)(a) applies; or
- (j) has left the dwelling he resides in through fear of violence, in that dwelling, or by a person who was formerly a member of the family of the person first mentioned.

(4) This sub-paragraph applies to a person who is--

- (a) detained in custody pending sentence upon conviction or under a sentence imposed by a court (other than a person who is detained in hospital under the provisions of the Mental Health Act 1983, or, in Scotland, under the provisions of the Mental Health (Care and Treatment) (Scotland) Act 2003 or the Criminal Procedure (Scotland) Act 1995 or, in Northern Ireland, under Article 4 or 12 of the Mental Health (Northern Ireland) Order 1986); and
- (b) on temporary release from detention in accordance with Rules made under the provisions of the Prison Act 1952 or the Prisons (Scotland) Act 1989.

(5) Where sub-paragraph (4) applies to a person, then, for any day when he is on temporary release--

- (a) if such temporary release was immediately preceded by a period of temporary absence under sub-paragraph (2)(b) or (c), he must be treated, for the purposes of sub-paragraph (1), as if he continues to be absent from the dwelling, despite any return to the dwelling;
- (b) for the purposes of sub-paragraph (3)(a), he must be treated as if he remains in detention;
- (c) if he does not fall within paragraph (a), he is not to be considered to be a person who is liable to pay council tax in respect of a dwelling of which he is a resident.

(6) In this paragraph--

"medically approved" means certified by a medical practitioner;

"patient" means a person who is undergoing medical or other treatment as an in-patient in any hospital or similar institution;

"residential accommodation" means accommodation which is provided in--

- (a) a care home;
- (b) an independent hospital;
- (c) an Abbeyfield Home; or
- (d) an establishment managed or provided by a body incorporated by Royal Charter or constituted by Act of Parliament other than a local social services authority;

"training course" means a course of training or instruction provided wholly or partly by or on behalf of or in pursuance of arrangements made with, or approved by or on behalf of, Skills Development Scotland, Scottish Enterprise, Highlands and Islands Enterprise, a government department or the Secretary of State.

Transitional provision

19 B

- (1) Subject to paragraph (2), paragraph 19 shall not apply in respect of a person who is temporarily absent from Great Britain on 1st April 2017 until the day that person returns to Great Britain.
- (2) Paragraph (1) does not apply to a person who, on 1st April 2017, is temporarily absent from Great Britain and is—
 - (a) a member of Her Majesty's forces posted overseas;
 - (b) absent in the capacity of a continental shelf worker; or
 - (c) absent in the capacity of a mariner.

- (3) In this regulation—

"continental shelf worker" means a person who is employed, whether under a contract of service or not, in a designated area or a prescribed area in connection with any of the activities mentioned in section 11(2) of the Petroleum Act 1998;

"designated area" means any area which may from time to time be designated by Order in Council under the Continental Shelf Act 1964 as an area within which the rights of the United Kingdom with respect to the seabed and subsoil and their natural resources may be exercised;

"mariner" means a person who is employed under a contract of service either as a master or member of the crew of any ship or vessel, or in any other capacity on board any ship or vessel, where—

- (a) the employment in that capacity is for the purposes of that ship or vessel or its crew or any passengers or cargo or mails carried by the ship or vessel; and
- (b) the contract is entered into in the United Kingdom with a view to its performance (in whole or in part) while the ship or vessel is on its voyage;

"member of Her Majesty's forces posted overseas" means a person who is a member of the regular forces or the reserve forces (within the meaning of section 374 of the Armed Forces Act 2006), who is absent from the dwelling that the person normally occupies as his home because

the person has been posted outside of Great Britain to perform the duties of a member of Her Majesty's regular forces or reserve forces; and

"prescribed area" means any area over which Norway or any member State (other than the United Kingdom) exercises sovereign rights for the purpose of exploring the seabed and subsoil and exploiting their natural resources, being an area outside the territorial seas of Norway or such member State, or any other area which is from time to time specified under section 10(8) of the Petroleum Act 1998.

Part 5

Classes of Person Excluded from this Scheme

Classes of person excluded from this scheme

20

The classes of person described in paragraphs 21 to 24 are not entitled to a reduction under this scheme.

Class of person excluded from this scheme: persons treated as not being in Great Britain

21

- (1) The class of person described in this paragraph consists of any person treated as not being in Great Britain.
- (2) Except where a person falls within sub-paragraph (5) or (6), a person is to be treated as not being in Great Britain if the person is not habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland.
- (3) A person must not be treated as habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland unless the person has a right to reside in one of those places.
- (4) For the purposes of sub-paragraph (3), a right to reside does not include a right which exists by virtue of, or in accordance with--
 - (a) regulation 13 of the EEA Regulations or Article 6 of Council Directive No 2004/38/EC;
 - (aa) regulation 14 of the EEA Regulations, but only in a case where the right exists under that regulation because the person is --
 - (i) a jobseeker for the purpose of the definition of "qualified person" in regulation 6(1) of those Regulations, or
 - (ii) a family member (within the meaning of regulation 7 of those Regulations) of such a jobseeker;
 - (ab) Article 45 of the Treaty on the functioning of the European Union (in a case where the person is seeking work in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland; or
 - (b) regulation 15A(1) of the EEA Regulations, but only in a case where the right exists under that regulation because the applicant satisfies the criteria in paragraph (4A) of that regulation or Article 20 of the Treaty on the Functioning of the European Union (in a case where the right to reside arises because a British citizen would otherwise be deprived of the genuine enjoyment of their rights as a European Union citizen).
- (5) A person falls within this sub-paragraph if the person is--

- (a) a qualified person for the purposes of regulation 6 of the EEA Regulations as a worker or a self-employed person;
 - (b) a family member of a person referred to in paragraph (a) within the meaning of regulation 7(1)(a), (b) or (c) of the EEA Regulations;
 - (c) a person who has a right to reside permanently in the United Kingdom by virtue of regulation 15(1)(c), (d) or (e) of the EEA Regulations;
 - (d) a person recorded by the Secretary of State as a refugee within the definition in Article 1 of the Convention relating to the Status of Refugees done at Geneva on 28th July 1951, as extended by Article 1(2) of the Protocol relating to the Status of Refugees done at New York on 31st January 1967;
 - (e) a person who has been granted, or who is deemed to have been granted, leave outside the rules made under section 3(2) of the Immigration Act 1971 where that leave is –
 - (i) discretionary leave to enter or remain in the United Kingdom,
 - (ii) leave to remain under the Destitution Domestic Violence Concession which came into effect on 1st April 2012, or
 - (iii) leave deemed to have been granted by virtue of regulation 3 of the Displaced Persons (Temporary Protection) Regulations 2005;
 - (f) a person who has humanitarian protection granted under those rules;
 - (g) a person who is not a person subject to immigration control within the meaning of section 115(9) of the Immigration and Asylum Act 1999 and who is in the United Kingdom as a result of his deportation, expulsion or other removal by compulsion of law from another country to the United Kingdom;
 - (h) in receipt of income support or on an income-related employment and support allowance;
 - (ha) in receipt of an income-based jobseeker's allowance and has a right to reside other than a right to reside falling within paragraph (4); or
 - (i) a person who is treated as a worker for the purpose of the definition of "qualified person" in regulation 6(1) of the EEA Regulations pursuant to regulation 5 of the Accession of Croatia (Immigration and Worker Authorisation) Regulations 2013 (right of residence of a Croatian who is an "accession State national subject to worker authorisation").
- (6) A person falls within this sub-paragraph if the person is a Crown servant or member of Her Majesty's forces posted overseas.
- (7) A person mentioned in sub-paragraph (6) is posted overseas if the person is performing overseas the duties of a Crown servant or member of Her Majesty's forces and was, immediately before the posting or the first of consecutive postings, habitually resident in the United Kingdom.
- (8) In this paragraph--
- "claim for asylum" has the same meaning as in section 94(1) of the Immigration and Asylum Act 1999;
- "EEA Regulations" means the Immigration (European Economic Area) Regulations 2006.

Transitional Provision

- (1) Paragraph (ha) does not apply to a person who, on 31st March 2015-
- (a) is liable to pay council tax at a reduced rate by virtue of a council tax reduction under an authority's scheme established under section 13A(2) of the Act; and

(b) is entitled to an income-based jobseeker's allowance, until the first of the events in paragraph (2) occurs.

(2) The events are-

(a) the person makes a new application for a reduction under an authority's scheme established under section 13A(2) of the Act; or

(b) the person ceases to be entitled to an income-based jobseeker's allowance.

(3) In this regulation "the Act" means the Local Government Finance Act 1992.

Class of person excluded from this scheme: persons subject to immigration control

22

(1) Subject to paragraph (1A), persons subject to immigration control are not entitled to a reduction under this scheme.

(1A) A person who is a national of a state which has ratified the European Convention on Social and Medical Assistance (done in Paris 11th December 1953) or a state which has ratified the Council of Europe Social Charter (signed in Turin on 18th October 1961) and who is lawfully present in the United Kingdom is not a person subject to immigration control for the purposes of paragraph (1).

(2) "Person subject to immigration control" has the meaning given in section 115(9) of the Immigration and Asylum Act 1999.

Class of person excluded from this scheme: capital limit

23

(1) The class of person described in this paragraph consists of any pensioner whose capital limit exceeds £16,000 and of any person who is not a pensioner whose capital exceeds £10,000.

(2) Capital for the purposes of sub-paragraph (1) is to be calculated in accordance with Part 10 of this scheme.

Class of person excluded from this scheme: students

24

The class of person described in this paragraph consists of any student to whom paragraph 75(1) applies (except to the extent that a student may be entitled to an alternative maximum council tax reduction by virtue of paragraph 18).

Part 6 Applicable Amounts

Applicable amounts: pensioners

25

(1) The applicable amount for a pensioner for a week is the aggregate of such of the following amounts as apply in his case--

- (a) an amount in respect of his personal allowance, determined in accordance with paragraph 1 of Schedule 2 (personal allowance);
- (b) an amount determined in accordance with paragraph 2 of that Schedule in respect of up to two individuals who are either children or young persons and who are members of his family;
- (c) if he is a member of a family of which at least one member is a child or young person, an amount determined in accordance with paragraph 3 of that Schedule (family premium);
- (d) the amount of any premiums which may be applicable to him, determined in accordance with Parts 3 and 4 of that Schedule (premiums).

(1A) For the purposes of sub-paragraph (1)(b) as it applies apart from sub-paragraph (1C), where the family includes more than two individuals who are either children or young persons and under paragraph 2 of that Schedule a different amount applies to different individuals, the two amounts to be included in the applicable amount shall be those that result in the greatest possible total amount.

(1B) Sub-paragraph (1C) applies where—

- (a) (whether or not as part of a tax credit couple as defined in section 3(5A) of the Tax Credits Act 2002) the applicant has an award of child tax credit (whether or not any amount is payable by way of such credit) in respect of a child or young person who is a member of his family; and
- (b) the total amount to be included in the applicable amount under sub-paragraph (1)(b) as substituted by sub-paragraph (1C) would be higher than the total amount that would be included under paragraph (1)(b) apart from sub-paragraph (1C).

(1C) Where this paragraph applies, for sub-paragraph (1)(b) substitute—

- (b) an amount determined in accordance with paragraph 2 of that Schedule in respect of any child or young person who is a member of his family and in respect of whom the individual element of child tax credit has been included in the determination of the maximum rate of that credit;”

(2) In Schedule 2--

"additional spouse" means a spouse of either party to the marriage who is additional to the other party to the marriage;

"patient" means a person (other than a person who is serving a sentence of imprisonment or detention in a youth custody institution) who is regarded as receiving free in-patient treatment within the meaning of regulation 2(4) and (5) of the Social Security (Hospital In-Patients) Regulations 2005.

Transitional provision

25A

(1) This paragraph 25A applies where—

- (a) on 31st March 2018, a person is liable to pay council tax at a reduced rate by virtue of a council tax reduction under an authority's scheme established under section 13A(2) of the Local Government Finance Act 1992 (“a section 13A(2) scheme”); and

(b) the person is, or the person and the person's partner are between them, responsible for more than two individuals who are either children or young persons and who are members of the same household (each such individual is referred to as a "protected individual").

(2) Where this paragraph 25A applies, paragraph 25 does not apply to the person entitled to a council tax reduction referred to in paragraph (1) until—

(a) the person makes a new application for a reduction under an authority's section 13A(2) scheme; or

(b) the person or the person's partner (if any) becomes responsible for a new individual, whichever is the first to occur.

(3) Paragraphs (4) to (8) apply where—

(a) the provisions of paragraph 25 apply by virtue of paragraph (2)(b);

(b) the child tax credit provisions do not apply; and

(c) the person has not made a new application for a reduction under an authority's scheme for a reduction under an authority's section 13A(2) scheme.

(4) Notwithstanding the default provisions, a child amount shall be included in the applicable amount in relation to any protected individual, in relation to any time when the person or the person's partner (if any) is responsible for the individual and the individual is a member of the same household.

(5) Paragraph (6) applies where—

(a) the person or the person's partner (if any) is responsible for one or more protected individuals who are members of the same household; and

(b) either of them is responsible for one or more new individuals who are members of the same household.

(6) Where this paragraph applies, any protected individual for whom the person or the person's partner is responsible is to be counted for the purpose of deciding whether, under the default provisions, an additional child amount is to be included in the applicable amount with respect to the new individual or individuals referred to in paragraph (5)(b).

(7) Paragraph (8) applies where—

(a) the number of protected individuals for whom either the person or the person's partner (if any) is responsible, and who are members of the same household, is one;

(b) the number of new individuals for whom either the person or the person's partner is responsible, and who are members of the same household, is two or more; and

(c) a different child amount would apply to different individuals.

(8) Where this paragraph applies, the child amounts to be included in the applicable amount shall be—

(a) the child amount in relation to the protected individual; and

(b) a child amount in relation to such one of the new individuals as will result in the greatest possible total amount.

(9) Under paragraph (3), for the purposes of determining whether the child tax credit provisions apply, by virtue of paragraph 6(1B) of Schedule 1 to the 2012 Regulations, where the person or the person's partner is responsible for one or more protected individuals, the total amount that would be included in the applicable amount under the default provisions shall be taken to be the total that would be included under paragraphs (4), (6) and (8).

(10) For the purposes of this part—

(a) “the 2012 Regulations” means the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012;

(b) “applicable amount”, “child”, “partner” and “young person” have the same meanings as in the 2012 Regulations;

(c) “child amount” means the amount determined under paragraph 2 of Schedule 2 to the 2012 Regulations;

(d) “child tax credit provisions” means the provisions of paragraph 6(1)(b) of Schedule 1 to the 2012 Regulations (as substituted by paragraph 6(1C) of that Schedule);

(e) “default provisions” means the provisions of paragraph 6(1)(b) of Schedule 1 to the 2012 Regulations (as substituted by paragraph 6(1C) of that Schedule);

(f) “new individual” means a child or young person who is not a protected individual;

(g) any reference to an individual being part of the same household means being part of the same household with the person who is entitled to a reduction under an authority's section 13A(2) scheme and the person's partner (if any);

(h) a person is to be treated as responsible for a child or young person in the circumstances set out in regulation 7 of the 2012 Regulations.

Applicable amounts: persons who are not pensioners

26

(1) Subject to paragraphs 27 and 28, the applicable amount for a week for a person who is not a pensioner is the aggregate of such of the following amounts as may apply in his case--

(a) an amount in respect of himself or, if he is a member of a couple, an amount in respect of both of them, determined in accordance with paragraph 1 of Schedule 3;

(b) an amount in respect of any child or young person who is a member of his family, determined in accordance with paragraph 3 of that Schedule;

(c) if he is a member of a family of which at least one member is a child or young person, an amount determined in accordance with Part 2 of that Schedule (family premium);

(d) the amount of any premiums which may be applicable to him, determined in accordance with Parts 3 and 4 of that Schedule (premiums);

(e) the amount of either the--

(i) ~~work-related activity component; or~~

(ii) support component,

which may be applicable to him in accordance with Parts 5 and 6 of that Schedule (the components);

(f) the amount of any transitional addition which may be applicable to him in accordance with Parts 7 and 8 of that Schedule (transitional addition).

(2) In Schedule 3--

"additional spouse" means a spouse of either party to the marriage who is additional to the other party to the marriage;

"converted employment and support allowance" means an employment and support allowance which is not income-related and to which a person is entitled as a result of a conversion decision within the meaning of the Employment and Support Allowance (Existing Awards) Regulations 2008;

"patient" means a person (other than a person who is serving a sentence of imprisonment or detention in a youth custody institution) who is regarded as receiving free in-patient treatment within the meaning of regulation 2(4) and (5) of the Social Security (Hospital In-Patients) Regulations 2005.

Polygamous marriages: persons who are not pensioners

27

(1) This paragraph applies where an applicant who is not a pensioner is a member of a polygamous marriage and does not have (alone or jointly with a party to a marriage), an award of universal credit.

(2) The applicable amount for a week of an applicant where this paragraph applies is the aggregate of such of the following amounts as may apply in his case--

(a) the amount applicable to him and one of his partners determined in accordance with paragraph 1(3) of Schedule 3 as if he and that partner were a couple;

(b) an amount equal to the difference between the amounts specified in sub-paragraphs (3) and (1)(b) of paragraph 1 of that Schedule in respect of each of his other partners;

(c) an amount determined in accordance with paragraph 2 of that Schedule (main phase employment and support allowance) in respect of any child or young person for whom he or a partner of his is responsible and who is a member of the same household;

(d) if he or another partner of the polygamous marriage is responsible for a child or young person who is a member of the same household, the amount specified in Part 2 of that Schedule (family premium);

(e) the amount of any premiums which may be applicable to him determined in accordance with Parts 3 and 4 of that Schedule (premiums);

(f) the amount of either the--

(i) ~~work-related activity component; or~~

(ii) support component,

which may be applicable to him in accordance with Parts 5 and 6 of that Schedule (the components);

(g) the amount of any transitional addition which may be applicable to him in accordance with Parts 7 and 8 of that Schedule (transitional addition).

Applicable amount: persons who are not pensioners who have an award of universal credit

28

(1) Subject to sub-paragraph (2), in determining the applicable amount for a week of an applicant who is not a pensioner--

- (a) who has, or
- (b) who (jointly with his partner) has,

an award of universal credit, the authority must use the calculation or estimate of the maximum amount of the applicant, or the applicant and his partner jointly (as the case may be), subject to the adjustment described in sub-paragraph (3).

(2) In determining the applicable amount for a week of an applicant who is a member of a polygamous marriage, the fact that two people are husband and wife is to be disregarded if--

- (a) one of them is a party to an earlier marriage that still subsists; and
- (b) the other party to that earlier marriage is living in the same household.

(3) The adjustment referred to in sub-paragraph (1) is to multiply the maximum amount by 12 and divide the product by 52.

(4) In this paragraph "maximum amount" means the maximum amount calculated by the Secretary of State in accordance with section 8(2) of the Welfare Reform Act 2012.

Part 7

Maximum Council Tax Reduction for the Purposes of Calculating Eligibility for a Reduction Under this Scheme and Amount of Reduction

Maximum council tax reduction amount under this scheme: pensioners and persons who are not pensioners

29

(1) Subject to sub-paragraphs (2) to (4), a person's maximum council tax reduction amount in respect of a day is—

- (a) 100 per cent of the amount A/B if the applicant is a pensioner;
- (b) save as excepted for at (c) to (e) below, 80.2 per cent of the amount A/B if the applicant is a person who is not a pensioner;
- (c) 100 per cent of the amount A/B if the applicant is not a pensioner but is in receipt of any of the following--
 - (i) Attendance Allowance including Constant Attendance Allowance;
 - (ii) Disability Living Allowance including Care and Mobility components;
 - (iii) Severe Disablement Allowance including Exceptionally Severe Disablement Allowance;
 - (iv) Mobility Allowance and Supplement;
 - (v) Long Term Rate Incapacity Benefit;
 - (vi) Working Tax Credits – Disability element;

- (vii) Personal Independence Payment;
- (viii) Armed Forces Independence Payment;
- (ix) Support component of Employment and Support Allowance

(d) 100 per cent of the amount A/B if the applicant is not a pensioner but is responsible for a disabled child or young person of the same household and where the applicant is in receipt of any of the following premiums--

- (i) Disability Premium;
- (ii) Disabled Child Premium;
- (iii) Enhanced Disability Premium;
- (iv) Enhanced Disability Child Premium;
- (v) Carer Premium;
- (vi) Severe Disability Premium

(e) 100 per cent of the amount A/B if the applicant is not a pensioner but is responsible for a child or young person of the same household

where--

(A) A is the amount set by the authority as the council tax for the relevant financial year in respect of the dwelling in which he is a resident and for which he is liable, subject to any discount which may be appropriate to that dwelling under the 1992 Act; and

(B) B is the number of days in that financial year,

less any deductions in respect of non-dependants which fall to be made under paragraph 30 (non-dependant deductions: pensioners and persons who are not pensioners).

(2) In calculating a person's maximum council tax reduction under this scheme any reduction in the amount that person is liable to pay in respect of council tax, which is made in consequence of any enactment in, or made under, the 1992 Act (other than a reduction under this scheme), is to be taken into account.

(3) Subject to sub-paragraph (4), where an applicant is jointly and severally liable for council tax in respect of a dwelling in which he is resident with one or more other persons, in determining the maximum council tax reduction in his case in accordance with sub-paragraph (1), the amount A is to be divided by the number of persons who are jointly and severally liable for that tax.

(4) Where an applicant is jointly and severally liable for council tax in respect of a dwelling with only his partner, sub-paragraph (3) does not apply in his case.

(5) The reference in sub-paragraph (3) to a person with whom an applicant is jointly and severally liable for council tax, where the applicant is a person who is not a pensioner, does not include a student to whom paragraph 75(1) (entitlement of students to a reduction under this scheme) applies.

(6) In this paragraph "relevant financial year" means, in relation to any particular day, the financial year within which the day in question falls.

Non-dependant deductions: pensioners

(1) Subject to the following provisions of this paragraph, the non-dependant deductions in respect of a day referred to in paragraph 29 are--

- (a) in respect of a non-dependant aged 18 or over in remunerative work, £11.90 x 1/7;
- (b) in respect of a non-dependant aged 18 or over to whom paragraph (a) does not apply, £3.90 x 1/7.

(2) In the case of a non-dependant aged 18 or over to whom sub-paragraph (1)(a) applies, where it is shown to the appropriate authority that his normal gross weekly income is--

- (a) less than £202.85, the deduction to be made under this paragraph is that specified in sub-paragraph (1)(b);
- (b) not less than £202.85 but less than £351.65, the deduction to be made under this paragraph is £7.90 x 1/7;
- (c) not less than £351.65 but less than £436.90, the deduction to be made under this paragraph is £9.95 x 1/7.

(3) Only one deduction is to be made under this paragraph in respect of a couple or, as the case may be, members of a polygamous marriage (other than where there is an award of universal credit) and, where, but for this paragraph, the amount that would fall to be deducted in respect of one member of a couple or polygamous marriage is higher than the amount (if any) that would fall to be deducted in respect of the other, or any other, member, the higher amount is to be deducted.

(4) In applying the provisions of sub-paragraph (2) in the case of a couple or, as the case may be, a polygamous marriage, regard must be had, for the purpose of that sub-paragraph, to the couple's or, as the case may be, all members of the polygamous marriage's joint weekly gross income.

(5) Where in respect of a day--

- (a) a person is a resident in a dwelling but is not himself liable for council tax in respect of that dwelling and that day;
- (b) other residents in that dwelling (the liable persons) have joint and several liability for council tax in respect of that dwelling and that day otherwise than by virtue of section 9 of the 1992 Act (liability of spouses and civil partners); and
- (c) the person to whom paragraph (a) refers is a non-dependant of two or more of the liable persons,

the deduction in respect of that non-dependant must be apportioned equally between those liable persons.

(6) No deduction is to be made in respect of any non-dependants occupying an applicant's dwelling if the applicant or his partner is--

- (a) severely sight-impaired or blind or treated as such by virtue of by virtue of sub-paragraphs (12) or (13) below; or
- (b) receiving in respect of himself--
 - (i) attendance allowance, or would be receiving that allowance but for--
 - (aa) a suspension of benefit in accordance with regulations under section 113(2) of the SSCBA; or
 - (bb) an abatement as a result of hospitalisation; or

- (ii) the care component of the disability living allowance, or would be receiving that component but for--
 - (aa) a suspension of benefit in accordance with regulations under section 113(2) of the SSCBA; or
 - (bb) an abatement as a result of hospitalisation; or
 - (iii) the daily living component of personal independence payment, or would be receiving that allowance but for a suspension of benefit in accordance with regulations under section 86 of the Welfare Reform Act 2012 (hospital in-patients); or
 - (iv) an AFIP, or would be receiving that payment but for a suspension of it in accordance with any terms of the armed and reserve forces compensation scheme which allows for a suspension because a person is undergoing medical treatment in a hospital or similar institution.
- (7) No deduction is to be made in respect of a non-dependant if--
- (a) although he resides with the applicant, it appears to the authority that his normal home is elsewhere; or
 - (b) he is in receipt of a training allowance paid in connection with youth training established under section 2 of the Employment and Training Act 1973 or section 2 of the Enterprise and New Towns (Scotland) Act 1990; or
 - (c) he is a full-time student within the meaning of Part 11 (students); or
 - (d) he is not residing with the applicant because he has been a patient for a period in excess of 52 weeks, and for these purposes--
 - (i) "patient" has the meaning given in paragraph 19(6), and
 - (ii) where a person has been a patient for two or more distinct periods separated by one or more intervals each not exceeding 28 days, he is to be treated as having been a patient continuously for a period equal in duration to the total of those distinct periods; or
 - (e) he is not residing with the applicant because he is a member of the regular forces or the reserve forces (within the meaning of section 374 of the Armed Forces Act 2006) who is absent, while on operations, from the dwelling usually occupied as their home.
- (8) No deduction is to be made in respect of a non-dependant--
- (a) who is on income support, state pension credit, an income-based jobseeker's allowance or an income-related employment and support allowance;
 - (b) to whom Schedule 1 to the 1992 Act applies (persons disregarded for purposes of discount) but this paragraph does not apply to a non-dependant who is a student to whom paragraph 4 of that Schedule refers; or
 - (c) who is entitled to an award of universal credit where the award is calculated on the basis that the person does not have any earned income.
- (9) In the application of sub-paragraph (2) there is to be disregarded from the non-dependant's weekly gross income--
- (a) any attendance allowance, disability living allowance, personal independence payment or an AFIP received by him;
 - (b) any payment made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, the Scottish Infected Blood Support Scheme, an approved blood scheme, the London Emergencies Trust, the We Love Manchester Emergency

Fund; or the Independent Living Fund (2006) which are paid as income in kind (see sub-paragraph (13)); and

(c) the payments set out in sub-paragraph (10).

(10) The payments mentioned in sub-paragraph (9) are—

(a) any payment made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, the Scottish Infected Blood Support Scheme, an approved blood scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund or the Independent Living Fund (2006);

(b) any payment by or on behalf of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person, which derives from a payment made under or by any of the Trusts to which paragraph (a) refers and which is made to or for the benefit of—

(i) that person's partner or former partner from whom he is not, or where that person has died was not, estranged or divorced or with whom he has formed a civil partnership that has not been dissolved or, where that person has died, had not been dissolved at the time of that person's death;

(ii) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or

(iii) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family;

(c) any payment by or on behalf of the partner or former partner of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person provided that the partner or former partner and that person are not, or if either of them has died were not, estranged or divorced or, where the partner or former partner and that person have formed a civil partnership, the civil partnership has not been dissolved or, if either of them has died, had not been dissolved at the time of the death, which derives from a payment made under or by any of the Trusts to which paragraph (a) refers and which is made to or for the benefit of—

(i) the person who is suffering from haemophilia or who is a qualifying person;

(ii) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or

(iii) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family;

(d) any payment by a person who is suffering from haemophilia or who is a qualifying person, which derives from a payment under or by any of the Trusts to which paragraph (a) refers, where—

(i) that person has no partner or former partner from whom he is not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who is or had been a member of that person's family; and

(ii) the payment is made either—

(aa) to that person's parent or step-parent, or

(bb) where that person at the date of the payment is a child, a young person or a student who has not completed his full-time education and has no parent or step-parent, to his guardian,

but only for a period from the date of the payment until the end of two years from that person's death;

(e) any payment out of the estate of a person who suffered from haemophilia or who was a qualifying person, which derives from a payment under or by any of the Trusts to which paragraph (a) refers, where—

(i) that person at the date of his death (the relevant date) had no partner or former partner from whom he was not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who was or had been a member of his family; and

(ii) the payment is made either—

(aa) to that person's parent or step-parent, or

(bb) where that person at the relevant date was a child, a young person or a student who had not completed his full-time education and had no parent or step-parent, to his guardian,

but only for a period of two years from the relevant date;

(f) in the case of a person to whom or for whose benefit a payment referred to in this sub-paragraph is made, any income which derives from any payment of income or capital made under or deriving from any of the Trusts.

(g) any payment made under, or by, a trust which is approved by the Secretary of State and which is established for the purpose of giving relief and assistance to a disabled person whose disability was caused by their mother having taken a preparation containing the drug known as Thalidomide during her pregnancy.

(11) An applicant or his partner is severely sight-impaired or blind or treated as such for the purposes of sub-paragraph (6)(a) if the applicant or his partner—

(a) is registered as severely sight-impaired in a register kept by a local authority in Wales under section 18(1) of the Social Services and Well-being (Wales) Act 2014; or

(b) is registered as severely sight-impaired in a register kept by a local authority in England under section 77(1) of the Care Act 2014 (registers of sight-impaired adults); or

(c) in Scotland, has been certified as blind and in consequence he is registered in a register maintained by or on behalf of a council constituted under section 2 of the Local Government (Scotland) Act 1994.

(11A) For the purposes of sub-paragraph (8), “earned income” has the meaning given in regulation 52 of the Universal Credit Regulations 2013.]

(12) For the purposes of sub-paragraph (11), a person who has ceased to be registered as [severely sight-impaired or] blind on regaining his eyesight is nevertheless to be treated as [such] for a period of 28 weeks following the date on which he ceased to be so registered.

(13) The reference in sub-paragraph (9)(b) to “income in kind” does not include a payment to a third party made in respect of the applicant which is used by the third party to provide benefits in kind to the applicant.

Non-dependant deductions: persons who are not pensioners

30A

(1) Subject to the following provisions of this paragraph, the non-dependant deductions in respect of a day referred to in paragraph 29 are--

- (a) in respect of a non-dependant aged 18 or over in remunerative work, the figures as provided for at 30 (1) (a) above; ~~£10.95 x 1/7;~~
- (b) in respect of a non-dependant aged 18 or over to whom paragraph (a) does not apply, the figures as provided for at 30 (1) (b) above. ~~£3.65 x 1/7.~~

(2) In the case of a non-dependant aged 18 or over to whom sub-paragraph (1)(a) applies, where it is shown to the appropriate authority that his normal gross weekly income is--

- (a) less than the figures as provided for at 30 (2) (a) above, the deduction to be made under this paragraph is that specified in sub-paragraph (1)(b);
- (b) in accordance with the figures as provided for at 30 (2) (b) above;
- (c) in accordance with the figures as provided for at 30 (2) (c) above.

(3) Only one deduction is to be made under this paragraph in respect of a couple or, as the case may be, members of a polygamous marriage (other than where there is an award of universal credit) and, where, but for this paragraph, the amount that would fall to be deducted in respect of one member of a couple or polygamous marriage is higher than the amount (if any) that would fall to be deducted in respect of the other, or any other, member, the higher amount is to be deducted.

(4) In applying the provisions of sub-paragraph (2) in the case of a couple or, as the case may be, a polygamous marriage, regard must be had, for the purpose of that sub-paragraph, to the couple's or, as the case may be, all members of the polygamous marriage's joint weekly gross income.

(5) Where in respect of a day--

- (a) a person is a resident in a dwelling but is not himself liable for council tax in respect of that dwelling and that day;
- (b) other residents in that dwelling (the liable persons) have joint and several liability for council tax in respect of that dwelling and that day otherwise than by virtue of section 9 of the 1992 Act (liability of spouses and civil partners); and
- (c) the person to whom paragraph (a) refers is a non-dependant of two or more of the liable persons,

the deduction in respect of that non-dependant must be apportioned equally between those liable persons.

(6) No deduction is to be made in respect of any non-dependants occupying an applicant's dwelling if the applicant or his partner is--

- (a) blind or treated as blind by virtue of paragraph 10 of Schedule 3 (additional condition for the disability premium); or
- (b) receiving in respect of himself--
 - (i) attendance allowance, or would be receiving that allowance but for--

- (aa) a suspension of benefit in accordance with regulations under section 113(2) of the SSCBA; or
 - (bb) an abatement as a result of hospitalisation; or
 - (ii) the care component of the disability living allowance, or would be receiving that component but for--
 - (aa) a suspension of benefit in accordance with regulations under section 113(2) of the SSCBA; or
 - (bb) an abatement as a result of hospitalisation; or
 - (iii) the daily living component of personal independence payment, or would be receiving that allowance but for a suspension of benefit in accordance with regulations under section 86 of the Welfare Reform Act 2012 (hospital in-patients); or
 - (iv) an AFIP, or would be receiving that payment but for a suspension of it in accordance with any terms of the armed and reserve forces compensation scheme which allows for a suspension because a person is undergoing medical treatment in a hospital or similar institution.
- (7) No deduction is to be made in respect of a non-dependant if--
- (a) although he resides with the applicant, it appears to the authority that his normal home is elsewhere; or
 - (b) he is in receipt of a training allowance paid in connection with youth training established under section 2 of the Employment and Training Act 1973 or section 2 of the Enterprise and New Towns (Scotland) Act 1990; or
 - (c) he is a full-time student within the meaning of Part 11 (students); or
 - (d) he is not residing with the applicant because he has been a patient for a period in excess of 52 weeks, and for these purposes--
 - (i) "patient" has the meaning given in paragraph 19(6), and
 - (ii) where a person has been a patient for two or more distinct periods separated by one or more intervals each not exceeding 28 days, he is to be treated as having been a patient continuously for a period equal in duration to the total of those distinct periods.
- (8) No deduction is to be made in respect of a non-dependant--
- (a) who is on income support, state pension credit, an income-based jobseeker's allowance or an income-related employment and support allowance; or
 - (b) to whom Schedule 1 to the 1992 Act applies (persons disregarded for purposes of discount) but this paragraph does not apply to a non-dependant who is a student to whom paragraph 4 of that Schedule refers.
- (9) In the application of sub-paragraph (2) there is to be disregarded from the non-dependant's weekly gross income--
- (a) any attendance allowance, disability living allowance, personal independence payment or an AFIP received by him;
 - (b) any payment made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006) which, had his income fallen to be calculated under paragraph 54 (calculation of income other than earnings: persons who

are not pensioners), would have been disregarded under paragraph 28 of Schedule 8 (income in kind); and

(c) any payment which, had his income fallen to be calculated under paragraph 54, would have been disregarded under paragraph 41 of Schedule 8 (payments made under certain trusts and certain other payments).

Part 8

Alternative Maximum Council Tax Reduction for the Purposes of Calculating Eligibility for a Reduction Under this Scheme and Amount of Reduction

Alternative maximum council tax reduction under this scheme: pensioners and persons who are not pensioners

31

(1) Subject to sub-paragraphs (2) and (3), the alternative maximum council tax reduction in respect of a day where the conditions set out in paragraph 15 (alternative maximum council tax reduction: pensioners) or 18 (alternative maximum council tax reduction: persons who are not pensioners) are fulfilled, is the amount determined in accordance with Schedule 4 (amount of alternative council tax reduction).

(2) Subject to sub-paragraph (3), where an applicant is jointly and severally liable for council tax in respect of a dwelling in which he is resident with one or more other persons, in determining the alternative maximum council tax reduction in his case, the amount determined in accordance with Schedule 4 must be divided by the number of persons who are jointly and severally liable for that tax.

(3) Where an applicant is jointly and severally liable for council tax in respect of a dwelling with only his partner, solely by virtue of section 9 of the 1992 Act (liability of spouses and civil partners), sub-paragraph (2) does not apply in his case.

Part 9

Amount of Reduction Under this Scheme

Amount of reduction under this scheme: Classes A to F

32

(1) Where a person is entitled to a reduction under this scheme in respect of a day, the amount of the reduction to which he is entitled is as follows.

(2) Where the person is within class A or D, that amount is the amount which is the maximum council tax reduction in respect of the day in the applicant's case.

(3) Where the person is within class B or E, that amount is the amount found by deducting amount B from amount A, where "amount A" and "amount B" have the meanings given in paragraph 14(f) or 17(f), as the case may be.

(4) Where the person is within class C or F, that amount is the amount which is the alternative maximum council tax reduction in respect of the day in the applicant's case.

(5) Sub-paragraph (6) applies where both--

(a) sub-paragraph (2) or sub-paragraph (3), and

- (b) sub-paragraph (4),

apply to a person.

- (6) The amount of the reduction to which the person is entitled is whichever is the greater of--
 - (a) the amount of the reduction given by sub-paragraph (2) or sub-paragraph (3), as the case may be, and
 - (b) the amount of the reduction given by sub-paragraph (4).

Part 10
Income and Capital for the Purposes of Calculating Eligibility for a Reduction Under this Scheme and Amount of Reduction

Chapter 1
Income and Capital: General

Calculation of income and capital: applicant's family and polygamous marriages

33

- (1) The income and capital of--
 - (a) an applicant; and
 - (b) any partner of that applicant,

is to be calculated in accordance with the provisions of this Part.

- (2) The income and capital of any partner of the applicant is to be treated as income and capital of the applicant, and in this Part any reference to the applicant applies equally to any partner of that applicant.
- (3) Except where paragraph 37 applies, where an applicant or the partner of an applicant is married polygamously to two or more members of his household--
 - (a) the applicant must be treated as possessing capital and income belonging to each such member; and
 - (b) the income and capital of that member is to be calculated in accordance with the following provisions of this Part in like manner as for the applicant.

Circumstances in which income and capital of non-dependant is to be treated as applicant's

34

- (1) Sub-paragraph (2) applies where it appears to the authority that a non-dependant and an applicant have entered into arrangements in order to take advantage of this scheme and the non-dependant has more income and capital than the applicant.
- (2) Except where--
 - (a) the applicant is a pensioner and is on a guarantee credit, or

- (b) the applicant is not a pensioner and is on income support, an income-based jobseeker's allowance or an income-related employment and support allowance,

the authority must treat the applicant as possessing income and capital belonging to that non-dependant and, in such a case, any income and capital which the applicant does possess is to be disregarded.

(3) Where an applicant is treated as possessing income and capital belonging to a non-dependant under sub-paragraph (2) the income and capital of that non-dependant must be calculated in accordance with the following provisions of this Part in like manner as for the applicant and, except where the context otherwise requires, any reference to the "applicant" is to be construed for the purposes of this Part as if it were a reference to that non-dependant.

Chapter 2

Income and Capital: Pensioners in Receipt of Guarantee Credit or Savings Credit

Applicant in receipt of guarantee credit: pensioners

35

In the case of an applicant who is a pensioner and who is in receipt, or whose partner is in receipt, of a guarantee credit, the whole of his capital and income must be disregarded.

Calculation of applicant's income and capital in savings credit only cases: pensioners

36

(1) In determining the income and capital of an applicant who is a pensioner and who has, or whose partner has, an award of state pension credit comprising only the savings credit, subject to the following provisions of this paragraph, the authority must use the calculation or estimate of the applicant's or as the case may be, the applicant's partner's income and capital made by the Secretary of State for the purpose of determining the award of state pension credit.

(2) Where the calculation or estimate provided by the Secretary of State includes the amount taken into account in that determination in respect of net income, the authority may only adjust that amount so far as necessary to take into account--

- (a) the amount of any savings credit payable;
- (b) in respect of any dependent children of the applicant, child care charges taken into account under paragraph 57(1)(c) (calculation of income on a weekly basis);
- (c) the higher amount disregarded under this scheme in respect of--
 - (i) lone parent's earnings; or
 - (ii) payments of maintenance, whether under a court order or not, which is made or due to be made by--
 - (aa) the applicant's former partner, or the applicant's partner's former partner; or
 - (bb) the parent of a child or young person where that child or young person is a member of the applicant's family except where that parent is the applicant or the applicant's partner;
- (d) any amount to be disregarded by virtue of paragraph 10(1) of Schedule 5 (sums disregarded from applicant's earnings: pensioners);
- (e) the income and capital of any partner of the applicant who is treated as a member of the applicant's household under paragraph 8, to the extent that it is not taken into account in determining the net income of the person claiming state pension credit;

- (f) paragraph 34 (circumstances in which capital and income of a non-dependant is to be treated as applicant's), if the authority determines that that provision applies in the applicant's case;
 - (g) such further reduction (if any) as the authority thinks fit under section 13A(1)(c) of the 1992 Act (power of billing authority to reduce amount of council tax payable);
 - (h) any amount to be disregarded by virtue of paragraph 6 of Schedule 5 (exempt work).
- (3) Paragraphs 39 to 46 (calculation of income: pensioners) and 57 to 61 (calculation of income: pensioners and persons who are not pensioners) do not apply to the amount of the net income to be taken into account under sub-paragraph (1), but do apply (so far as relevant) for the purpose of determining any adjustments to that amount which the authority makes under sub-paragraph (2).
- (4) If sub-paragraph (5) applies, the authority must calculate the applicant's capital in accordance with paragraphs 63, 65 to 68 and 70 (calculation of capital: pensioners).
- (5) This sub-paragraph applies if--
- (a) the Secretary of State notifies the authority that the applicant's capital has been determined as being £16,000 or less or the authority determines his capital as being £16,000 or less;
 - (b) subsequent to that determination the applicant's capital rises to more than £16,000; and
 - (c) the increase occurs whilst there is in force an assessed income period within the meaning of sections 6 and 9 of the State Pension Credit Act 2002.

Chapter 3

Income and Capital Where there is an Award of Universal Credit

Calculation of income and capital: persons who are not pensioners who have an award of universal credit

37

- (1) In determining the income of an applicant--
- (a) who has, or
 - (b) who (jointly with his partner) has,

an award of universal credit the authority must, subject to the following provisions of this paragraph, use the calculation or estimate of the amount of the income of the applicant, or the applicant and his partner jointly (as the case may be), made by the Secretary of State for the purpose of determining the award of universal credit.

- (2) The authority must adjust the amount of the income referred to in sub-paragraph (1) by multiplying the amount by 12 and dividing the product by 52.
- (3) The authority may only adjust the amount of the income as adjusted in accordance with sub-paragraph (2) so far as necessary to take into account--
- (a) the amount of the award of universal credit, determined in accordance with sub-paragraph (3);
 - (b) paragraph 34 (circumstances in which income and capital of non-dependant is to be treated as applicant's), if the authority determines that the provision applies in the applicant's case;
 - (c) such further reduction (if any) as the authority thinks fit under section 13A(1)(c) of the 1992 Act (power of billing authority to reduce amount of council tax payable).

(4) The amount for the award of universal credit to be taken into account for the purposes of sub-paragraph (3)(a) is to be determined by multiplying the amount of the award of universal credit by 12 and dividing the product by 52.

(5) Paragraph 34 (income and capital of non-dependant to be treated as applicant's) applies for the purpose of determining any adjustments which fall to be made to the figure for income under sub-paragraph (3).

(6) In determining the capital of an applicant--

- (a) who has, or
- (b) who (jointly with his partner) has,

an award of universal credit, the authority must use the calculation or estimate of the capital of the applicant, or the applicant and his partner jointly (as the case may be), made by the Secretary of State for the purpose of determining the award of universal credit.

Chapter 4 **Income: Other Pensioners**

Calculation of income and capital where state pension credit is not payable: pensioners

38

Where neither paragraph 35 (applicant in receipt of guarantee credit: pensioners) nor 36 (applicant in receipt of savings credit only: pensioners) applies in the applicant's case, his income and capital is to be calculated or estimated in accordance with paragraphs 39 to 46 and 57 to 62 (calculation of income) and Chapter 7 of this Part (calculation of capital).

Meaning of "income": pensioners

39

(1) For the purposes of classes A to C in this scheme, "income" means income of any of the following descriptions--

- (a) earnings;
- (b) working tax credit;
- (c) retirement pension income within the meaning of the State Pension Credit Act 2002;
- (d) income from annuity contracts (other than retirement pension income);
- (e) a war disablement pension or war widow's or widower's pension;
- (f) a foreign war disablement pension or war widow's or widower's pension;
- (g) a guaranteed income payment;
- (h) a payment made under article 29(1)(c) of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011, in any case where article 31(2)(c) applies;
- (i) income from capital other than capital disregarded under Part 1 of Schedule 9;
- (j) social security benefits, other than retirement pension income or any of the following benefits--
 - (i) disability living allowance;
 - (ii) personal independence payment;

- (iii) an AFIP;
- (iv) attendance allowance payable under section 64 of the SSCBA (entitlement to attendance allowance);
- (v) an increase of disablement pension under section 104 (increase for constant attendance) or 105 of that Act (increase for exceptionally severe disablement);
- (vi) child benefit;
- (vii) any guardian's allowance payable under section 77 of the SSCBA (guardian's allowance);
- (viii) any increase for a dependant, other than the applicant's partner, payable in accordance with Part 4 of that Act (increases for dependants);
- (ix) any--
 - (aa) social fund payment made under Part 8 of the SSCBA (the social fund), or
 - (bb) occasional assistance;
- (x) Christmas bonus payable under Part 10 of that Act (Christmas bonus for pensioners);
- (xi) housing benefit;
- (xii) council tax benefit;
- (xiii) bereavement support payment under section 30 of the Pensions Act 2014;
- (xiv) statutory sick pay;
- (xv) statutory maternity pay;
- (xvi) statutory paternity pay payable under Part 12ZA of the SSCBA;
- (xvia) statutory shared parental pay payable under Part 12ZC of the SSCBA;
- (xviii) statutory adoption pay payable under Part 12ZB of that Act (statutory adoption pay);
- (xix) any benefit similar to those mentioned in the preceding provisions of this paragraph payable under legislation having effect in Northern Ireland;
- (k) all foreign social security benefits which are similar to the social security benefits mentioned above;
- (l) a payment made--
 - (i) under article 30 of the Naval, Military and Air Forces Etc (Disablement and Death) Service Pensions Order 2006 (award for children who have reached the child's age limit), in any case where article 30(1)(b) applies; or
 - (ii) under article 12(8) of that Order (unemployability allowances: children who have reached the child's age limit), in any case where sub-paragraph (b) of that article applies;
- (m) a pension paid by a government to victims of National Socialist;
- (n) payments under a scheme made under the Pneumoconiosis etc (Worker's Compensation) Act 1979;
- (o) payments made towards the maintenance of the applicant by his spouse, civil partner, former spouse or former civil partner or towards the maintenance of the applicant's partner by his spouse, civil partner, former spouse or former civil partner, including payments made--
 - (i) under a court order;
 - (ii) under an agreement for maintenance; or

- (iii) voluntarily;
 - (p) payments due from any person in respect of board and lodging accommodation provided by the applicant;
 - (q) royalties or other sums paid as a consideration for the use of, or the right to use, any copy-right, design, patent or trade mark;
 - (r) any payment in respect of any--
 - (i) book registered under the Public Lending Right Scheme 1982; or
 - (ii) work made under any international public lending right scheme that is analogous to the Public Lending Right Scheme 1982;
 - (s) any payment, other than a payment ordered by a court or made in settlement of a claim, made by or on behalf of a former employer of a person on account of the early retirement of that person on grounds of ill-health or disability;
 - (t) any sum payable by way of pension out of money provided under--
 - (i) the Civil List Act 1837,
 - (ii) the Civil List Act 1937,
 - (iii) the Civil List Act 1952,
 - (iv) the Civil List Act 1972, or
 - (v) the Civil List Act 1975;
 - (u) any income in lieu of that specified in paragraphs (a) to (r);
 - (v) any payment of rent made to an applicant who--
 - (i) owns the freehold or leasehold interest in any property or is a tenant of any property;
 - (ii) occupies part of the property; and
 - (iii) has an agreement with another person allowing that person to occupy that property on payment of rent;
 - (w) any payment made at regular intervals under an equity release scheme;
 - (x) PPF periodic payments within the meaning of section 17(1) of the State Pension Credit Act 2002.
- (2) Where the payment of any social security benefit referred to in sub-paragraph (1), or retirement pension income to which section 16(1)(za) to (e) f the State Pension Credit Act 2002 applies, is subject to any deduction (other than an adjustment specified in sub-paragraph (4)) the amount to be taken into account under sub-paragraph (1) is to be the amount before the deduction is made.
- (3) Where an award of any working tax credit or child tax credit is subject to a deduction by way of recovery of an overpayment of working tax credit or child tax credit which arose in a previous tax year the amount to be taken into account under sub-paragraph (1) is to be the amount of working tax credit or child tax credit awarded less the amount of that deduction.
- (4) The adjustments specified in this sub-paragraph are those made in accordance with--
- (a) the Social Security (Overlapping Benefits) Regulations 1979;
 - (b) the Social Security (Hospital In-Patients) Regulations 1975;

- (c) section 30DD or section 30E of the SSCBA (reductions in incapacity benefit in respect of pensions and councillor's allowances);
- (d) section 3 of the Welfare Reform Act 2007 (deductions from contributory employment and support allowance in respect of pensions and councillor's allowances) and regulations made under it;
- (e) section 14 of the Pensions Act 2014 (pension sharing: reduction in sharer's section 4 pension);
- (f) section 45B or 55B of the Social Security Contributions and Benefits Act 1992 (reduction in additional pension in Category A retirement pension and shared additional pension: pension sharing).

(5) In sub-paragraph (1)(w), "equity release scheme" means a loan--

- (a) made between a person ("the lender") and the applicant;
- (b) by means of which a sum of money is advanced by the lender to the applicant by way of payments at regular intervals; and
- (c) which is secured on a dwelling in which the applicant owns an estate or interest and which he occupies as his home.

Calculation of weekly income: pensioners

40

(1) Except in a case within sub-paragraph (2), (3A), or (4A) or (5), for the purposes of calculating the weekly income of an applicant who is a pensioner, where the period in respect of which a payment is made--

- (a) does not exceed a week, the whole of that payment is to be included in the applicant's weekly income;
- (b) exceeds a week, the amount to be included in the applicant's weekly income is to be determined--
 - (i) in a case where that period is a month, by multiplying the amount of the payment by 12 and dividing the product by 52;
 - (ii) in a case where that period is three months, by multiplying the amount of the payment by 4 and dividing the product by 52;
 - (iii) in a case where that period is a year, by dividing the amount of the payment by 52;
 - (iv) in any other case, by multiplying the amount of the payment by 7 and dividing the product by the number of days in the period in respect of which it is made.

(2) Sub-paragraph (3) applies where--

- (a) the applicant's regular pattern of work is such that he does not work the same hours every week; or
- (b) the amount of the applicant's income fluctuates and has changed more than once.

(3) The weekly amount of that applicant's income is to be determined--

(a) if, in a case to which sub-paragraph (2)(a) applies, there is a recognised cycle of work, by reference to his average weekly income over the period of the complete cycle (including, where the cycle involves periods in which the applicant does no work, those periods but disregarding any other absences); or

(b) in any other case, on the basis of--

(i) the last two payments if those payments are one month or more apart;

(ii) the last four payments if the last two payments are less than one month apart; or

(iii) calculating or estimating such other payments as may, in the particular circumstances of the case, enable the applicant's average weekly income to be determined more accurately.

(3A) Income calculated pursuant to sub-paragraphs (2) and (3) must be taken into account—

(a) in the case of an application, on the date on which the application was made or treated as made, and the first day of each reduction week thereafter;

(b) in the case of an application or a reduction under a scheme where the applicant commences employment, the first day of the reduction week following the date the applicant commences that employment, and the first day of each reduction week thereafter; or

(c) in the case of an application or a reduction under a scheme where the applicant's average weekly earnings from employment change, the first day of the reduction week following the date the applicant's earnings from employment change so as to require recalculation under this paragraph, and the first day of each reduction week thereafter,

regardless of whether those earnings were actually received in that reduction week.

(4) For the purposes of sub-paragraph (3)(b) the last payments are the last payments before the date the application was made or treated as made.

(4A) An applicant's earnings from employment as an employed earner not calculated pursuant to sub-paragraphs (2) and (3) must be taken into account—

(a) in the case of an application, on the date on which the application was made or treated as made, and the first day of each reduction week thereafter;

(b) in the case of an application or a reduction under a scheme where the applicant commences employment, the first day of the reduction week following the date the applicant commences that employment, and the first day of each reduction week thereafter; or

(c) in the case of an application or a reduction under a scheme where the applicant's average weekly earnings from employment change, the first day of the reduction week following the date of the change, and the beginning of each reduction week thereafter,

regardless of whether those earnings were actually received in that reduction week.

(5) If the applicant is entitled to receive a payment to which sub-paragraph (6) applies, the amount of that payment is to be treated as if made in respect of a period of a year.

(6) This sub-paragraph applies to--

(a) royalties or other sums paid as a consideration for the use of, or the right to use, any copy-right, design, patent or trade mark;

(b) any payment in respect of any--

(i) book registered under the Public Lending Right Scheme 1982; or

(ii) work made under any international public lending right scheme that is analogous to the Public Lending Right Scheme 1982; and

(c) any payment which is made on an occasional basis.

(7) The period under which any benefit under the benefit Acts is to be taken into account is to be the period in respect of which that benefit is payable.

(8) Where payments are made in a currency other than Sterling, the value of the payment is to be determined by taking the Sterling equivalent on the date the payment is made.

(9) The sums specified in Schedule 5 are to be disregarded in calculating--

(a) the applicant's earnings; and

(b) any amount to which sub-paragraph (6) applies where the applicant is the first owner of the copyright, design, patent or trademark, or an original contributor to the book or work referred to in sub-paragraph (6)(b).

(10) For the purposes of sub-paragraph (9)(b), and for that purpose only, the amounts specified in sub-paragraph (6) is to be treated as though they were earnings.

(11) Income specified in Schedule 6 is to be disregarded in the calculation of the applicant's income.

(12) Schedule 9 (capital disregards: pensioners) has effect so that--

(a) the capital specified in Part 1 is disregarded for the purpose of determining an applicant's income; and

(b) the capital specified in Part 2 is disregarded for the purpose of determining an applicant's income under paragraph 71 (calculation of tariff income from capital: pensioners).

(13) In the case of any income taken into account for the purpose of calculating a person's income any amount payable by way of tax is disregarded.

Earnings of employed earners: pensioners

41

(1) Subject to sub-paragraph (2), "earnings", in the case of employment as an employed earner who is a pensioner, means any remuneration or profit derived from that employment and includes--

(a) any bonus or commission;

(b) any payment in lieu of remuneration except any periodic sum paid to an applicant on account of the termination of his employment by reason of redundancy;

(c) any payment in lieu of notice;

(d) any holiday pay;

(e) any payment by way of a retainer;

(f) any payment made by the applicant's employer in respect of expenses not wholly, exclusively and necessarily incurred in the performance of the duties of the employment, including any payment made by the applicant's employer in respect of--

(i) travelling expenses incurred by the applicant between his home and place of employment;

- (ii) expenses incurred by the applicant under arrangements made for the care of a member of his family owing to the applicant's absence from home;
- (g) the amount of any payment by way of a non-cash voucher which has been taken into account in the computation of a person's earnings in accordance with Part 5 of Schedule 3 to the Social Security (Contributions) Regulations 2001;
- (h) statutory sick pay and statutory maternity pay payable by the employer under the SSCBA;
- (i) statutory paternity pay payable under Part 12ZA of that Act;
- (ia) statutory shared parental pay payable under Part 12ZC of the SSCBA;
- (j) statutory adoption pay payable under Part 12ZB of that Act;
- (k) any sums payable under a contract of service--
 - (i) for incapacity for work due to sickness or injury; or
 - (ii) by reason of pregnancy or confinement.
- (2) Earnings does not include--
 - (a) subject to sub-paragraph (3), any payment in kind;
 - (b) any payment in respect of expenses wholly, exclusively and necessarily incurred in the performance of the duties of the employment;
 - (c) any occupational pension;
 - (d) any lump sum payment made under the Iron and Steel Re-adaptation Benefits Scheme;
 - (e) any payment of compensation made pursuant to an award by an employment tribunal established under the Employment Tribunals Act 1996 in respect of unfair dismissal or unlawful discrimination;
 - (f) any payment in respect of expenses arising out of the applicant participating as a service user.
- (3) Sub-paragraph (2)(a) does not apply in respect of any non-cash voucher referred to in sub-paragraph (1)(g).

Calculation of net earnings of employed earners: pensioners

42

- (1) For the purposes of paragraph 57 (calculation of income on a weekly basis), the earnings of an applicant who is a pensioner derived or likely to be derived from employment as an employed earner to be taken into account must, subject to paragraph 40(5) and Schedule 5 (sums to be disregarded from earnings: pensioners), be his net earnings.
- (2) For the purposes of sub-paragraph (1) net earnings must, except where sub-paragraph (5) applies, be calculated by taking into account the gross earnings of the applicant from that employment over the assessment period, less--
 - (a) any amount deducted from those earnings by way of--
 - (i) income tax;
 - (ii) primary Class 1 contributions under the SSCBA;

- (b) one-half of any sum paid by the applicant by way of a contribution towards an occupational pension scheme;
 - (c) one-half of the amount calculated in accordance with sub-paragraph (4) in respect of any qualifying contribution payable by the applicant; and
 - (d) where those earnings include a payment which is payable under any enactment having effect in Northern Ireland and which corresponds to statutory sick pay, statutory maternity pay, ~~ordinary or additional~~ statutory paternity pay, statutory shared parental pay; or statutory adoption pay, any amount deducted from those earnings by way of any contributions which are payable under any enactment having effect in Northern Ireland and which correspond to primary Class 1 contributions under the SSCBA.
- (3) In this paragraph "qualifying contribution" means any sum which is payable periodically as a contribution towards a personal pension scheme.
- (4) The amount in respect of any qualifying contribution is to be calculated by multiplying the daily amount of the qualifying contribution by the number equal to the number of days in the assessment period; and for the purposes of this paragraph the daily amount of the qualifying contribution is to be determined--
- (a) where the qualifying contribution is payable monthly, by multiplying the amount of the qualifying contribution by 12 and dividing the product by 365;
 - (b) in any other case, by dividing the amount of the qualifying contribution by the number equal to the number of days in the period to which the qualifying contribution relates.
- (5) Where the earnings of an applicant are determined under paragraph 40(2)(b) (calculation of weekly income: pensioners) his net earnings is to be calculated by taking into account those earnings over the assessment period, less--
- (a) an amount in respect of income tax equivalent to an amount calculated by applying to those earnings the basic rate, or in the case of a Scottish taxpayer, the Scottish basic rate, of tax applicable to the assessment period less only the personal reliefs to which the applicant is entitled under Chapters 2, 3 and 3A of Part 3 of the Income Tax Act 2007 as are appropriate to his circumstances but, if the assessment period is less than a year, the earnings to which the basic rate, or the Scottish basic rate, of tax is to be applied and the amount of the personal reliefs deductible under this sub-paragraph is to be calculated on a pro rata basis;
 - (b) an amount equivalent to the amount of the primary Class 1 contributions that would be payable by him under the SSCBA in respect of those earnings if such contributions were payable; and
 - (c) one-half of any sum which would be payable by the applicant by way of a contribution towards an occupational or personal pension scheme, if the earnings so estimated were actual earnings.

Calculation of earnings of self-employed earners: pensioners

43

- (1) Where the earnings of an applicant who is a pensioner consist of earnings from employment as a self-employed earner, the weekly amount of his earnings is to be determined by reference to his average weekly earnings from that employment--
- (a) over a period of one year; or
 - (b) where the applicant has recently become engaged in that employment or there has been a change which is likely to affect the normal pattern of business, over such other period ("computation period") as may, in the particular case, enable the weekly amount of his earnings to be determined more accurately.

(2) For the purposes of determining the weekly amount of earnings of an applicant to whom sub-paragraph (1)(b) applies, his earnings over the computation period are to be divided by the number equal to the number of days in that period and the product multiplied by 7.

(3) The period over which the weekly amount of an applicant's earnings is calculated in accordance with this paragraph is to be his assessment period.

Earnings of self-employed earners: pensioners

44

(1) Subject to sub-paragraph (2), "earnings", in the case of employment as a self-employed earner who is a pensioner, means the gross income of the employment.

(2) "Earnings" in the case of employment as a self-employed earner does not include--

(a) where an applicant occupies a dwelling as his home and he provides in that dwelling board and lodging accommodation for which payment is made, those payments;

(b) any payment made by a local authority to an applicant--

(i) with whom a person is accommodated by virtue of arrangements made under section 22C of the Children Act 1989 or, as the case may be, section 26 or 26A of the Children (Scotland) Act 1995 or in Wales placed with the applicant or the applicant's partner by a local authority under section 81 of the Social Services and Well-being (Wales) Act 2014; or

(ii) with whom a local authority fosters a child under the Looked After Children (Scotland) Regulations 2009 or who is a kinship carer under those Regulations;

(c) any payment made by a voluntary organisation in accordance with section 59(1)(a) of the Children Act 1989 (provision of accommodation by voluntary organisations);

(d) any payment made to the applicant or his partner for a person ("the person concerned") who is not normally a member of the applicant's household but is temporarily in his care, by--

(i) a local authority but excluding payments of housing benefit made in respect of the person concerned;

(ii) a voluntary organisation;

(iii) the person concerned where the payment is for the provision of accommodation in respect of the meeting of that person's needs under section 18 or 19 of the Care Act 2014 (duty and power to meet needs for care and support);

(iv) the National Health Service Commissioning Board or a clinical commissioning group established under section 14D of the National Health Service Act 2006;

(v) a Local Health Board established under section 11 of the National Health Service (Wales) Act 2006; or

(vi) the persons concerned where the payment is for the provision of accommodation to meet that person's needs for care and support under section 35 or 36 of the Social Services and Well-being (Wales) Act 2014 (respectively, duty and power to meet care and support needs of an adult);

(da) any payment or part of a payment made by a local authority in accordance with section 26A of the Children (Scotland) Act 1995 (duty to provide continuing care) to a person ("A") which A passes on to the applicant where A—

- (i) was formerly in the applicant's care;
- (ii) is aged 16 or over; and
- (iii) continues to live with the applicant;
- (db) any payments made to an applicant under section 73(1)(b) of the Children and Young People (Scotland) Act 2014 (kinship care assistance: further provisions);
- (e) any sports award.

Notional income: pensioners

45

- (1) An applicant who is a pensioner is to be treated as possessing--
 - (a) subject to sub-paragraph (2), the amount of any retirement pension income--
 - (i) for which no claim has been made; and
 - (ii) to which he might expect to be entitled if a claim for it were made;
 - (b) income from an occupational pension scheme which the applicant elected to defer.
- (2) Sub-paragraph (1)(a) does not apply to the following where entitlement has been deferred--
 - (a) a Category A or Category B retirement pension payable under sections 43 to 55 of the SSCBA;
 - (b) a shared additional pension payable under section 55A or 55AA of the SSCBA;
 - (c) graduated retirement benefit payable under sections 36 and 37 of the National Insurance Act 1965;
 - (d) a state pension under Part 1 of the Pensions Act 2014.
- (3) For the purposes of sub-paragraph (2), entitlement has been deferred--
 - (a) in the case of a Category A or Category B pension, in the circumstances specified in section 55(3) of the SSCBA;
 - (b) in the case of a shared additional pension, in the circumstances specified in section 55C(3) of the SSCBA;
 - (c) in the case of graduated retirement benefit, in the circumstances specified in section 36(4) and (4A) of the National Insurance Act 1965;
 - (d) in the case of a state pension under Part 1 of the Pensions Act 2014, in the circumstances specified in section 17(7) and (8) of that Act.
- (4) This sub-paragraph applies where a person who has attained the qualifying age for state pension credit--
 - (a) is entitled to money purchase benefits under an occupational pension scheme or a personal pension scheme;
 - (b) fails to purchase an annuity with the funds available in that scheme; and

(c) either--

- (i) defers in whole or in part the payment of any income which would have been payable to him by his pension fund holder, or
- (ii) fails to take any necessary action to secure that the whole of any income which would be payable to him by his pension fund holder upon his applying for it, is so paid, or
- (iii) income withdrawal is not available to him under that scheme.

(5) Where sub-paragraph (4) applies, the amount of any income foregone is to be treated as possessed by that person, but only from the date on which it could be expected to be acquired were an application for it to be made.

(6) The amount of any income foregone in a case where sub-paragraph (4)(c)(i) or (ii) applies is to be the rate of the annuity which may have been purchased with the fund and must be determined by the authority, taking account of information provided by the pension fund holder.

(7) The amount of any income foregone in a case where sub-paragraph (4)(c)(iii) applies is to be the income that the applicant could have received without purchasing an annuity had the funds held under the relevant scheme been held under a personal pension scheme or occupational pension scheme where income withdrawal was available and is to be determined in the manner specified in sub-paragraph (6).

(8) In sub-paragraph (4), "money purchase benefits" has the same meaning as in the Pension Schemes Act 1993.

(9) Subject to sub-paragraphs (10), (11A), (11B) and (12), a person is to be treated as possessing income of which he has deprived himself for the purpose of securing entitlement to a reduction under this scheme or increasing the amount of the reduction.

(10) Sub-paragraph (9) does not apply in respect of the amount of an increase of pension or benefit where a person, having made an election in favour of that increase of pension or benefit under Schedule 5 or 5A to the SSCBA or under Schedule 1 to the Social Security (Graduated Retirement Benefit) Regulations 2005, changes that election in accordance with regulations made under Schedule 5 or 5A to that Act in favour of a lump sum.

(11) In sub-paragraph (10), "lump sum" means a lump sum under Schedule 5 or 5A to the SSCBA or under Schedule 1 to the Social Security (Graduated Retirement Benefit) Regulations 2005.

(11A) Sub-paragraph (9) does not apply in respect of the amount of an increase of pension where a person, having made a choice in favour of that increase of pension under section 8(2) of the Pensions Act 2014, alters that choice in accordance with Regulations made under section 8(7) of that Act in favour of a lump sum.

(11B) Sub-paragraph (9) does not apply in respect of the amount of an increase of pension where a person, having made a choice in favour of that increase of pension in accordance with Regulations made under section 10 of the Pensions Act 2014, which include provision corresponding or similar to section 8(2) of that Act, alters that choice in favour of a lump sum, in accordance with Regulations made under section 10 of that Act, which include provision corresponding or similar to Regulations made under section 8(7) of that Act.

(11C) In sub-paragraph (11A), "lump sum" means a lump sum under section 8 of the Pensions Act 2014.

(11D) In sub-paragraph (11B), "lump sum" means a lump sum under Regulations made under section 10 of the Pensions Act 2014 which include provision corresponding or similar to section 8 of that Act.

(12) Sub-paragraph (9) does not apply in respect of any amount of income other than earnings, or earnings of an employed earner, arising out of the applicant participating as a service user.

(13) Where an applicant is in receipt of any benefit under the benefit Acts and the rate of that benefit is altered with effect from a date on or after 1st April in any year but not more than 14 days thereafter, the authority must treat the applicant as possessing such benefit at the altered rate from either 1st April or the first Monday in April in that year, whichever date the authority selects to apply, to the date on which the altered rate is to take effect.

(14) In the case of an applicant who has, or whose partner has, an award of state pension credit comprising only the savings credit, where the authority treats the applicant as possessing any benefit at the altered rate in accordance with sub-paragraph (13), the authority must--

(a) determine the income and capital of that applicant in accordance with paragraph 36(1) (calculation of applicant's income in savings credit only cases: pensioners) where the calculation or estimate of that income and capital is altered with effect from a date on or after 1st April in any year but not more than 14 days thereafter; and

(b) treat that applicant as possessing such income and capital at the altered rate by reference to the date selected by the relevant authority to apply in its area, for the purposes of establishing the period referred to in sub-paragraph (13).

(15) For the purposes of sub-paragraph (9), a person is not to be regarded as depriving himself of income where--

(a) his rights to benefits under a registered pension scheme are extinguished and in consequence of this he receives a payment from the scheme, and

(b) that payment is a trivial commutation lump sum within the meaning given by paragraph 7 of Schedule 29 to the Finance Act 2004.

(16) In sub-paragraph (15), "registered pension scheme" has the meaning given in section 150(2) of the Finance Act 2004.

Income paid to third parties: pensioners

46

(1) Any payment of income, other than a payment specified in sub-paragraph (2) or (3), to a third party in respect of an applicant who is a pensioner is to be treated as possessed by the applicant.

(2) Sub-paragraph (1) does not apply in respect of a payment of income made under an occupational pension scheme, in respect of a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund where--

(a) a bankruptcy order has been made in respect of the person in respect of whom the payment has been made or, in Scotland, the estate of that person is subject to sequestration or a judicial factor has been appointed on that person's estate under section 41 of the Solicitors (Scotland) Act 1980;

(b) the payment is made to the trustee in bankruptcy or any other person acting on behalf of the creditors; and

(c) the person referred to in paragraph (a) and his partner does not possess, or is not treated as possessing, any other income apart from that payment.

(3) Sub-paragraph (1) does not apply in respect of any payment of income other than earnings, or earnings derived from employment as an employed earner, arising out of the applicant participating as a service user.

Chapter 5

Income: Persons Who are Not Pensioners

Average weekly earnings of employed earners: persons who are not pensioners

47

(1) Where the income of an applicant who is not a pensioner consists of earnings from employment as an employed earner his average weekly earnings must be estimated by reference to his earnings from that employment--

(a) over a period immediately preceding the reduction week in which the application is made or treated as made and being a period of--

(i) 5 weeks, if he is paid weekly; or

(ii) 2 months, if he is paid monthly; or

(b) whether or not paragraph (a)(i) or (ii) applies, where an applicant's earnings fluctuate, over such other period preceding the reduction week in which the application is made or treated as made as may, in any particular case, enable his average weekly earnings to be estimated more accurately.

(2) Where the applicant has been in his employment for less than the period specified in sub-paragraph (1)(a)(i) or (ii)--

(a) if he has received any earnings for the period that he has been in that employment and those earnings are likely to represent his average weekly earnings from that employment his average weekly earnings must be estimated by reference to those earnings;

(b) in any other case, the authority must estimate the applicant's average weekly earnings.

(3) Where the amount of an applicant's earnings changes the authority must estimate his average weekly earnings by reference to his likely earnings from the employment over such period as is appropriate in order that his average weekly earnings may be estimated accurately but the length of the period must not in any case exceed 52 weeks.

(4) For the purposes of this paragraph the applicant's earnings are to be calculated in accordance with paragraphs 51 and 52 (earnings of employed earners: persons who are not pensioners).

Average weekly earnings of self-employed earners: persons who are not pensioners

48

(1) Where the income of an applicant who is not a pensioner consists of earnings from employment as a self-employed earner his average weekly earnings must be estimated by reference to his earnings from that employment over such period as is appropriate in order that his average weekly earnings may be estimated accurately but the length of the period must not in any case exceed a year.

(2) For the purposes of this paragraph the applicant's earnings must be calculated in accordance with paragraphs 53, 61 and 62 (earnings, and net profit, of self-employed earners).

Average weekly income other than earnings: persons who are not pensioners

49

(1) The income of an applicant who is not a pensioner which does not consist of earnings must, except where sub-paragraph (2) applies, be estimated over such period as is appropriate in order that his average weekly income may be estimated accurately but the length of the period must not in any case

exceed 52 weeks; and nothing in this paragraph authorises an authority to disregard any such income other than that specified in Schedule 8 (sums disregarded in the calculation of income other than earnings: persons who are not pensioners).

(2) The period over which any benefit under the benefit Acts is to be taken into account is to be the period in respect of which that benefit is payable.

(3) For the purposes of this paragraph income other than earnings is to be calculated in accordance with paragraph 54 (calculation of income other than earnings: persons who are not pensioners).

Calculation of weekly income of employed earners: persons who are not pensioners

50

(1) For the purposes of paragraphs 47 (average weekly earnings of employed earners), 49 (average weekly income other than earnings) and 59 (calculation of average weekly income from tax credits), where the period in respect of which a payment is made--

- (a) does not exceed a week, the weekly amount is to be the amount of that payment;
- (b) exceeds a week, the weekly amount is to be determined--
 - (i) in a case where that period is a month, by multiplying the amount of the payment by 12 and dividing the product by 52;
 - (ii) in any other case, by dividing the amount of the payment by the number equal to the number of days in the period to which it relates and multiplying the product by 7.

(2) For the purposes of paragraph 48 (average weekly earnings of self-employed earners) the weekly amount of earnings of an applicant is to be determined by dividing his earnings over the assessment period by the number equal to the number of days in that period and multiplying the product by 7.

Earnings of employed earners: persons who are not pensioners

51

(1) Subject to sub-paragraph (2), "earnings", in the case of employment as an employed earner of a person who is not a pensioner, means any remuneration or profit derived from that employment and includes--

- (a) any bonus or commission;
- (b) any payment in lieu of remuneration except any periodic sum paid to an applicant on account of the termination of his employment by reason of redundancy;
- (c) any payment in lieu of notice or any lump sum payment intended as compensation for the loss of employment but only in so far as it represents loss of income;
- (d) any holiday pay except any payable more than 4 weeks after termination or interruption of the employment;
- (e) any payment by way of a retainer;
- (f) any payment made by the applicant's employer in respect of expenses not wholly, exclusively and necessarily incurred in the performance of the duties of the employment, including any payment made by the applicant's employer in respect of--
 - (i) travelling expenses incurred by the applicant between his home and place of employment;

- (ii) expenses incurred by the applicant under arrangements made for the care of a member of his family owing to the applicant's absence from home;
 - (g) any award of compensation made under section 112(4) or 117(3)(a) of the Employment Rights Act 1996 (remedies and compensation for unfair dismissal);
 - (h) any payment or remuneration made under section 28, 34, 64, 68 or 70 of the Employment Rights Act 1996 (right to guarantee payments, remuneration on suspension on medical or maternity grounds, complaints to employment tribunals);
 - (i) any such sum as is referred to in section 112 of the SSCBA (certain sums to be earnings for social security purposes);
 - (j) any statutory sick pay, statutory maternity pay, statutory paternity pay or statutory adoption pay, or a corresponding payment under any enactment having effect in Northern Ireland;
 - (k) any remuneration paid by or on behalf of an employer to the applicant who for the time being is on maternity leave, paternity leave or adoption leave or is absent from work because he is ill;
 - (l) the amount of any payment by way of a non-cash voucher which has been taken into account in the computation of a person's earnings in accordance with Part 5 of Schedule 3 to the Social Security (Contributions) Regulations 2001.
- (2) Earnings does not include--
- (a) subject to sub-paragraph (3), any payment in kind;
 - (b) any payment in respect of expenses wholly, exclusively and necessarily incurred in the performance of the duties of the employment;
 - (c) any occupational pension;
 - (d) any payment in respect of expenses arising out of the applicant's participation in a service user group.
- (3) Sub-paragraph (2)(a) does not apply in respect of any non-cash voucher referred to in sub-paragraph (1)(l).

Calculation of net earnings of employed earners: persons who are not pensioners

52

- (1) For the purposes of paragraph 47 (average weekly earnings of employed earners: persons who are not pensioners), the earnings of an applicant who is not a pensioner derived or likely to be derived from employment as an employed earner to be taken into account must, subject to sub-paragraph (2), be his net earnings.
- (2) There is to be disregarded from an applicant's net earnings, any sum, where applicable, specified in paragraphs 1 to 16 of Schedule 7 (sums disregarded in the calculation of earnings: persons who are not pensioners).
- (3) For the purposes of sub-paragraph (1) net earnings must, except where sub-paragraph (6) applies, be calculated by taking into account the gross earnings of the applicant from that employment over the assessment period, less--
 - (a) any amount deducted from those earnings by way of--
 - (i) income tax;

- (ii) primary Class 1 contributions under the SSCBA;
 - (b) one-half of any sum paid by the applicant by way of a contribution towards an occupational pension scheme;
 - (c) one-half of the amount calculated in accordance with sub-paragraph (5) in respect of any qualifying contribution payable by the applicant; and
 - (d) where those earnings include a payment which is payable under any enactment having effect in Northern Ireland and which corresponds to statutory sick pay, statutory maternity pay, statutory paternity pay or statutory adoption pay, any amount deducted from those earnings by way of any contributions which are payable under any enactment having effect in Northern Ireland and which correspond to primary Class 1 contributions under the SSCBA.
- (4) In this paragraph "qualifying contribution" means any sum which is payable periodically as a contribution towards a personal pension scheme.
- (5) The amount in respect of any qualifying contribution is to be calculated by multiplying the daily amount of the qualifying contribution by the number equal to the number of days in the assessment period; and for the purposes of this paragraph the daily amount of the qualifying contribution is to be determined--
- (a) where the qualifying contribution is payable monthly, by multiplying the amount of the qualifying contribution by 12 and dividing the product by 365;
 - (b) in any other case, by dividing the amount of the qualifying contribution by the number equal to the number of days in the period to which the qualifying contribution relates.
- (6) Where the earnings of an applicant are estimated under paragraph 47(2)(b) (average weekly earnings of employed earners: classes D to F), his net earnings is to be calculated by taking into account those earnings over the assessment period, less--
- (a) an amount in respect of income tax equivalent to an amount calculated by applying to those earnings the basic rate of tax applicable to the assessment period less only the personal relief to which the applicant is entitled under sections 35 to 37 of the Income Tax Act 2007 (personal allowances) as is appropriate to his circumstances but, if the assessment period is less than a year, the earnings to which the basic rate of tax is to be applied and the amount of the personal relief deductible under this sub-paragraph is to be calculated on a pro rata basis;
 - (b) an amount equivalent to the amount of the primary Class 1 contributions that would be payable by him under the SSCBA in respect of those earnings if such contributions were payable; and
 - (c) one-half of any sum which would be payable by the applicant by way of a contribution towards an occupational or personal pension scheme, if the earnings so estimated were actual earnings.

Earnings of self-employed earners: persons who are not pensioners

53

- (1) Subject to sub-paragraph (2), "earnings", in the case of employment as a self-employed earner of a person who is not a pensioner, means the gross income of the employment.
- (2) "Earnings" does not include any payment to which paragraph 31 or 32 of Schedule 8 refers (payments in respect of a person accommodated with the applicant under arrangements made by a local authority or voluntary organisation and payments made to the applicant by a health authority, local authority or voluntary organisation in respect of persons temporarily in the applicant's care) nor does it include any sports award.

(3) This paragraph applies to--

- (a) royalties or other sums paid as a consideration for the use of, or the right to use, any copy-right, design, patent or trade mark; or
- (b) any payment in respect of any--
 - (i) book registered under the Public Lending Right Scheme 1982; or
 - (ii) work made under any international public lending right scheme that is analogous to the Public Lending Right Scheme 1982,

where the applicant is the first owner of the copyright, design, patent or trade mark, or an original contributor to the book or work concerned.

(4) Where the applicant's earnings consist of any items to which sub-paragraph (3) applies, those earnings must be taken into account over a period equal to such number of weeks as is equal to the number obtained (and any fraction is to be treated as a corresponding fraction of a week) by dividing the earnings by--

- (a) the amount of reduction under this scheme to which the applicant would have been entitled had the payment not been made, plus
- (b) an amount equal to the total of the sums which would fall to be disregarded from the payment under Schedule 7 (sums disregarded in the calculation of earnings: persons who are not pensioners) as appropriate in the applicant's case.

Calculation of income other than earnings: persons who are not pensioners

54

(1) For the purposes of paragraph 49 (average weekly income other than earnings: persons who are not pensioners), the income of an applicant who is not a pensioner which does not consist of earnings to be taken into account must, subject to sub-paragraphs (2) to (8), be his gross income and any capital treated as income under paragraph 55 (capital treated as income: persons who are not pensioners).

(2) There is to be disregarded from the calculation of an applicant's gross income under sub-paragraph (1), any sum, where applicable, specified in Schedule 8.

(3) Where the payment of any benefit under the benefit Acts is subject to any deduction by way of recovery the amount to be taken into account under sub-paragraph (1) must be the gross amount payable.

(4) Where the applicant or, where he is a member of a couple, his partner is receiving a contributory employment and support allowance and that benefit has been reduced under regulation 63 of the Employment and Support Allowance Regulations 2008, the amount of that benefit to be taken into account is the amount as if it had not been reduced.

(5) Where an award of any working tax credit or child tax credit under the Tax Credits Act 2002 is subject to a deduction by way of recovery of an overpayment of working tax credit or child tax credit which arose in a previous tax year the amount to be taken into account under sub-paragraph (1) is to be the amount of working tax credit or child tax credit awarded less the amount of that deduction.

(6) Sub-paragraphs (7) and (8) apply where--

- (a) a relevant payment has been made to a person in an academic year; and
- (b) that person abandons, or is dismissed from, his course of study before the payment to him of the final instalment of the relevant payment.

(7) Where a relevant payment is made quarterly, the amount of a relevant payment to be taken into account for the assessment period for the purposes of sub-paragraph (1) in respect of a person to whom sub-paragraph (7) applies, is to be calculated by applying the formula--

$$(A - (B \times C)) / D$$

Where

- (a) A = the total amount of the relevant payment which that person would have received had he remained a student until the last day of the academic term in which he abandoned, or was dismissed from, his course, less any deduction under paragraph 81(5) (costs of travel, books and equipment);
- (b) B = the number of reduction weeks from the reduction week immediately following that which includes the first day of that academic year to the reduction week which includes the day on which the person abandoned, or was dismissed from, his course;
- (c) C = the weekly amount of the relevant payment, before the application of the £10 disregard, which would have been taken into account as income under paragraph 81(2) (treatment of student loans) had the person not abandoned or been dismissed from, his course and, in the case of a person who was not entitled to a reduction under this scheme immediately before he abandoned or was dismissed from his course, had that person, at that time, been entitled to housing benefit;
- (d) D = the number of reduction weeks in the assessment period.

(8) Where a relevant payment is made by two or more instalments in a quarter, the amount of a relevant payment to be taken into account for the assessment period for the purposes of sub-paragraph (1) in respect of a person to whom sub-paragraph (7) applies, is to be calculated by applying the formula in sub-paragraph (8) but as if--

A = the total amount of relevant payments which that person received, or would have received, from the first day of the academic year to the day the person abandoned the course, or was dismissed from it, less any deduction under paragraph 81(5).

(9) In this paragraph--

"academic year" and "student loan" have the same meanings as in Part 11 (students);

"assessment period" means--

- (a) in a case where a relevant payment is made quarterly, the period beginning with the reduction week which includes the day on which the person abandoned, or was dismissed from, his course and ending with the reduction week which includes the last day of the last quarter for which an instalment of the relevant payment was payable to that person;
- (b) in a case where the relevant payment is made by two or more instalments in a quarter, the period beginning with the reduction week which includes the day on which the person abandoned, or was dismissed from, his course and ending with the reduction week which includes--
 - (i) the day immediately before the day on which the next instalment of the relevant payment would have been due had the payments continued; or
 - (ii) the last day of the last quarter for which an instalment of the relevant payment was payable to that person,

whichever of those dates is earlier;

"quarter" in relation to an assessment period means a period in that year beginning on--

- (c) 1st January and ending on 31st March;
- (d) 1st April and ending on 30th June;

- (e) 1st July and ending on 31st August; or
- (f) 1st September and ending on 31st December;

"relevant payment" means either a student loan or an amount intended for the maintenance of dependants referred to in paragraph 76(7) or both.

(10) For the avoidance of doubt there must be included as income to be taken into account under sub-paragraph (1)--

- (a) any payment to which paragraph 41(2) or 51(2) (payments not earnings) applies; or
- (b) in the case of an applicant who is receiving support under section 95 or 98 of the Immigration and Asylum Act 1999 including support provided by virtue of regulations made under Schedule 9 to that Act, the amount of such support provided in respect of essential living needs of the applicant and his dependants (if any) as is specified in regulations made under paragraph 3 of Schedule 8 to the Immigration and Asylum Act 1999.

Capital treated as income: persons who are not pensioners

55

- (1) Any capital payable by instalments which are outstanding at the date on which the application is made or treated as made, or, at the date of any subsequent revision or supersession, must, if the aggregate of the instalments outstanding and the amount of the applicant's capital otherwise calculated in accordance with Chapter 7 of this Part exceeds £10,000, be treated as income.
- (2) Any payment received under an annuity is to be treated as income.
- (3) Any earnings to the extent that they are not a payment of income is to be treated as income.
- (4) Any Career Development Loan paid pursuant to section 2 of the Employment and Training Act 1973 is to be treated as income.
- (5) Where an agreement or court order provides that payments must be made to the applicant in consequence of any personal injury to the applicant and that such payments are to be made, wholly or partly, by way of periodic payments, any such periodic payments received by the applicant (but not a payment which is treated as capital by virtue of this Part), is to be treated as income.

Notional income: persons who are not pensioners

56

- (1) An applicant who is not a pensioner is to be treated as possessing income of which he has deprived himself for the purpose of securing entitlement to a reduction under a council tax reduction scheme or increasing the amount of the reduction.
- (2) Except in the case of--
 - (a) a discretionary trust;
 - (b) a trust derived from a payment made in consequence of a personal injury;
 - (c) a personal pension scheme, occupational pension scheme or a payment made by the Board of the Pension Protection Fund where the applicant has not attained the qualifying age for state pension credit;
 - (d) any sum to which paragraph 50(2)(a) of Schedule 10 (capital disregards: persons who are not pensioners) applies which is administered in the way referred to in paragraph 50(1)(a);

- (e) any sum to which paragraph 51(a) of Schedule 10 refers;
- (f) rehabilitation allowance made under section 2 of the Employment and Training Act 1973;
- (g) child tax credit;
- (h) working tax credit, or
- (i) any sum to which sub-paragraph (11) applies,

any income which would become available to the applicant upon application being made, but which has not been acquired by him, is to be treated as possessed by the applicant but only from the date on which it could be expected to be acquired were an application made.

(3) Any payment of income, other than a payment of income specified in sub-paragraph (4), made--

- (a) to a third party in respect of a single applicant or a member of the family (but not a member of the third party's family) must, where that payment is a payment of an occupational pension, a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund, be treated as possessed by that single applicant or, as the case may be, by that member;
- (b) to a third party in respect of a single applicant or in respect of a member of the family (but not a member of the third party's family) must, where it is not a payment referred to in paragraph (a), be treated as possessed by that single applicant or by that member to the extent that it is used for the food, ordinary clothing or footwear, household fuel or rent of that single applicant or, as the case may be, of any member of that family or is used for any council tax or water charges for which that applicant or member is liable;
- (c) to a single applicant or a member of the family in respect of a third party (but not in respect of another member of that family) must be treated as possessed by that single applicant or, as the case may be, that member of the family to the extent that it is kept or used by him or used by or on behalf of any member of the family.

(4) Sub-paragraph (3) does not apply in respect of a payment of income made--

- (a) under or by the Macfarlane Trust, the Macfarlane (Special Payments) Trust, the Macfarlane (Special Payments) (No 2) Trust, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006);
- (b) pursuant to section 19(1)(a) of the Coal Industry Act 1994 (concessionary coal);
- (c) pursuant to section 2 of the Employment and Training Act 1973 in respect of a person's participation--
 - (i) in an employment programme specified in regulation 75(1)(a)(ii) of the Jobseeker's Allowance Regulations 1996;
 - (ii) in a training scheme specified in regulation 75(1)(b)(ii) of those Regulations;
 - (iii) in the Intense Activity Period specified in regulation 75(1)(a)(iv) of those Regulations;
 - (iv) in a qualifying course within the meaning specified in regulation 17A(7) of those Regulations; or
 - (v) in the Flexible New Deal specified in regulation 75(1)(a)(v) of those Regulations;
- (d) in respect of a person's participation in the Work for Your Benefit Pilot Scheme;
- (e) in respect of a person's participation in the Mandatory Work Activity Scheme;
- (f) in respect of an applicant's participation in the Employment, Skills and Enterprise Scheme;

(g) under an occupational pension scheme, in respect of a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund where--

- (i) a bankruptcy order has been made in respect of the person in respect of whom the payment has been made or, in Scotland, the estate of that person is subject to sequestration or a judicial factor has been appointed on that person's estate under section 41 of the Solicitors (Scotland) Act 1980;
- (ii) the payment is made to the trustee in bankruptcy or any other person acting on behalf of the creditors; and
- (iii) the person referred to in sub-paragraph (i) and any member of his family does not possess, or is not treated as possessing, any other income apart from that payment.

(5) Where an applicant is in receipt of any benefit under the benefit Acts and the rate of that benefit is altered with effect from a date on or after 1st April in any year but not more than 14 days thereafter, the authority must treat the applicant as possessing such benefit at the altered rate from either 1st April or the first Monday in April in that year, whichever date the authority selects, to the date on which the altered rate is to take effect.

(6) Subject to sub-paragraph (7), where--

- (a) an applicant performs a service for another person; and
- (b) that person makes no payment of earnings or pays less than that paid for a comparable employment in the area,

the authority must treat the applicant as possessing such earnings (if any) as is reasonable for that employment unless the applicant satisfies the authority that the means of that person are insufficient for him to pay or to pay more for the service.

(7) Sub-paragraph (6) does not apply--

- (a) to an applicant who is engaged by a charitable or voluntary organisation or who is a volunteer if the authority is satisfied in any of those cases that it is reasonable for him to provide those services free of charge; or
- (b) in a case where the service is performed in connection with--
 - (i) the applicant's participation in an employment or training programme in accordance with regulation 19(1)(q) of the Jobseeker's Allowance Regulations 1996, other than where the service is performed in connection with the applicant's participation in the Intense Activity Period specified in regulation 75(1)(a)(iv) of those Regulations; or
 - (ii) the applicant's or the applicant's partner's participation in an employment or training programme as defined in regulation 19(3) of those Regulations for which a training allowance is not payable or, where such an allowance is payable, it is payable for the sole purpose of reimbursement of travelling or meal expenses to the person participating in that programme; or
- (c) to an applicant who is participating in a work placement approved by the Secretary of State (or a person providing services to the Secretary of State) before the placement starts.

(8) In sub-paragraph (7)(c) "work placement" means practical work experience which is not undertaken in expectation of payment.

(9) Where an applicant is treated as possessing any income under any of sub-paragraphs (1) to (8), the foregoing provisions of this Part apply for the purposes of calculating the amount of that income as if a payment had actually been made and as if it were actual income which he does possess.

(10) Where an applicant is treated as possessing any earnings under sub-paragraph (6) the foregoing provisions of this Part apply for the purposes of calculating the amount of those earnings as if a payment had actually been made and as if they were actual earnings which he does possess except that paragraph 42(2) or 52(3) (calculation of net earnings of employed earners: pensioners and persons who are not pensioners, respectively) do not apply and his net earnings are to be calculated by taking into account those earnings which he is treated as possessing, less--

- (a) an amount in respect of income tax equivalent to an amount calculated by applying to those earnings the basic rate of tax applicable to the assessment period less only the personal relief to which the applicant is entitled under sections 35 to 37 of the Income Tax Act 2007 (personal allowances) as is appropriate to his circumstances; but, if the assessment period is less than a year, the earnings to which the basic rate of tax is to be applied and the amount of the personal relief deductible under this sub-paragraph is to be calculated on a pro rata basis;
- (b) an amount equivalent to the amount of the primary Class 1 contributions that would be payable by him under the SSCBA in respect of those earnings if such contributions were payable; and
- (c) one-half of any sum payable by the applicant by way of a contribution towards an occupational or personal pension scheme.

(11) Sub-paragraphs (1), (2), (3) and (6) do not apply in respect of any amount of income other than earnings, or earnings of an employed earner, arising out of the applicant's participation in a service user group.

Chapter 6

Income: Further Provisions Applying to Pensioners and Persons Who are Not Pensioners

Calculation of income on a weekly basis

57

(1) Subject to paragraph 60 (disregard of changes in tax, etc), the income of an applicant is to be calculated on a weekly basis--

- (a) by estimating the amount which is likely to be his average weekly income in accordance with this Part;
- (b) by adding to that amount the weekly income calculated--
 - (i) if the applicant is a pensioner, under paragraph 71 (tariff income: pensioners);
 - (ii) if the applicant is a person who is not a pensioner, under paragraph 72 (tariff income: persons who are not pensioners); and
- (c) deducting from the sum of paragraphs (a) and (b) any relevant child care charges to which paragraph 58 (treatment of child care charges) applies from any earnings which form part of the average weekly income or, in a case where the conditions in sub-paragraph (2) are met, from those earnings plus whichever credit specified in paragraph (b) of that sub-paragraph is appropriate, up to a maximum deduction in respect of the applicant's family of whichever of the sums specified in sub-paragraph (3) applies in his case.

(2) The conditions of this paragraph are that--

- (a) the applicant's earnings which form part of his average weekly income are less than the lower of either his relevant child care charges or whichever of the deductions specified in sub-paragraph (3) otherwise applies in his case; and

(b) that applicant or, if he is a member of a couple either the applicant or his partner, is in receipt of either working tax credit or child tax credit.

(3) The maximum deduction to which sub-paragraph (1)(c) above refers is to be--

(a) where the applicant's family includes only one child in respect of whom relevant child care charges are paid, £175.00 per week;

(b) where the applicant's family includes more than one child in respect of whom relevant child care charges are paid, £300 per week.

Treatment of child care charges: pensioners

58

(1) This paragraph applies where an applicant (within the meaning in this paragraph) is incurring relevant child care charges and--

(a) is a lone parent and is engaged in remunerative work;

(b) is a member of a couple both of whom are engaged in remunerative work; or

(c) is a member of a couple where one member is engaged in remunerative work and the other--

(i) is incapacitated;

(ii) is an in-patient in hospital; or

(iii) is in prison (whether serving a custodial sentence or remanded in custody awaiting trial or sentence).

(2) For the purposes of sub-paragraph (1) and subject to sub-paragraph (4), a person to whom sub-paragraph (3) applies must be treated as engaged in remunerative work for a period not exceeding 28 weeks during which he--

(a) is paid statutory sick pay;

(b) is paid short-term incapacity benefit at the lower rate under sections 30A to 30E of the SSCBA;

(c) is paid an employment and support allowance;

(d) is paid income support on the grounds of incapacity for work under regulation 4ZA of, and paragraph 7 or 14 of Schedule 1B to, the Income Support (General) Regulations 1987; or

(e) is credited with earnings on the grounds of incapacity for work or limited capability for work under regulation 8B of the Social Security (Credits) Regulations 1975.

(3) This sub-paragraph applies to a person who was engaged in remunerative work immediately before--

(a) the first day of the period in respect of which he was first paid statutory sick pay, short-term incapacity benefit, an employment and support allowance or income support on the grounds of incapacity for work; or

(b) the first day of the period in respect of which earnings are credited,

as the case may be.

(4) In a case to which sub-paragraph (2)(d) or (e) applies, the period of 28 weeks begins on the day on which the person is first paid income support or on the first day of the period in respect of which earnings are credited, as the case may be.

(5) Relevant child care charges are those charges for care to which sub-paragraphs (6) and (7) apply, and are to be calculated on a weekly basis in accordance with sub-paragraph (9).

(6) The charges are paid by the applicant for care which is provided--

(a) in the case of any child of the applicant's family who is not disabled, in respect of the period beginning on that child's date of birth and ending on the day preceding the first Monday in September following that child's fifteenth birthday; or

(b) in the case of any child of the applicant's family who is disabled, in respect of the period beginning on that person's date of birth and ending on the day preceding the first Monday in September following that person's sixteenth birthday.

(7) The charges are paid for care which is provided by one or more of the care providers listed in sub-paragraph (8) and are not paid--

(a) in respect of the child's compulsory education;

(b) by an applicant to a partner or by a partner to an applicant in respect of any child for whom either or any of them is responsible in accordance with paragraph 7 (circumstances in which a person is treated as responsible or not responsible for another); or

(c) in respect of care provided by a relative of the child wholly or mainly in the child's home.

(8) The care to which sub-paragraph (7) refers may be provided--

(a) out of school hours, by a school on school premises or by a local authority--

(i) for children who are not disabled in respect of the period beginning on their eighth birthday and ending on the day preceding the first Monday in September following their fifteenth birthday; or

(ii) for children who are disabled in respect of the period beginning on their eighth birthday and ending on the day preceding the first Monday in September following their sixteenth birthday; or

(b) by a child care provider approved in accordance with the Tax Credit (New Category of Child Care Provider) Regulations 1999; or

(c) by persons registered under Part 2 of the Children and Families (Wales) Measure 2010; or

(d) by a person who is excepted from registration under Part 2 of the Children and Families (Wales) Measure 2010 because the child care that person provides is in a school or establishment referred to in article 11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010; or

(e) by--

(i) persons registered under section 59(1) of the Public Services Reform (Scotland) Act 2010; or

(ii) local authorities registered under section 83(1) of that Act,

where the care provided is child minding or day care of children within the meaning of that Act; or

(f) by a person prescribed in regulations made pursuant to section 12(4) of the Tax Credits Act 2002; or

(g) by a person who is registered under Chapter 2 or 3 of Part 3 of the Childcare Act 2006; or

- (h) by any of the schools mentioned in section 34(2) of the Childcare Act 2006 in circumstances where the requirement to register under Chapter 2 of Part 3 of that Act does not apply by virtue of section 34(2) of that Act; or
 - (i) by any of the schools mentioned in section 53(2) of the Childcare Act 2006 in circumstances where the requirement to register under Chapter 3 of Part 3 of that Act does not apply by virtue of section 53(2) of that Act; or
 - (j) by any of the establishments mentioned in section 18(5) of the Childcare Act 2006 in circumstances where the care is not included in the meaning of "childcare" for the purposes of Part 1 and Part 3 of that Act by virtue of that subsection; or
 - (k) by a foster parent or kinship carer under the Fostering Services Regulations 2011, the Fostering Services (Wales) Regulations 2003 or the Looked After Children (Scotland) Regulations 2009 in relation to a child other than one whom the foster parent is fostering or kinship carer is looking after; or
 - (l) by a provider of personal care within the meaning of paragraph 1 of Schedule 1 to the Health and Social Care Act 2008 (Regulated Activities) Regulations 2010 and being a regulated activity prescribed by those Regulations; or
 - (m) by a person who is not a relative of the child wholly or mainly in the child's home.
- (9) Relevant child care charges must be estimated over such period, not exceeding a year, as is appropriate in order that the average weekly charge may be estimated accurately having regard to information as to the amount of that charge provided by the child minder or person providing the care.
- (10) For the purposes of sub-paragraph (1)(c) the other member of a couple is incapacitated where--
- (a) he is aged not less than 80;
 - (b) he is aged less than 80, and--
 - (i) an additional condition specified in paragraph 10 of Schedule 3 (additional condition for the disability premium) to this scheme is treated as applying in his case; and
 - (ii) he satisfies that conditions or would satisfy it but for his being treated as capable of work by virtue of a determination made in accordance with regulations made under section 171E of the SSCBA;
 - (c) the other member of the couple would be a member of the support group or a member of the work-related activity group but for that other member being treated as not having limited capability for work by virtue of a determination made in accordance with the Employment and Support Allowance Regulations 2008 or the Employment and Support Allowance Regulations 2013;
 - (d) he is, or is treated as, incapable of work and has been so incapable, or has been so treated as incapable, of work in accordance with the provisions of, and regulations made under, Part 12A of the SSCBA (incapacity for work) for a continuous period of not less than 196 days; and for this purpose any two or more separate periods separated by a break of not more than 56 days must be treated as one continuous period;
 - (e) he is, or is treated as having, limited capability for work and has had, or been treated as having, limited capability for work in accordance with the Employment and Support Allowance Regulations 2008 [or the Employment and Support Allowance Regulations 2013] for a continuous period of not less than 196 days and for this purpose any two or more separate periods separated by a break of not more than 84 days must be treated as one continuous period;
 - (f) there is payable in respect of him one or more of the following pensions or allowances--

- (i) long-term incapacity benefit or short-term incapacity benefit at the higher rate under Schedule 4 to the SSCBA;
 - (ii) attendance allowance under section 64 of the SSCBA;
 - (iii) severe disablement allowance under section 68 of the SSCBA;
 - (iv) disability living allowance under section 71 of the SSCBA;
 - (v) personal independence payment;
 - (vi) an AFIP;
 - (vii) increase of disablement pension under section 104 of the SSCBA;
 - (viii) a pension increase paid as part of a war disablement pension or under an industrial injuries scheme which is analogous to an allowance or increase of disablement pension under sub-paragraph (ii), (iv), (v) or (vii) above;
 - (ix) main phase employment and support allowance;
- (g) a pension or allowance or payment to which sub-paragraph (v), (vii) or (viii) of paragraph (f) above refers was payable on account of his incapacity but has ceased to be payable in consequence of his becoming a patient, which in this paragraph means a person (other than a person who is serving a sentence of imprisonment or detention in a youth custody institution) who is regarded as receiving free in-patient treatment within the meaning of regulation 2(4) and (5) of the Social Security (Hospital In-Patients) Regulations 2005;
- (h) an attendance allowance under section 64 of the SSCBA or disability living allowance would be payable to that person but for--
- (i) a suspension of benefit in accordance with regulations under section 113(2) of the SSCBA; or
 - (ii) an abatement as a consequence of hospitalisation;
- (i) the daily living component of personal independence payment would be payable to that person but for a suspension of benefit in accordance with regulations under section 86 of the Welfare Reform Act 2012 (hospital in-patients);
- (j) an AFIP would be payable to that person but for any suspension of payment in accordance with any terms of the armed and reserve forces compensation scheme which allow for a suspension because a person is undergoing medical treatment in a hospital or similar institution;
- (k) paragraph (f), (g), (h) or (i) would apply to him if the legislative provisions referred to in those paragraphs were provisions under any corresponding enactment having effect in Northern Ireland; or
- (l) he has an invalid carriage or other vehicle provided to him by the Secretary of State or a clinical commissioning group under paragraph 9 of Schedule 1 to the National Health Service Act 2006 or under section 46 of the National Health Service (Scotland) Act 1978 or provided by the Department of Health, Social Services and Public Safety in Northern Ireland under Article 30(1) of the Health and Personal Social Services (Northern Ireland) Order 1972.
- (11) For the purposes of sub-paragraph (10), once sub-paragraph (10)(d) applies to the person, if he then ceases, for a period of 56 days or less, to be incapable, or to be treated as incapable, of work, that sub-paragraph is, on his again becoming so incapable, or so treated as incapable, of work at the end of that period, immediately thereafter to apply to him for so long as he remains incapable, or is treated as remaining incapable, of work.

(12) For the purposes of sub-paragraph (10), once sub-paragraph (10)(e) applies to the person, if he then ceases, for a period of 84 days or less, to have, or to be treated as having, limited capability for work, that paragraph is, on his again having, or being treated as having, limited capability for work at the end of that period, immediately thereafter to apply to him for so long as he has, or is treated as having, limited capability for work.

(13) For the purposes of sub-paragraphs (6) and (8)(a), a person is disabled if he is a person--

(a) to whom an attendance allowance or the care component of disability allowance is payable or would be payable but for--

(i) a suspension of benefit in accordance with regulations under section 113(2) of the SSCBA; or

(ii) an abatement as a consequence of hospitalisation;

(b) to whom the daily living component of personal independence payment is payable or has ceased to be payable by virtue of a suspension of benefit in accordance with regulations under section 86 of the Welfare Reform Act 2012 (hospital in-patients);

(c) who is registered as severely sight-impaired in a register kept under section 77(1) of the Care Act 2014 (registers of sight-impaired adults) in Scotland, has been certified as blind and in consequence he is registered as blind in a register maintained by or on behalf of a council constituted under section 2 of the Local Government (Scotland) Act 1994 or is registered as severely sight-impaired in a register kept by a local authority in Wales under section 18(1) of the Social Services and Well-being (Wales) Act 2014; or

(d) who ceased to be registered as blind or severely sight-impaired in such a register within the period beginning 28 weeks before the first Monday in September following that person's fifteenth birthday and ending on the day preceding that person's sixteenth birthday.

(14) For the purposes of sub-paragraph (1) a person on maternity leave, paternity leave, shared parental leave or adoption leave is to be treated as if he is engaged in remunerative work for the period specified in sub-paragraph (15) ("the relevant period") provided that—

(a) in the week before the period of maternity leave, paternity leave, shared parental leave or adoption leave began he was in remunerative work;

(b) the applicant is incurring relevant child care charges within the meaning of sub-paragraph (5); and

(c) he is entitled to either statutory maternity pay under section 164 of the SSCBA, statutory paternity pay by virtue of section 171ZA or 171ZB of that Act, statutory adoption pay by virtue of section 171ZL of that Act, maternity allowance under section 35 of that Act, statutory shared parental pay by virtue of section 171ZU or 171ZV of that Act or qualifying support.

(15) For the purposes of sub-paragraph (14) the relevant period begins on the day on which the person's maternity, paternity leave, shared parental leave or adoption leave commences and ends on—

(a) the date that leave ends;

(b) if no child care element of working tax credit is in payment on the date that entitlement to maternity allowance, qualifying support, statutory maternity pay, ordinary or additional statutory paternity pay or statutory shared paternity pay or statutory adoption pay ends, the date that entitlement ends; or

(c) if a child care element of working tax credit is in payment on the date that entitlement to maternity allowance or qualifying support, statutory maternity pay, ordinary or additional statutory paternity

pay, statutory shared paternity pay or statutory adoption pay ends, the date that entitlement to that award of the child care element of the working tax credit ends,

whichever shall occur first.

(16) In sub-paragraphs (14) and (15)--

- (a) "qualifying support" means income support to which that person is entitled by virtue of paragraph 14B of Schedule 1B to the Income Support (General) Regulations 1987; and
- (b) "child care element" of working tax credit means the element of working tax credit prescribed under section 12 of the Tax Credits Act 2002 (child care element).

(17) In sub-paragraphs (6), (8)(a) and (13)(d), "the first Monday in September" means the Monday which first occurs in the month of September in any year.

Treatment of child care charges: persons who are not pensioners

58A

(1) This paragraph applies where an applicant (within the meaning in this paragraph) is incurring relevant child care charges and--

- (a) is a lone parent and is engaged in remunerative work;
- (b) is a member of a couple both of whom are engaged in remunerative work; or
- (c) is a member of a couple where one member is engaged in remunerative work and the other--
 - (i) is incapacitated;
 - (ii) is an in-patient in hospital; or
 - (iii) is in prison (whether serving a custodial sentence or remanded in custody awaiting trial or sentence).

(2) For the purposes of sub-paragraph (1) and subject to sub-paragraph (4), a person to whom sub-paragraph (3) applies must be treated as engaged in remunerative work for a period not exceeding 28 weeks during which he--

- (a) is paid statutory sick pay;
- (b) is paid short-term incapacity benefit at the lower rate under sections 30A to 30E of the SSCBA;
- (c) is paid an employment and support allowance;
- (d) is paid income support on the grounds of incapacity for work under regulation 4ZA of, and paragraph 7 or 14 of Schedule 1B to, the Income Support (General) Regulations 1987; or
- (e) is credited with earnings on the grounds of incapacity for work or limited capability for work under regulation 8B of the Social Security (Credits) Regulations 1975.

(3) This sub-paragraph applies to a person who was engaged in remunerative work immediately before--

- (a) the first day of the period in respect of which he was first paid statutory sick pay, short-term incapacity benefit, an employment and support allowance or income support on the grounds of incapacity for work; or

- (b) the first day of the period in respect of which earnings are credited,

as the case may be.

(4) In a case to which sub-paragraph (2)(d) or (e) applies, the period of 28 weeks begins on the day on which the person is first paid income support or on the first day of the period in respect of which earnings are credited, as the case may be.

(5) Relevant child care charges are those charges for care to which sub-paragraphs (6) and (7) apply, and are to be calculated on a weekly basis in accordance with sub-paragraph (10).

(6) The charges are paid by the applicant for care which is provided--

- (a) in the case of any child of the applicant's family who is not disabled, in respect of the period beginning on that child's date of birth and ending on the day preceding the first Monday in September following that child's fifteenth birthday; or

- (b) in the case of any child of the applicant's family who is disabled, in respect of the period beginning on that person's date of birth and ending on the day preceding the first Monday in September following that person's sixteenth birthday.

(7) The charges are paid for care which is provided by one or more of the care providers listed in sub-paragraph (8) and are not paid--

- (a) in respect of the child's compulsory education;

- (b) by an applicant to a partner or by a partner to an applicant in respect of any child for whom either or any of them is responsible in accordance with paragraph 7 (circumstances in which a person is treated as responsible or not responsible for another); or

- (c) in respect of care provided by a relative of the child wholly or mainly in the child's home.

(8) The care to which sub-paragraph (7) refers may be provided--

- (a) out of school hours, by a school on school premises or by a local authority--

- (i) for children who are not disabled in respect of the period beginning on their eighth birthday and ending on the day preceding the first Monday in September following their fifteenth birthday; or

- (ii) for children who are disabled in respect of the period beginning on their eighth birthday and ending on the day preceding the first Monday in September following their sixteenth birthday; or

- (b) by a child care provider approved in accordance with the Tax Credit (New Category of Child Care Provider) Regulations 1999; or

- (c) by persons registered under Part 2 of the Children and Families (Wales) Measure 2010; or

- (d) by a person who is excepted from registration under Part 2 of the Children and Families (Wales) Measure 2010 because the child care that person provides is in a school or establishment referred to in article 11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010; or

- (e) by--

- (i) persons registered under section 59(1) of the Public Services Reform (Scotland) Act 2010; or

- (ii) local authorities registered under section 83(1) of that Act,

where the care provided is child minding or day care of children within the meaning of that Act; or

- (f) by a person prescribed in regulations made pursuant to section 12(4) of the Tax Credits Act 2002; or
 - (g) by a person who is registered under Chapter 2 or 3 of Part 3 of the Childcare Act 2006; or
 - (h) by any of the schools mentioned in section 34(2) of the Childcare Act 2006 in circumstances where the requirement to register under Chapter 2 of Part 3 of that Act does not apply by virtue of section 34(2) of that Act; or
 - (i) by any of the schools mentioned in section 53(2) of the Childcare Act 2006 in circumstances where the requirement to register under Chapter 3 of Part 3 of that Act does not apply by virtue of section 53(2) of that Act; or
 - (j) by any of the establishments mentioned in section 18(5) of the Childcare Act 2006 in circumstances where the care is not included in the meaning of "childcare" for the purposes of Part 1 and Part 3 of that Act by virtue of that subsection; or
 - (k) by a foster parent or kinship carer under the Fostering Services Regulations 2011, the Fostering Services (Wales) Regulations 2003 or the Looked After Children (Scotland) Regulations 2009 in relation to a child other than one whom the foster parent is fostering or kinship carer is looking after; or
 - (l) by a provider of personal care within the meaning of paragraph 1 of Schedule 1 to the Health and Social Care Act 2008 (Regulated Activities) Regulations 2010 and being a regulated activity prescribed by those Regulations; or
 - (m) by a person who is not a relative of the child wholly or mainly in the child's home.
- (9) In sub-paragraphs (6) and (8)(a), "the first Monday in September" means the Monday which first occurs in the month of September in any year.
- (10) Relevant child care charges must be estimated over such period, not exceeding a year, as is appropriate in order that the average weekly charge may be estimated accurately having regard to information as to the amount of that charge provided by the child minder or person providing the care.
- (11) For the purposes of sub-paragraph (1)(c) the other member of a couple is incapacitated where--
- (a) the applicant is a pensioner and the other member of the couple is aged not less than 80;
 - (b) the applicant is a pensioner and the other member of the couple is aged less than 80, and--
 - (i) the additional condition specified in paragraph 10 of Schedule 3 (additional condition for the disability premium) to this scheme is treated as applying in his case; and
 - (ii) he satisfies that conditions or would satisfy it but for his being treated as capable of work by virtue of a determination made in accordance with regulations made under section 171E of the SSCBA;
 - (c) the applicant is not a pensioner, the applicant's applicable amount includes a disability premium on account of the other member's incapacity or the support component or the other member is a member of the work-related activity group ~~work-related activity component~~ on account of his having limited capability for work;
 - (d) the applicant is not a pensioner, the applicant's applicable amount would include a disability premium on account of the other member's incapacity but for that other member being treated as capable of work by virtue of a determination made in accordance with regulations made under section 171E of the SSCBA;
 - (e) ~~the applicant's applicable amount would include the support component or the work-related activity component on account of the other member having limited capability for work~~ the other member of the couple would be a member of the support group or a member of the work-related activity group but for that other member being treated as not having limited capability for work by virtue

of a determination made in accordance with the Employment and Support Allowance Regulations 2008 or the Employment and Support Allowance Regulations 2013;

(f) he is, or is treated as, incapable of work and has been so incapable, or has been so treated as incapable, of work in accordance with the provisions of, and regulations made under, Part 12A of the SSCBA (incapacity for work) for a continuous period of not less than 196 days; and for this purpose any two or more separate periods separated by a break of not more than 56 days must be treated as one continuous period;

(g) he is, or is treated as having, limited capability for work and has had, or been treated as having, limited capability for work in accordance with the Employment and Support Allowance Regulations 2008 or the Employment and Support Allowance Regulations 2013 for a continuous period of not less than 196 days and for this purpose any two or more separate periods separated by a break of not more than 84 days must be treated as one continuous period;

(h) there is payable in respect of him one or more of the following pensions or allowances--

- (i) long-term incapacity benefit or short-term incapacity benefit at the higher rate under Schedule 4 to the SSCBA;
- (ii) attendance allowance under section 64 of the SSCBA;
- (iii) severe disablement allowance under section 68 of the SSCBA;
- (iv) disability living allowance under section 71 of the SSCBA;
- (v) personal independence payment;
- (vi) an AFIP;
- (vii) increase of disablement pension under section 104 of the SSCBA;
- (viii) a pension increase paid as part of a war disablement pension or under an industrial injuries scheme which is analogous to an allowance or increase of disablement pension under sub-paragraph (ii), (iv), (v) or (vii) above;
- (ix) main phase employment and support allowance;

(i) a pension or allowance or payment to which sub-paragraph (v), (vii) or (viii) of paragraph (h) above refers was payable on account of his incapacity but has ceased to be payable in consequence of his becoming a patient, which in this paragraph means a person (other than a person who is serving a sentence of imprisonment or detention in a youth custody institution) who is regarded as receiving free in-patient treatment within the meaning of regulation 2(4) and (5) of the Social Security (Hospital In-Patients) Regulations 2005;

(j) an attendance allowance under section 64 of the SSCBA or disability living allowance would be payable to that person but for--

- (i) a suspension of benefit in accordance with regulations under section 113(2) of the SSCBA; or
- (ii) an abatement as a consequence of hospitalisation;

(k) the daily living component of personal independence payment would be payable to that person but for a suspension of benefit in accordance with regulations under section 86 of the Welfare Reform Act 2012 (hospital in-patients);

(l) an AFIP would be payable to that person but for any suspension of payment in accordance with any terms of the armed and reserve forces compensation scheme which allow for a suspension because a person is undergoing medical treatment in a hospital or similar institution;

(m) paragraph (h), (i), (j) or (k) would apply to him if the legislative provisions referred to in those paragraphs were provisions under any corresponding enactment having effect in Northern Ireland; or

(n) he has an invalid carriage or other vehicle provided to him by the Secretary of State or a clinical commissioning group under paragraph 9 of Schedule 1 to the National Health Service Act 2006 or under section 46 of the National Health Service (Scotland) Act 1978 or provided by the Department of Health, Social Services and Public Safety in Northern Ireland under Article 30(1) of the Health and Personal Social Services (Northern Ireland) Order 1972.

(12) For the purposes of sub-paragraph (11), once sub-paragraph (11)(f) applies to the person, if he then ceases, for a period of 56 days or less, to be incapable, or to be treated as incapable, of work, that sub-paragraph is, on his again becoming so incapable, or so treated as incapable, of work at the end of that period, immediately thereafter to apply to him for so long as he remains incapable, or is treated as remaining incapable, of work.

(13) For the purposes of sub-paragraph (11), once sub-paragraph (11)(g) applies to the person, if he then ceases, for a period of 84 days or less, to have, or to be treated as having, limited capability for work, that paragraph is, on his again having, or being treated as having, limited capability for work at the end of that period, immediately thereafter to apply to him for so long as he has, or is treated as having, limited capability for work.

(14) For the purposes of sub-paragraphs (6) and (8)(a), a person is disabled if he is a person--

(a) to whom an attendance allowance or the care component of disability allowance is payable or would be payable but for--

(i) a suspension of benefit in accordance with regulations under section 113(2) of the SSCBA; or

(ii) an abatement as a consequence of hospitalisation;

(b) to whom the daily living component of personal independence payment is payable or has ceased to be payable by virtue of a suspension of benefit in accordance with regulations under section 86 of the Welfare Reform Act 2012 (hospital in-patients);

(c) who is registered as blind in a register compiled under section 29 of the National Assistance Act 1948 (welfare services) or, in Scotland, has been certified as blind and in consequence he is registered as blind in a register maintained by or on behalf of a council constituted under section 2 of the Local Government (Scotland) Act 1994; or

(d) who ceased to be registered as blind in such a register within the period beginning 28 weeks before the first Monday in September following that person's fifteenth birthday and ending on the day preceding that person's sixteenth birthday.

(15) For the purposes of sub-paragraph (1) a person on maternity leave, paternity leave, shared parental leave or adoption leave is to be treated as if he is engaged in remunerative work for the period specified in sub-paragraph (16) ("the relevant period") provided that--

(a) in the week before the period of maternity leave, paternity leave or adoption leave began he was in remunerative work;

(b) the applicant is incurring relevant child care charges within the meaning of sub-paragraph (5); and

(c) he is entitled to either statutory maternity pay under section 164 of the SSCBA, statutory paternity pay by virtue of section 171ZA or 171ZB of that Act, statutory adoption pay by of section 171ZL of that Act, maternity allowance under section 35 of that Act, statutory shared parental pay by virtue of section 171ZU or 171ZV of that Act or qualifying support.

(16) For the purposes of sub-paragraph (15) the relevant period begins on the day on which the person's maternity, paternity leave, shared parental leave or adoption leave commences and ends on--

- (a) the date that leave ends;
- (b) if no child care element of working tax credit is in payment on the date that entitlement to maternity allowance, qualifying support, statutory maternity pay, ordinary or additional statutory paternity pay, statutory shared parental pay or statutory adoption pay ends, the date that entitlement ends; or
- (c) if a child care element of working tax credit is in payment on the date that entitlement to maternity allowance or qualifying support, statutory maternity pay, ordinary or additional statutory paternity pay, statutory shared parental pay or statutory adoption pay ends, the date that entitlement to that award of the child care element of the working tax credit ends,

whichever occurs first.

(17) In sub-paragraphs (15) and (16)--

- (a) "qualifying support" means income support to which that person is entitled by virtue of paragraph 14B of Schedule 1B to the Income Support (General) Regulations 1987; and
- (b) "child care element" of working tax credit means the element of working tax credit prescribed under section 12 of the Tax Credits Act 2002 (child care element).

(18) In this paragraph "applicant" does not include an applicant--

- (a) who has, or
- (b) who (jointly with his partner) has,

an award of universal credit.

Calculation of average weekly income from tax credits

59

(1) This paragraph applies where an applicant receives a tax credit.

(2) Where this paragraph applies, the period over which a tax credit is to be taken into account is the period set out in sub-paragraph (3).

(3) Where the instalment in respect of which payment of a tax credit is made is--

- (a) a daily instalment, the period is 1 day, being the day in respect of which the instalment is paid;
- (b) a weekly instalment, the period is 7 days, ending on the day on which the instalment is due to be paid;
- (c) a two weekly instalment, the period is 14 days, commencing 6 days before the day on which the instalment is due to be paid;
- (d) a four weekly instalment, the period is 28 days, ending on the day on which the instalment is due to be paid.

(4) For the purposes of this paragraph "tax credit" means child tax credit or working tax credit.

Disregard of changes in tax, contributions etc

60

In calculating the applicant's income the authority may disregard any legislative change--

- (a) in the basic or other rates of income tax;
- (aa) in the Scottish basic or other rates of income tax;
- (b) in the amount of any personal tax reliefs under Chapters 2, 3, and 3A of Part 3 of the Income Tax Act 2007;
- (c) in the rates of national insurance contributions payable under the SSCBA or in the lower earnings limit or upper earnings limit for Class 1 contributions under that Act, the lower or upper limits applicable to Class 4 contributions under that Act or the amount specified in section 11(4) of that Act (small profits threshold in relation to Class 2 contributions);
- (d) in the amount of tax payable as a result of an increase in the weekly rate of Category A, B, C or D retirement pension or any addition thereto or any graduated pension payable under the SSCBA or a state pension under Part 1 of the Pensions Act 2014;
- (e) in the maximum rate of child tax credit or working tax credit,

for a period not exceeding 30 reduction weeks beginning with the reduction week immediately following the date from which the change is effective.

Calculation of net profit of self-employed earners

61

(1) For the purposes of paragraphs 48 (average weekly earnings of self-employed earners: persons who are not pensioners) and 57 (calculation of income on a weekly basis) the earnings of an applicant to be taken into account must be--

- (a) in the case of a self-employed earner who is engaged in employment on his own account, the net profit derived from that employment;
- (b) in the case of a self-employed earner who is a pensioner whose employment is carried on in partnership, his share of the net profit derived from that employment, less--
 - (i) an amount in respect of income tax and of national insurance contributions payable under the SSCBA calculated in accordance with paragraph 62 (deduction of tax and contributions of self-employed earners); and
 - (ii) one-half of the amount calculated in accordance with sub-paragraph (11) in respect of any qualifying premium;
- (c) in the case of a self-employed earner who is not a pensioner whose employment is carried on in partnership or is that of a share fisherman within the meaning of the Social Security (Mariners' Benefits) Regulations 1975, his share of the net profit derived from that employment, less--
 - (i) an amount in respect of income tax and of national insurance contributions payable under the SSCBA calculated in accordance with paragraph 62 (deduction of tax and contributions for self-employed earners); and
 - (ii) one-half of the amount calculated in accordance with sub-paragraph (11) in respect of any qualifying premium.

(2) There must be disregarded from the net profit of an applicant who is not a pensioner, any sum, where applicable, specified in paragraphs 1 to 16 of Schedule 7 (sums disregarded in the calculation of earnings: persons who are not pensioners).

(3) For the purposes of sub-paragraph (1)(a) the net profit of the employment must, except where sub-paragraph (9) applies, be calculated by taking into account the earnings of the employment over the assessment period less--

- (a) subject to sub-paragraphs (5) to (8), any expenses wholly and exclusively incurred in that period for the purposes of that employment;
- (b) an amount in respect of--
 - (i) income tax; and
 - (ii) social security contributions payable under the SSCBA,

calculated in accordance with paragraph 62 (deduction of tax and contributions for self-employed earners); and

- (c) one-half of the amount calculated in accordance with sub-paragraph (11) in respect of any qualifying premium.

(4) For the purposes of sub-paragraph (1)(b) the net profit of the employment is to be calculated by taking into account the earnings of the employment over the assessment period less, subject to sub-paragraphs (5) to (8), any expenses wholly and exclusively incurred in that period for the purposes of the employment.

(5) Subject to sub-paragraph (6), no deduction is to be made under sub-paragraph (3)(a) or (4), in respect of--

- (a) any capital expenditure;
- (b) the depreciation of any capital asset;
- (c) any sum employed or intended to be employed in the setting up or expansion of the employment;
- (d) any loss incurred before the beginning of the assessment period;
- (e) the repayment of capital on any loan taken out for the purposes of the employment;
- (f) any expenses incurred in providing business entertainment; and
- (g) in the case of an applicant who is not a pensioner, any debts, except bad debts proved to be such, but this paragraph does not apply to any expenses incurred in the recovery of a debt.

(6) A deduction is to be made under sub-paragraph (3)(a) or (4) in respect of the repayment of capital on any loan used for--

- (a) the replacement in the course of business of equipment or machinery; or
- (b) the repair of an existing business asset except to the extent that any sum is payable under an insurance policy for its repair.

(7) The authority must refuse to make a deduction in respect of any expenses under sub-paragraph (3)(a) or (4) where it is not satisfied given the nature and the amount of the expense that it has been reasonably incurred.

(8) For the avoidance of doubt--

- (a) a deduction must not be made under sub-paragraph (3)(a) or (4) in respect of any sum unless it has been expended for the purposes of the business;
 - (b) a deduction must be made thereunder in respect of--
 - (i) the excess of any value added tax paid over value added tax received in the assessment period;
 - (ii) any income expended in the repair of an existing business asset except to the extent that any sum is payable under an insurance policy for its repair;
 - (iii) any payment of interest on a loan taken out for the purposes of the employment.
- (9) Where an applicant is engaged in employment as a child minder the net profit of the employment is to be one-third of the earnings of that employment, less--
- (a) an amount in respect of--
 - (i) income tax; and
 - (ii) national insurance contributions payable under the SSCBA,
- calculated in accordance with paragraph 62 (deduction of tax and contributions for self-employed earners); and
- (b) one-half of the amount calculated in accordance with sub-paragraph (11) in respect of any qualifying premium.
- (10) For the avoidance of doubt where an applicant is engaged in employment as a self-employed earner and he is also engaged in one or more other employments as a self-employed or employed earner any loss incurred in any one of his employments must not be offset against his earnings in any other of his employments.
- (11) The amount in respect of any qualifying premium is to be calculated by multiplying the daily amount of the qualifying premium by the number equal to the number of days in the assessment period; and for the purposes of this paragraph the daily amount of the qualifying premium must be determined--
- (a) where the qualifying premium is payable monthly, by multiplying the amount of the qualifying premium by 12 and dividing the product by 365;
 - (b) in any other case, by dividing the amount of the qualifying premium by the number equal to the number of days in the period to which the qualifying premium relates.

(12) In this paragraph, "qualifying premium" means any premium which is payable periodically in respect of a personal pension scheme and is so payable on or after the date of application.

Calculation of deduction of tax and contributions of self-employed earners

62

- (1) The amount to be deducted in respect of income tax under paragraph 61(1)(b)(i), (3)(b)(i) or (9)(a)(i) (calculation of net profit of self-employed earners) must be calculated--
- (a) on the basis of the amount of chargeable income, and
 - (b) as if that income were assessable to income tax at the basic rate, or in the case of a Scottish taxpayer, the Scottish basic rate, of tax applicable to the assessment period less only the personal reliefs to which the applicant is entitled under Chapters 2, 3 and 3A of Part 3 of the Income Tax Act 2007 as are appropriate to his circumstances.

(2) But, if the assessment period is less than a year, the earnings to which the basic rate, or the Scottish basic rate, of tax is to be applied and the amount of the personal reliefs deductible under this paragraph must be calculated on a pro rata basis.

(3) The amount to be deducted in respect of national insurance contributions under paragraph 60(1)(b)(i), (3)(b)(ii) or (9)(a)(ii) is the total of--

(a) the amount of Class 2 contributions payable under section 11(2) or, as the case may be, 11(8) of the SSCBA at the rate applicable to the assessment period except where the applicant's chargeable income is less than the amount specified in section 11(4) of that Act (small profits threshold) for the tax year applicable to the assessment period; but if the assessment period is less than a year, the amount specified for that tax year must be reduced pro rata; and

(b) the amount of Class 4 contributions (if any) which would be payable under section 15 of the SSCBA (Class 4 contributions recoverable under the Income Tax Acts) at the percentage rate applicable to the assessment period on so much of the chargeable income as exceeds the lower limit but does not exceed the upper limit of profits and gains applicable for the tax year applicable to the assessment period; but if the assessment period is less than a year, those limits must be reduced pro rata.

(4) In this paragraph "chargeable income" means--

(a) except where paragraph (b) applies, the earnings derived from the employment less any expenses deducted under sub-paragraph (3)(a) or, as the case may be, (5) of paragraph 61;

(b) in the case of employment as a child minder, one-third of the earnings of that employment.

Chapter 7 Capital

Calculation of capital

63

(1) The capital of an applicant to be taken into account must be, subject to sub-paragraph (2), the whole of his capital calculated in accordance with this Part and (in the case of persons who are not pensioners) any income treated as capital under paragraph 64 (income treated as capital: persons who are not pensioners).

(2) There must be disregarded from the calculation of an applicant's capital under sub-paragraph (1), any capital, where applicable, specified in--

(a) Schedule 9, in relation to pensioners;

(b) Schedule 10, in relation to persons who are not pensioners.

(3) In the case of an applicant who is a pensioner, his capital is to be treated as including any payment made to him by way of arrears of--

(a) child tax credit;

(b) working tax credit;

(c) state pension credit,

if the payment was made in respect of a period for the whole or part of which a reduction under this scheme was allowed before those arrears were paid.

(4) The capital of a child or young person who is a member of the family of an applicant who is not a pensioner must not be treated as capital of the applicant.

Income treated as capital: persons who are not pensioners

64

- (1) This paragraph applies in relation to persons who are not pensioners.
- (2) Any bounty derived from employment to which paragraph 9 of Schedule 7 (sums disregarded in the calculation of earnings: persons who are not pensioners) applies and paid at intervals of at least one year is to be treated as capital.
- (3) Any amount by way of a refund of income tax deducted from profits or emoluments chargeable to income tax under Schedule D or E is to be treated as capital.
- (4) Any holiday pay which is not earnings under paragraph 41(1)(d) or 51(1)(d) (earnings of employed earners) is to be treated as capital.
- (5) Except any income derived from capital disregarded under paragraphs 4, 5, 7, 11, 17, 30 to 33, 50 or 51 of Schedule 10 (capital disregards: persons who are not pensioners), any income derived from capital is to be treated as capital but only from the date it is normally due to be credited to the applicant's account.
- (6) In the case of employment as an employed earner, any advance of earnings or any loan made by the applicant's employer is to be treated as capital.
- (7) Any charitable or voluntary payment which is not made or due to be made at regular intervals, other than a payment which is made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, the Independent Living Fund (2006) or the London Bombings Charitable Relief Fund, is to be treated as capital.
- (8) There is to be treated as capital the gross receipts of any commercial activity carried on by a person in respect of which assistance is received under the self-employment route, but only in so far as those receipts were payable into a special account during the period in which that person was receiving such assistance.
- (9) Any arrears of subsistence allowance which are paid to an applicant as a lump sum must be treated as capital.
- (10) Any arrears of working tax credit or child tax credit must be treated as capital.

Calculation of capital in the United Kingdom

65

Capital which an applicant possesses in the United Kingdom is to be calculated at its current market or surrender value less--

- (a) where there would be expenses attributable to the sale, 10 per cent; and
- (b) the amount of any encumbrance secured on it.

Calculation of capital outside the United Kingdom

66

Capital which an applicant possesses in a country outside the United Kingdom must be calculated--

- (a) in a case where there is no prohibition in that country against the transfer to the United Kingdom of an amount equal to its current market or surrender value in that country, at that value;
- (b) in a case where there is such a prohibition, at the price which it would realise if sold in the United Kingdom to a willing buyer,

less, where there would be expenses attributable to sale, 10 per cent and the amount of any encumbrances secured on it.

Notional capital

67

- (1) An applicant is to be treated as possessing capital of which he has deprived himself for the purpose of securing entitlement to a reduction or increasing the amount of that reduction except to the extent that that capital is reduced in accordance with paragraph 68 (diminishing notional capital rule).
- (2) A person who is a pensioner who disposes of capital for the purpose of--
 - (a) reducing or paying a debt owed by the applicant; or
 - (b) purchasing goods or services if the expenditure was reasonable in the circumstances of the applicant's case,

is to be regarded as not depriving himself of it.

- (3) Sub-paragraphs (4) to (6) apply in relation to applicants who are not pensioners.
- (4) Except in the case of--
 - (a) a discretionary trust; or
 - (b) a trust derived from a payment made in consequence of a personal injury; or
 - (c) any loan which would be obtained only if secured against capital disregarded under Schedule 9; or
 - (d) a personal pension scheme, occupational pension scheme or a payment made by the Board of the Pension Protection Fund; or
 - (e) any sum to which paragraph 50(2)(a) of Schedule 10 (capital disregards: persons who are not pensioners) applies which is administered in the way referred to in paragraph 50(1)(a); or
 - (f) any sum to which paragraph 51(a) of Schedule 10 refers; or
 - (g) child tax credit; or
 - (h) working tax credit,

any capital which would become available to the applicant upon application being made, but which has not been acquired by him, is to be treated as possessed by him but only from the date on which it could be expected to be acquired were an application made.

- (5) Any payment of capital, other than a payment of capital specified in sub-paragraph (6), made--
 - (a) to a third party in respect of a single applicant or a member of the family (but not a member of the third party's family) must, where that payment is a payment of an occupational pension, a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund, be treated as possessed by that single applicant or, as the case may be, by that member;

(b) to a third party in respect of a single applicant or in respect of a member of the family (but not a member of the third party's family) must, where it is not a payment referred to in paragraph (a), be treated as possessed by that single applicant or by that member to the extent that it is used for the food, ordinary clothing or footwear, household fuel or rent of that single applicant or, as the case may be, of any member of that family or is used for any council tax or water charges for which that applicant or member is liable;

(c) to a single applicant or a member of the family in respect of a third party (but not in respect of another member of the family) must be treated as possessed by that single applicant or, as the case may be, that member of the family to the extent that it is kept or used by him or used by or on behalf of any member of the family.

(6) Sub-paragraph (5) does not apply in respect of a payment of capital made--

(a) under or by any of the Trusts, the Fund, the Eileen Trust, MFET Limited, the Independent Living Fund (2006), the Skipton Fund, the Caxton Foundation, or the London Bombings Relief Charitable Fund;

(b) pursuant to section 2 of the Employment and Training Act 1973 in respect of a person's participation--

(i) in an employment programme specified in regulation 75(1)(a)(ii) of the Jobseeker's Allowance Regulations 1996;

(ii) in a training scheme specified in regulation 75(1)(b)(ii) of those Regulations;

(iii) in the Intense Activity Period specified in regulation 75(1)(a)(iv) of those Regulations;

(iv) in a qualifying course within the meaning specified in regulation 17A(7) of those Regulations; or

(v) in the Flexible New Deal specified in regulation 75(1)(a)(v) of those Regulations;

(c) in respect of a person's participation in the Work for Your Benefit Pilot Scheme;

(d) in respect of a person's participation in the Mandatory Work Activity Scheme;

(e) in respect of an applicant's participation in the Employment, Skills and Enterprise Scheme;

(f) under an occupational pension scheme, in respect of a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund where--

(i) a bankruptcy order has been made in respect of the person in respect of whom the payment has been made or, in Scotland, the estate of that person is subject to sequestration or a judicial factor has been appointed on that person's estate under section 41 of the Solicitors (Scotland) Act 1980;

(ii) the payment is made to the trustee in bankruptcy or any other person acting on behalf of the creditors; and

(iii) the person referred to in sub-paragraph (i) and any member of his family does not possess, or is not treated as possessing, any other income apart from that payment.

(7) Where an applicant stands in relation to a company in a position analogous to that of a sole owner or partner in the business of that company, he may be treated as if he were such sole owner or partner and in such a case--

(a) the value of his holding in that company must, notwithstanding paragraph 63 (calculation of capital) be disregarded; and

(b) he must, subject to sub-paragraph (8), be treated as possessing an amount of capital equal to the value or, as the case may be, his share of the value of the capital of that company and the foregoing provisions of this Chapter apply for the purposes of calculating that amount as if it were actual capital which he does possess.

(8) For so long as the applicant undertakes activities in the course of the business of the company, the amount which he is treated as possessing under sub-paragraph (7) is to be disregarded.

(9) Where an applicant is treated as possessing capital under any of sub-paragraphs (1), (4) or (5) the foregoing provisions of this Chapter apply for the purposes of calculating its amount as if it were actual capital which he does possess.

Diminishing notional capital rule: pensioners

68

(1) Where an applicant who is a pensioner is treated as possessing capital under paragraph 67(1) (notional capital), the amount which he is treated as possessing--

(a) in the case of a week that is subsequent to--

- (i) the relevant week in respect of which the conditions set out in sub-paragraph (2) are satisfied; or
- (ii) a week which follows that relevant week and which satisfies those conditions,

is to be reduced by an amount determined under sub-paragraph (3);

(b) in the case of a week in respect of which sub-paragraph (1)(a) does not apply but where--

- (i) that week is a week subsequent to the relevant week; and
- (ii) that relevant week is a week in which the condition in sub-paragraph (4) is satisfied,

is to be reduced by the amount determined under sub-paragraph (5).

(2) This sub-paragraph applies to a reduction week where the applicant satisfies the conditions that--

- (a) he is in receipt of a reduction under this scheme; and
- (b) but for paragraph 67(1), he would have received a greater reduction in council tax under this scheme in that week.

(3) In a case to which sub-paragraph (2) applies, the amount of the reduction in the amount of capital he is treated as possessing for the purposes of sub-paragraph (1)(a) must be equal to the aggregate of--

- (a) an amount equal to the additional amount of the reduction in council tax to which sub-paragraph (2)(b) refers;
- (b) where the applicant has also claimed state pension credit, the amount of any state pension credit or any additional amount of state pension credit to which he would have been entitled in respect of the reduction week to which sub-paragraph (2) refers but for the application of regulation 21(1) of the State Pension Credit Regulations 2002 (notional capital);
- (c) where the applicant has also claimed housing benefit, the amount of any housing benefit or any additional amount of housing benefit to which he would have been entitled in respect of the

whole or part of the reduction week to which sub-paragraph (2) refers but for the application of regulation 47(1) of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 (notional capital);

(d) where the applicant has also claimed a jobseeker's allowance, the amount of an income-based jobseeker's allowance to which he would have been entitled in respect of the reduction week to which sub-paragraph (2) refers but for the application of regulation 113 of the Jobseeker's Allowance Regulations 1996 (notional capital); and

(e) where the applicant has also claimed an employment and support allowance, the amount of an income-related employment and support allowance to which he would have been entitled in respect of the reduction week to which sub-paragraph (2) refers but for the application of regulation 115 of the Employment and Support Allowance Regulations 2008 (notional capital).

(4) Subject to sub-paragraph (7), for the purposes of sub-paragraph (1)(b) the condition is that the applicant is a pensioner and would have been entitled to a reduction in council tax under this scheme in the relevant week but for paragraph 67(1).

(5) In such a case the amount of the reduction in the amount of capital he is treated as possessing for the purposes of sub-paragraph (1)(b) is equal to the aggregate of--

(a) the amount of the reduction in council tax to which the applicant would have been entitled in the relevant week but for paragraph 67(1);

(b) if the applicant would, but for regulation 21 of the State Pension Credit Regulations 2002, have been entitled to state pension credit in respect of the benefit week, within the meaning of regulation 1(2) of those Regulations (interpretation), which includes the last day of the relevant week, the amount to which he would have been entitled;

(c) if the applicant would, but for regulation 47(1) of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006, have been entitled to housing benefit or to an additional amount of housing benefit in respect of the benefit week which includes the last day of the relevant week, the amount which is equal to--

(i) in a case where no housing benefit is payable, the amount to which he would have been entitled; or

(ii) in any other case, the amount equal to the additional amount of housing benefit to which he would have been entitled;

(d) if the applicant would, but for regulation 113 of the Jobseeker's Allowance Regulations 1996, have been entitled to an income-based jobseeker's allowance in respect of the benefit week, within the meaning of regulation 1(3) of those Regulations (interpretation), which includes the last day of the relevant week, the amount to which he would have been entitled; and

(e) if the applicant would, but for regulation 115 of the Employment and Support Allowance Regulations 2008, have been entitled to an income-related employment and support allowance in respect of the benefit week, within the meaning of regulation 2(1) of those Regulations (interpretation), which includes the last day of the relevant week, the amount to which he would have been entitled.

(6) But if the amount mentioned in paragraph (a), (b), (c), (d) or (e) of sub-paragraph (5) ("the relevant amount") is in respect of a part-week, the amount that is to be taken into account under that paragraph is to be determined by--

(a) dividing the relevant amount by the number equal to the number of days in that part-week, and

(b) multiplying the result of that calculation by 7.

(7) The amount determined under sub-paragraph (5) is to be re-determined under that sub-paragraph if the applicant makes a further application and the conditions in sub-paragraph (8) are satisfied, and in such a case--

- (a) paragraphs (a) to (e) of sub-paragraph (5) apply as if for the words "relevant week" there were substituted the words "relevant subsequent week"; and
- (b) subject to sub-paragraph (9), the amount as re-determined has effect from the first week following the relevant subsequent week in question.

(8) The conditions are that--

- (a) a further application is made 26 or more weeks after--
 - (i) the date on which the applicant made an application in respect of which he was first treated as possessing the capital in question under paragraph 67(1);
 - (ii) in a case where there has been at least one re-determination in accordance with sub-paragraph (11), the date on which he last made an application which resulted in the weekly amount being re-determined, or
 - (iii) the date on which he last ceased to be entitled to a reduction under this scheme,

whichever last occurred; and

- (b) the applicant would have been entitled to a reduction under this scheme but for paragraph 67(1).

(9) The amount as re-determined pursuant to sub-paragraph (7) must not have effect if it is less than the amount which applied in that case immediately before the re-determination and in such a case the higher amount must continue to have effect.

(10) For the purposes of this paragraph--

"part-week"--

- (a) in relation to an amount mentioned in sub-paragraph (5)(a), means a period of less than a week for which a reduction in council tax under this scheme is allowed;
- (b) in relation to an amount mentioned in sub-paragraph (5)(b), means a period of less than a week for which housing benefit is payable;
- (c) in relation to an amount mentioned in sub-paragraph (5)(c), (d) or (e), means--
 - (i) a period of less than a week which is the whole period for which income support, an income-related employment and support allowance or, as the case may be, an income-based jobseeker's allowance is payable; and
 - (ii) any other period of less than a week for which it is payable;

"relevant week" means the reduction week or part-week in which the capital in question of which the applicant has deprived himself within the meaning of paragraph 67(1)--

- (a) was first taken into account for the purpose of determining his entitlement to a reduction; or
- (b) was taken into account on a subsequent occasion for the purpose of determining or re-determining his entitlement to a reduction on that subsequent occasion and that determination or re-determination resulted in his beginning to receive, or ceasing to receive, a reduction;

and where more than one reduction week is identified by reference to paragraphs (a) and (b) of this definition, the later or latest such reduction week or, as the case may be, the later or latest such part-week is the relevant week;

"relevant subsequent week" means the reduction week or part-week which includes the day on which the further application or, if more than one further application has been made, the last such application was made.

Diminishing notional capital rule: persons who are not pensioners

69

(1) Where an applicant who is not a pensioner is treated as possessing capital under paragraph 67(1) (notional capital), the amount which he is treated as possessing--

(a) in the case of a week that is subsequent to--

(i) the relevant week in respect of which the conditions set out in sub-paragraph (2) are satisfied; or

(ii) a week which follows that relevant week and which satisfies those conditions,

is to be reduced by an amount determined under sub-paragraph (3);

(b) in the case of a week in respect of which sub-paragraph (1)(a) does not apply but where--

(i) that week is a week subsequent to the relevant week; and

(ii) that relevant week is a week in which the condition in sub-paragraph (4) is satisfied,

is to be reduced by the amount determined under sub-paragraph (5).

(2) This sub-paragraph applies to a reduction week (or, in the case of persons who are not pensioners, part-week) where the applicant satisfies the conditions that--

(a) he is in receipt of a reduction in council tax under this scheme; and

(b) but for paragraph 67(1), he would have received a greater reduction in council tax under this scheme in that week.

(3) In a case to which sub-paragraph (2) applies, the amount of the reduction in the amount of capital he is treated as possessing for the purposes of sub-paragraph (1)(a) is equal to the aggregate of--

(a) an amount equal to the additional amount of the reduction in council tax to which sub-paragraph (2)(b) refers;

(b) where the applicant has also claimed housing benefit, the amount of any housing benefit or any additional amount of that benefit to which he would have been entitled in respect of the whole or part of the reduction week to which sub-paragraph (2) refers but for the application of regulation 49(1) of the Housing Benefit Regulations 2006 (notional capital);

(c) where the applicant has also claimed income support, the amount of income support to which he would have been entitled in respect of the whole or part of the reduction week to which sub-paragraph (2) refers but for the application of regulation 51(1) of the Income Support (General) Regulations 1987 (notional capital);

(d) where the applicant has also claimed a jobseeker's allowance, the amount of an income-based jobseeker's allowance to which he would have been entitled in respect of the whole or part of

the reduction week to which sub-paragraph (2) refers but for the application of regulation 113 of the Jobseeker's Allowance Regulations 1996 (notional capital); and

(e) where the applicant has also claimed an employment and support allowance, the amount of an income-related employment and support allowance to which he would have been entitled in respect of the whole or part of the reduction week to which sub-paragraph (2) refers but for the application of regulation 115 of the Employment and Support Allowance Regulations 2008 (notional capital).

(4) Subject to sub-paragraph (7), for the purposes of sub-paragraph (1)(b) the condition is that the applicant is not a pensioner and would have been entitled to a reduction in council tax in the relevant week but for paragraph 67(1).

(5) In such a case the amount of the reduction in the amount of capital he is treated as possessing must be equal to the aggregate of--

(a) the amount of council tax benefit to which the applicant would have been entitled in the relevant week but for paragraph 67(1);

(b) if the applicant would, but for regulation 49(1) of the Housing Benefit Regulations 2006, have been entitled to housing benefit or to an additional amount of housing benefit in respect of the benefit week which includes the last day of the relevant week, the amount which is equal to--

(i) in a case where no housing benefit is payable, the amount to which he would have been entitled; or

(ii) in any other case, the amount equal to the additional amount of housing benefit to which he would have been entitled;

(c) if the applicant would, but for regulation 51(1) of the Income Support (General) Regulations 1987, have been entitled to income support in respect of the benefit week, within the meaning of regulation 2(1) of those Regulations (interpretation), which includes the last day of the relevant week, the amount to which he would have been entitled;

(d) if the applicant would, but for regulation 113 of the Jobseeker's Allowance Regulations 1996, have been entitled to an income-based jobseeker's allowance in respect of the benefit week, within the meaning of regulation 1(3) of those Regulations (interpretation), which includes the last day of the relevant week, the amount to which he would have been entitled; and

(e) if the applicant would, but for regulation 115 of the Employment and Support Allowance Regulations 2008, have been entitled to an income-related employment and support allowance in respect of the benefit week, within the meaning of regulation 2(1) of those Regulations (interpretation), which includes the last day of the relevant week, the amount to which he would have been entitled.

(6) But if the amount mentioned in paragraph (a), (b), (c), (d) or (e) of sub-paragraph (5) ("the relevant amount") is in respect of a part-week, the amount that is to be taken into account under that paragraph is to be determined by--

(a) dividing the relevant amount by the number equal to the number of days in that part-week, and

(b) multiplying the result of that calculation by 7.

(7) The amount determined under sub-paragraph (5) is to be re-determined under the appropriate sub-paragraph if the applicant makes a further application and the conditions in sub-paragraph (8) are satisfied, and in such a case--

(a) paragraphs (a) to (e) of sub-paragraph (5) apply as if for the words "relevant week" there were substituted the words "relevant subsequent week"; and

(b) subject to sub-paragraph (9), the amount as re-determined has effect from the first week following the relevant subsequent week in question.

(8) The conditions are that--

(a) a further application is made 26 or more weeks after--

(i) the date on which the applicant made an application for a reduction under this scheme in respect of which he was first treated as possessing the capital in question under paragraph 67(1);

(ii) in a case where there has been at least one re-determination in accordance with sub-paragraph (7), the date on which he last made an application under this scheme which resulted in the weekly amount being re-determined, or

(iii) the date on which he last ceased to be entitled to a reduction under this scheme,

whichever last occurred; and

(b) the applicant would have been entitled to a reduction under this scheme but for paragraph 67(1).

(9) The amount as re-determined pursuant to sub-paragraph (6) must not have effect if it is less than the amount which applied in that case immediately before the re-determination and in such a case the higher amount must continue to have effect.

(10) For the purposes of this paragraph--

"part-week"--

(a) in relation to an amount mentioned in sub-paragraph (5)(a), means a period of less than a week for which a reduction under this scheme is allowed;

(b) in relation to an amount mentioned in sub-paragraph (5)(b), means a period of less than a week for which housing benefit is payable;

(c) in relation to an amount mentioned in sub-paragraph (5)(c), (d) or (e), means--

(i) a period of less than a week which is the whole period for which income support, an income-related employment and support allowance or, as the case may be, an income-based jobseeker's allowance is payable; and

(ii) any other period of less than a week for which it is payable;

"relevant week" means the reduction week or part-week in which the capital in question of which the applicant has deprived himself within the meaning of paragraph 67(1)--

(a) was first taken into account for the purpose of determining his entitlement to a reduction; or

(b) was taken into account on a subsequent occasion for the purpose of determining or re-determining his entitlement to a reduction on that subsequent occasion and that determination or re-determination resulted in his beginning to receive, or ceasing to receive, a reduction,

and where more than one reduction week is identified by reference to paragraphs (a) and (b) of this definition, the later or latest such reduction week or, as the case may be, the later or latest such part-week is the relevant week;

"relevant subsequent week" means the reduction week or part-week which includes the day on which the further application or, if more than one further application has been made, the last such application was made.

Capital jointly held

70

Except where an applicant possesses capital which is disregarded under paragraph 67(7) (notional capital), where an applicant and one or more persons are beneficially entitled in possession to any capital asset they must be treated, in the absence of evidence to the contrary, as if each of them were entitled in possession to the whole beneficial interest therein in an equal share and the foregoing provisions of this Chapter apply for the purposes of calculating the amount of capital which the applicant is treated as possessing as if it were actual capital which the applicant does possess.

Calculation of tariff income from capital: pensioners

71

The capital of an applicant who is a pensioner, calculated in accordance with this Part, is to be treated as if it were a weekly income of--

- (a) £1 for each £500 in excess of £10,000 but not exceeding £16,000; and
- (b) £1 for any excess which is not a complete £500.

Calculation of tariff income from capital: persons who are not pensioners

72

The capital of an applicant who is not a pensioner, calculated in accordance with this Part, is to be treated as if it were a weekly income of--

- (a) £1 for each £250 in excess of £6,000 but not exceeding £10,000;
- (b) £1 for any excess which is not a complete £250.

Part 11 Students

Chapter 1 General

Interpretation

73

(1) In this Part--

"academic year" means the period of twelve months beginning on 1st January, 1st April, 1st July or 1st September according to whether the course in question begins in the winter, the spring, the summer or the autumn respectively but if students are required to begin attending the course during August or September and to continue attending through the autumn, the academic year of the course is to be considered to begin in the autumn rather than the summer;

"access funds" means--

- (a) grants made under section 68 of the Further and Higher Education Act 1992 for the purpose of providing funds on a discretionary basis to be paid to students;

- (b) grants made under sections 73(a) and (c) and 74(1) of the Education (Scotland) Act 1980;
- (c) grants made under Article 30 of the Education and Libraries (Northern Ireland) Order 1993 or grants, loans or other payments made under Article 5 of the Further Education (Northern Ireland) Order 1997 in each case being grants, or grants, loans or other payments as the case may be, for the purpose of assisting students in financial difficulties;
- (d) discretionary payments, known as "learner support funds", which are made available to students in further education by institutions out of funds provided by the Secretary of State under section 14 of the Education Act 2002, under sections 100 and 101 of the Apprenticeships, Skills, Children and Learning Act 2009; or
- (e) Financial Contingency Funds made available by the Welsh Ministers;

"college of further education" means a college of further education within the meaning of Part 1 of the Further and Higher Education (Scotland) Act 1992;

"contribution" means--

- (a) any contribution in respect of the income of a student or any person which the Secretary of State, the Scottish Ministers or an education authority takes into account in ascertaining the amount of a student's grant or student loan; or
- (b) any sums, which in determining the amount of a student's allowance or bursary in Scotland under the Education (Scotland) Act 1980, the Scottish Ministers or education authority takes into account being sums which the Scottish Ministers or education authority considers that it is reasonable for the following persons to contribute towards the holder's expenses--
 - (i) the holder of the allowance or bursary;
 - (ii) the holder's parents;
 - (iii) the holder's parent's spouse, civil partner or a person ordinarily living with the holder's parent as if he or she were the spouse or civil partner of that parent; or
 - (iv) the holder's spouse or civil partner;

"course of study" means any course of study, whether or not it is a sandwich course and whether or not a grant is made for attending or undertaking it;

"covenant income" means the gross income payable to a full-time student under a Deed of Covenant by his parent;

"education authority" means a government department, a local authority as defined in section 579 of the Education Act 1996 (interpretation), a local education authority as defined in section 123 of the Local Government (Scotland) Act 1973, an education and library board established under Article 3 of the Education and Libraries (Northern Ireland) Order 1986, any body which is a research council for the purposes of the Science and Technology Act 1965 or any analogous government department, authority, board or body, of the Channel Islands, Isle of Man or any other country outside Great Britain;

"full-time course of study" means a full-time course of study which--

- (a) is not funded in whole or in part by the Secretary of State under section 14 of the Education Act 2002, or under section 100 of the Apprenticeships, Skills, Children and Learning Act 2009 or by the Welsh Ministers or a full-time course of study which is not funded in whole or in part by the Scottish Ministers at a college of further education or a full-time course of study which is a course of higher education and is funded in whole or in part by the Scottish Ministers;
- (b) is funded in whole or in part by the Secretary of State under section 14 of the Education Act 2002, or under section 100 of the Apprenticeships, Skills, Children and Learning Act 2009 or by

the Welsh Ministers if it involves more than 16 guided learning hours per week for the student in question, according to the number of guided learning hours per week for that student set out--

- (i) in the case of a course funded by the Secretary of State, in the student's learning agreement signed on behalf of the establishment which is funded by the Secretary of State for the delivery of that course; or
- (ii) in the case of a course funded by the Welsh Ministers, in a document signed on behalf of the establishment which is funded by that Council for the delivery of that course; or

(c) is not higher education and is funded in whole or in part by the Scottish Ministers at a college of further education and involves--

- (i) more than 16 hours per week of classroom-based or workshop-based programmed learning under the direct guidance of teaching staff according to the number of hours set out in a document signed on behalf of the college; or
- (ii) 16 hours or less per week of classroom-based or workshop-based programmed learning under the direct guidance of teaching staff and additional hours using structured learning packages supported by the teaching staff where the combined total of hours exceeds 21 hours per week, according to the number of hours set out in a document signed on behalf of the college;

"full-time student" means a person attending or undertaking a full-time course of study and includes a student on a sandwich course;

"grant" (except in the definition of "access funds") means any kind of educational grant or award and includes any scholarship, studentship, exhibition, allowance or bursary but does not include a payment from access funds or any payment to which paragraph 16 of Schedule 8 or paragraph 55 of Schedule 10 (allowances and payments for courses of study) applies;

"grant income" means--

- (a) any income by way of a grant;
- (b) any contribution whether or not it is paid;

"higher education" means higher education within the meaning of Part 2 of the Further and Higher Education (Scotland) Act 1992;

"last day of the course" means--

- (a) in the case of a qualifying course, the date on which the last day of that course falls or the date on which the final examination relating to that course is completed, whichever is the later;
- (b) in any other case, the date on which the last day of the final academic term falls in respect of the course in which the student is enrolled;

"period of study" means--

- (a) in the case of a course of study for one year or less, the period beginning with the start of the course and ending with the last day of the course;
- (b) in the case of a course of study for more than one year, in the first or, as the case may be, any subsequent year of the course, other than the final year of the course, the period beginning with the start of the course or, as the case may be, that year's start and ending with either--
 - (i) the day before the start of the next year of the course in a case where the student's grant or loan is assessed at a rate appropriate to his studying throughout the year or, if he does not have a grant or loan, where a loan would have been assessed at such a rate had he had one; or

(ii) in any other case, the day before the start of the normal summer vacation appropriate to his course;

(c) in the final year of a course of study of more than one year, the period beginning with that year's start and ending with the last day of the course;

"periods of experience" means periods of work experience which form part of a sandwich course;

"qualifying course" means a qualifying course as defined for the purposes of Parts 2 and 4 of the Jobseeker's Allowance Regulations 1996;

"sandwich course" has the meaning prescribed in regulation 2(9) of the Education (Student Support) Regulations 2008, regulation 4(2) of the Education (Student Loans) (Scotland) Regulations 2007 or regulation 2(8) of the Education (Student Support) Regulations (Northern Ireland) 2007, as the case may be;

"standard maintenance grant" means--

(a) except where paragraph (b) or (c) applies, in the case of a student attending or undertaking a course of study at the University of London or an establishment within the area comprising the City of London and the Metropolitan Police District, the amount specified for the time being in paragraph 2(2)(a) of Schedule 2 to the Education (Mandatory Awards) Regulations 2003 ("the 2003 Regulations") for such a student;

(b) except where paragraph (c) applies, in the case of a student residing at his parent's home, the amount specified in paragraph 3 thereof;

(c) in the case of a student receiving an allowance or bursary under the Education (Scotland) Act 1980, the amount of money specified as "standard maintenance allowance" for the relevant year appropriate for the student set out in the Student Support in Scotland Guide issued by the Student Awards Agency for Scotland, or its nearest equivalent in the case of a bursary provided by a college of further education or a local education authority;

(d) in any other case, the amount specified in paragraph 2(2) of Schedule 2 to the 2003 Regulations other than in sub-paragraph (a) or (b) thereof;

"student" means a person, other than a person in receipt of a training allowance, who is attending or undertaking--

(a) a course of study at an educational establishment; or

(b) a qualifying course;

"student loan" means a loan towards a student's maintenance pursuant to any regulations made under section 22 of the Teaching and Higher Education Act 1998, section 73 of the Education (Scotland) Act 1980 or Article 3 of the Education (Student Support) (Northern Ireland) Order 1998 and includes, in Scotland, a young student's bursary paid under regulation 4(1)(c) of the Students' Allowances (Scotland) Regulations 2007.

(2) For the purposes of the definition of "full-time student" in sub-paragraph (1), a person must be regarded as attending or, as the case may be, undertaking a full-time course of study or as being on a sandwich course--

(a) subject to sub-paragraph (3), in the case of a person attending or undertaking a part of a modular course which would be a full-time course of study for the purposes of this Part, for the period beginning on the day on which that part of the course starts and ending--

(i) on the last day on which he is registered with the educational establishment as attending or undertaking that part as a full-time course of study; or

- (ii) on such earlier date (if any) as he finally abandons the course or is dismissed from it;
 - (b) in any other case, throughout the period beginning on the date on which he starts attending or undertaking the course and ending on the last day of the course or on such earlier date (if any) as he finally abandons it or is dismissed from it.
- (3) For the purposes of paragraph (a) of sub-paragraph (2), the period referred to in that paragraph includes--
- (a) where a person has failed examinations or has failed successfully to complete a module relating to a period when he was attending or undertaking a part of the course as a full-time course of study, any period in respect of which he attends or undertakes the course for the purpose of retaking those examinations or that module;
 - (b) any period of vacation within the period specified in that paragraph or immediately following that period except where the person has registered with the educational establishment to attend or undertake the final module in the course and the vacation immediately follows the last day on which he is required to attend or undertake the course.
- (4) In sub-paragraph (2), "modular course" means a course of study which consists of two or more modules, the successful completion of a specified number of which is required before a person is considered by the educational establishment to have completed the course.

Treatment of students

74

This scheme has effect in relation to students who are not pensioners subject to the following provisions of this Part.

Students who are excluded from entitlement to a reduction under this scheme

75

- (1) The students who are excluded from entitlement to a reduction under this scheme are, subject to sub-paragraphs (2) and (7)--
- (a) full-time students, and
 - (b) students who are persons treated as not being in Great Britain.
- (2) Sub-paragraph (1)(b) does not apply to a student--
- (a) who is a person on income support, an income-based jobseeker's allowance or an income-related employment and support allowance;
 - (b) who is a lone parent;
 - (c) whose applicable amount would, but for this paragraph, include the disability premium or severe disability premium;
 - (d) whose applicable amount would include the disability premium but for his being treated as capable of work by virtue of a determination made in accordance with regulations made under section 171E of the SSCBA;
 - (e) who is, or is treated as, incapable of work and has been so incapable, or has been so treated as incapable, of work in accordance with the provisions of, and regulations made under, Part 12A of

the SSCBA (incapacity for work) for a continuous period of not less than 196 days; and for this purpose any two or more separate periods separated by a break of not more than 56 days must be treated as one continuous period;

(f) who has, or is treated as having, limited capability for work and has had, or been treated as having, limited capability for work in accordance with the Employment and Support Allowance Regulations 2008 for a continuous period of not less than 196 days, and for this purpose any two or more separate periods separated by a break of not more than 84 days must be treated as one continuous period;

(g) who has a partner who is also a full-time student, if he or that partner is treated as responsible for a child or young person;

(h) who is a single applicant with whom a child is placed by a local authority or voluntary organisation within the meaning of the Children Act 1989 or, in Scotland, boarded out within the meaning of the Social Work (Scotland) Act 1968;

(i) who is--

(i) aged under 21 and whose course of study is not a course of higher education,

(ii) aged 21 and attained that age during a course of study which is not a course of higher education, or

(iii) a qualifying young person or child within the meaning of section 142 of the SSCBA (child and qualifying young person);

(j) in respect of whom--

(i) a supplementary requirement has been determined under paragraph 9 of Part 2 of Schedule 2 to the Education (Mandatory Awards) Regulations 2003;

(ii) an allowance, or as the case may be, bursary has been granted which includes a sum under paragraph (1)(d) of regulation 4 of the Students' Allowances (Scotland) Regulations 1999 or, as the case may be, under paragraph (1)(d) of regulation 4 of the Education Authority (Bursaries) (Scotland) Regulations 1995, in respect of expenses incurred;

(iii) a payment has been made under or by virtue of regulations made under the Teaching and Higher Education Act 1998;

(iv) a grant has been made under regulation 13 of the Education (Student Support) Regulations 2005 or under regulation 13 of the Education (Student Support) Regulations (Northern Ireland) 2000; or

(v) a supplementary requirement has been determined under paragraph 9 of Schedule 6 to the Students Awards Regulations (Northern Ireland) 1999 or a payment has been made under Article 50(3) of the Education and Libraries (Northern Ireland) Order 1986,

on account of his disability by reason of deafness.

(3) Sub-paragraph (2)(i)(ii) only applies to an applicant until the end of the course during which the applicant attained the age of 21.

(4) For the purposes of sub-paragraph (2), once sub-paragraph (2)(e) applies to a full-time student, if he then ceases, for a period of 56 days or less, to be incapable, or to be treated as incapable, of work, that sub-paragraph must, on his again becoming so incapable, or so treated as incapable, of work at the end of that period, immediately thereafter apply to him for so long as he remains incapable or is treated as remaining incapable, of work.

(5) In sub-paragraph (2)(i) the reference to a course of higher education is a reference to a course of any description mentioned in Schedule 6 to the Education Reform Act 1988.

(6) A full-time student to whom sub-paragraph (2)(i) applies must be treated as satisfying that sub-paragraph from the date on which he made a request for the supplementary requirement, allowance, bursary or payment as the case may be.

(7) Sub-paragraph (1)(b) does not apply to a full-time student for the period specified in sub-paragraph (8) if--

(a) at any time during an academic year, with the consent of the relevant educational establishment, he ceases to attend or undertake a course because he is--

- (i) engaged in caring for another person; or
- (ii) ill;

(b) he has subsequently ceased to be engaged in caring for that person or, as the case may be, he has subsequently recovered from that illness; and

(c) he is not eligible for a grant or a student loan in respect of the period specified in sub-paragraph (8).

(8) The period specified for the purposes of sub-paragraph (7) is the period, not exceeding one year, beginning on the day on which he ceased to be engaged in caring for that person or, as the case may be, the day on which he recovered from that illness and ending on the day before--

- (a) the day on which he resumes attending or undertaking the course; or
- (b) the day from which the relevant educational establishment has agreed that he may resume attending or undertaking the course,

whichever first occurs.

Chapter 2 Income

Calculation of grant income

76

(1) The amount of a student's grant income to be taken into account in assessing his income must, subject to sub-paragraphs (2) and (3), be the whole of his grant income.

(2) There must be excluded from a student's grant income any payment--

- (a) intended to meet tuition fees or examination fees;
- (b) in respect of the student's disability;
- (c) intended to meet additional expenditure connected with term time residential study away from the student's educational establishment;
- (d) on account of the student maintaining a home at a place other than that at which he resides during his course;
- (e) on account of any other person but only if that person is residing outside the United Kingdom and there is no applicable amount in respect of him;
- (f) intended to meet the cost of books and equipment;
- (g) intended to meet travel expenses incurred as a result of his attendance on the course;
- (h) intended for the child care costs of a child dependant;

(i) of higher education bursary for care leavers made under Part 3 of the Children Act 1989.

(3) Where a student does not have a student loan and is not treated as possessing such a loan, there must be excluded from the student's grant income--

- (a) the sum of £303 per academic year in respect of travel costs; and
- (b) the sum of £390 per academic year towards the costs of books and equipment,

whether or not any such costs are incurred.

(4) There must also be excluded from a student's grant income the grant for dependants known as the parents' learning allowance paid pursuant to regulations made under Article 3 of the Education (Student Support) (Northern Ireland) Order 1998 or section 22 of the Teaching and Higher Education Act 1998.

(5) Subject to sub-paragraphs (6) and (7), a student's grant income must be apportioned--

- (a) subject to sub-paragraph (8), in a case where it is attributable to the period of study, equally between the weeks in that period beginning with the reduction week, the first day of which coincides with, or immediately follows, the first day of the period of study and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the period of study;
- (b) in any other case, equally between the weeks in the period beginning with the reduction week, the first day of which coincides with, or immediately follows, the first day of the period for which it is payable and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the period for which it is payable.

(6) Any grant in respect of dependants paid under section 63(6) of the Health Services and Public Health Act 1968 (grants in respect of the provision of instruction to officers of hospital authorities) and any amount intended for the maintenance of dependants under Part 3 of Schedule 2 to the Education (Mandatory Awards) Regulations 2003 must be apportioned equally over the period of 52 weeks or, if there are 53 reduction weeks (including part-weeks) in the year, 53.

(7) In a case where a student is in receipt of a student loan or where he could have acquired a student loan by taking reasonable steps but had not done so, any amount intended for the maintenance of dependants to which neither sub-paragraph (6) nor paragraph 80(2) (other amounts to be disregarded) applies, must be apportioned over the same period as the student's loan is apportioned or, as the case may be, would have been apportioned.

(8) In the case of a student on a sandwich course, any periods of experience within the period of study must be excluded and the student's grant income must be apportioned equally between the weeks in the period beginning with the reduction week, the first day of which immediately follows the last day of the period of experience and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the period of study.

Calculation of covenant income where a contribution is assessed

77

(1) Where a student is in receipt of income by way of a grant during a period of study and a contribution has been assessed, the amount of his covenant income to be taken into account for that period and any summer vacation immediately following must be the whole amount of the covenant income less, subject to sub-paragraph (3), the amount of the contribution.

(2) The weekly amount of the student's covenant must be determined--

- (a) by dividing the amount of income which falls to be taken into account under sub-paragraph (1) by 52 or 53, whichever is reasonable in the circumstances; and

(b) by disregarding £5 from the resulting amount.

(3) For the purposes of sub-paragraph (1), the contribution must be treated as increased by the amount (if any) by which the amount excluded under paragraph 76(2)(g) falls short of the amount specified in paragraph 7(2) of Schedule 2 to the Education (Mandatory Awards) Regulations 2003 (travel expenditure).

Covenant income where no grant income or no contribution is assessed

78

(1) Where a student is not in receipt of income by way of a grant the amount of his covenant income must be calculated as follows--

- (a) any sums intended for any expenditure specified in paragraph 76(2)(a) to (e) necessary as a result of his attendance on the course must be disregarded;
- (b) any covenant income, up to the amount of the standard maintenance grant, which is not so disregarded, must be apportioned equally between the weeks of the period of study;
- (c) there must be disregarded from the amount so apportioned the amount which would have been disregarded under paragraph 76(2)(f) and (3) had the student been in receipt of the standard maintenance grant; and
- (d) the balance, if any, must be divided by 52 or 53 whichever is reasonable in the circumstances and treated as weekly income of which £5 must be disregarded.

(2) Where a student is in receipt of income by way of a grant and no contribution has been assessed, the amount of his covenanted income must be calculated in accordance with paragraphs (a) to (d) of sub-paragraph (1), except that--

- (a) the value of the standard maintenance grant must be abated by the amount of such grant income less an amount equal to the amount of any sums disregarded under paragraph 76(2)(a) to (e); and
- (b) the amount to be disregarded under sub-paragraph (1)(c) must be abated by an amount equal to the amount of any sums disregarded under paragraph 76(2)(f) and (g) and (3).

Relationship with amounts to be disregarded under Schedule 8

79

No part of a student's covenant income or grant income is to be disregarded under paragraph 19 of Schedule 8 (disregard of certain charitable and voluntary, etc, payments).

Other amounts to be disregarded

80

(1) For the purposes of ascertaining income other than grant income, covenant income and loans treated as income in accordance with paragraph 81 (treatment of student loans), any amounts intended for any expenditure specified in paragraph 76(2) (calculation of grant income), necessary as a result of his attendance on the course must be disregarded.

(2) But sub-paragraph (1) applies only if, and to the extent that, the necessary expenditure exceeds or is likely to exceed the amount of the sums disregarded under paragraph 76(2) or (3), 77(3), 78(1)(a)

or (c) or 81(5) (calculation of grant income, covenant income and treatment of student loans) on like expenditure.

Treatment of student loans

81

- (1) A student loan is to be treated as income.
- (2) In calculating the weekly amount of the loan to be taken into account as income--
 - (a) in respect of a course that is of a single academic year's duration or less, a loan which is payable in respect of that period is to be apportioned equally between the weeks in the period beginning with--
 - (i) except in a case where sub-paragraph (ii) applies, the reduction week, the first day of which coincides with, or immediately follows, the first day of the single academic year;
 - (ii) where the student is required to start attending the course in August or where the course is less than an academic year's duration, the reduction week, the first day of which coincides with, or immediately follows, the first day of the course,

and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the course;

- (b) in respect of an academic year of a course which starts other than on 1st September, a loan which is payable in respect of that academic year is to be apportioned equally between the weeks in the period--
 - (i) beginning with the reduction week, the first day of which coincides with or immediately follows, the first day of that academic year, and
 - (ii) ending with the reduction week, the last day of which coincides with or immediately precedes, the last day of that academic year,

but excluding any reduction weeks falling entirely within the quarter during which, in the opinion of the authority, the longest of any vacation is taken and for the purposes of this paragraph, "quarter" has the same meaning as for the purposes of the Education (Student Support) Regulations 2005;

- (c) in respect of the final academic year of a course (not being a course of a single year's duration), a loan which is payable in respect of that final academic year is to be apportioned equally between the weeks in the period beginning with--
 - (i) except in a case where sub-paragraph (ii) applies, the reduction week, the first day of which coincides with, or immediately follows, the first day of that academic year;
 - (ii) where the final academic year starts on 1st September, the reduction week, the first day of which coincides with, or immediately follows, the earlier of 1st September or the first day of the autumn term,

and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the course;

- (d) in any other case, the loan is to be apportioned equally between the weeks in the period beginning with the earlier of--
 - (i) the first day of the first reduction week in September; or
 - (ii) the reduction week, the first day of which coincides with, or immediately follows the first day of the autumn term,

and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of June,

and, in all cases, from the weekly amount so apportioned £10 is to be disregarded.

(3) A student is to be treated as possessing a student loan in respect of an academic year where--

- (a) a student loan has been made to him in respect of that year; or
- (b) he could acquire such a loan in respect of that year by taking reasonable steps to do so.

(4) Where a student is treated as possessing a student loan under sub-paragraph (3), the amount of the student loan to be taken into account as income must be, subject to sub-paragraph (5)--

(a) in the case of a student to whom a student loan is made in respect of an academic year, a sum equal to--

- (i) the maximum student loan he is able to acquire in respect of that year by taking reasonable steps to do so; and
- (ii) any contribution whether or not it has been paid to him;

(b) in the case of a student to whom a student loan is not made in respect of an academic year, the maximum student loan that would be made to the student if--

- (i) he took all reasonable steps to obtain the maximum student loan he is able to acquire in respect of that year; and
- (ii) no deduction in that loan was made by virtue of the application of a means test.

(5) There must be deducted from the amount of income taken into account under sub-paragraph (4)--

- (a) the sum of £303 per academic year in respect of travel costs; and
- (b) the sum of £390 per academic year towards the cost of books and equipment,

whether or not any such costs are incurred.

(6) A loan for fees, known as a fee loan or a fee contribution loan, made pursuant to regulations made under Article 3 of the Education (Student Support) (Northern Ireland) Order 1998, section 22 of the Teaching and Higher Education Act 1998 or section 73(f) of the Education (Scotland) Act 1980, shall be disregarded as income.

Treatment of payments from access funds

82

(1) This paragraph applies to payments from access funds that are not payments to which paragraph 85(2) or (3) (income treated as capital) applies.

(2) A payment from access funds, other than a payment to which sub-paragraph (3) applies, must be disregarded as income.

(3) Subject to sub-paragraph (4) of this paragraph and paragraph 40 of Schedule 8 (disregards in the calculation of income other than earnings: persons who are not pensioners)--

(a) any payments from access funds which are intended and used for an item of food, ordinary clothing or footwear, household fuel, or rent of a single applicant or, as the case may be, of the applicant or any other member of his family, and

(b) any payments from access funds which are used for any council tax or water charges for which that applicant or member is liable,

must be disregarded as income to the extent of £20 per week.

(4) Where a payment from access funds is made--

(a) on or after 1st September or the first day of the course, whichever first occurs, but before receipt of any student loan in respect of that year and that payment is intended for the purpose of bridging the period until receipt of the student loan; or

(b) before the first day of the course to a person in anticipation of that person becoming a student,

that payment must be disregarded as income.

Disregard of contribution

83

Where the applicant or his partner is a student and, for the purposes of assessing a contribution to the student's grant or student loan, the other partner's income has been taken into account, an amount equal to that contribution must be disregarded for the purposes of assessing that other partner's income.

Further disregard of student's income

84

Where any part of a student's income has already been taken into account for the purposes of assessing his entitlement to a grant or student loan, the amount taken into account must be disregarded in assessing that student's income.

Income treated as capital

85

(1) Any amount by way of a refund of tax deducted from a student's covenant income must be treated as capital.

(2) An amount paid from access funds as a single lump sum must be treated as capital.

(3) An amount paid from access funds as a single lump sum which is intended and used for an item other than food, ordinary clothing or footwear, household fuel or rent, or which is used for an item other than any council tax or water charges for which that applicant or member is liable, must be disregarded as capital but only for a period of 52 weeks from the date of the payment.

Disregard of changes occurring during summer vacation

86

In calculating a student's income the authority must disregard any change in the standard maintenance grant, occurring in the recognised summer vacation appropriate to the student's course, if that vacation does not form part of his period of study from the date on which the change occurred to the end of that vacation.

Part 12
Extended Reductions

Chapter 1
Extended Reductions: Pensioners

Extended reductions: pensioners

87

Paragraphs 88 to 93 apply in relation to applicants who are pensioners.

Extended reductions (qualifying contributory benefits): pensioners

88

(1) Except in the case of an applicant who is in receipt of state pension credit, an applicant who is entitled to a reduction under this scheme by virtue of falling within any of classes A to C is entitled to an extended reduction (qualifying contributory benefits) where--

- (a) the applicant or the applicant's partner was entitled to a qualifying contributory benefit;
- (b) entitlement to a qualifying contributory benefit ceased because the applicant or the applicant's partner--
 - (i) commenced employment as an employed or self-employed earner;
 - (ii) increased their earnings from such employment; or
 - (iii) increased the number of hours worked in such employment,

and that employment is or, as the case may be, those increased earnings or increased number of hours are expected to last five weeks or more;

(c) the applicant or the applicant's partner had been entitled to and in receipt of a qualifying contributory benefit or a combination of qualifying contributory benefits for a continuous period of at least 26 weeks before the day on which the entitlement to a qualifying contributory benefit ceased; and

(d) the applicant or the applicant's partner was not entitled to and not in receipt of a qualifying income-related benefit in the last reduction week in which the applicant, or the applicant's partner, was entitled to a qualifying contributory benefit.

(2) An applicant must be treated as entitled to a reduction under this scheme by virtue of falling within any of classes A to C where--

- (a) the applicant ceased to be entitled to a reduction under this scheme because the applicant vacated the dwelling in which the applicant was resident;
- (b) the day on which the applicant vacated the dwelling was either in the week in which entitlement to a qualifying contributory benefit ceased, or in the preceding week; and
- (c) entitlement to the qualifying contributory benefit ceased in any of the circumstances listed in sub-paragraph (1)(b).

Duration of extended reduction period (qualifying contributory benefits): pensioners

89

- (1) Where an applicant is entitled to an extended reduction (qualifying contributory benefits), the extended reduction period starts on the first day of the reduction week immediately following the reduction week in which the applicant, or the applicant's partner, ceased to be entitled to a qualifying contributory benefit.
- (2) For the purpose of sub-paragraph (1), an applicant or an applicant's partner ceases to be entitled to a qualifying contributory benefit on the day immediately following the last day of entitlement to that benefit.
- (3) The extended reduction period ends--
 - (a) at the end of a period of four weeks; or
 - (b) on the date on which the applicant who is receiving the extended reduction (qualifying contributory benefits) has no liability for council tax, if that occurs first.

Amount of extended reduction (qualifying contributory benefits): pensioners

90

- (1) For any week during the extended reduction period the amount of the extended reduction (qualifying contributory benefits) the applicant is entitled to is the greater of--
 - (a) the amount of council tax reduction to which the applicant was entitled by virtue of falling within any of classes A to C in the last reduction week before the applicant or the applicant's partner ceased to be entitled to a qualifying contributory benefit;
 - (b) the amount of reduction under this scheme to which the applicant would be entitled under by virtue of falling within any of classes A to C for any reduction week during the extended reduction period, if paragraph 88 (extended reductions (qualifying contributory benefits): pensioners) did not apply to the applicant; or
 - (c) the amount of reduction under this scheme to which the applicant's partner would be entitled by virtue of falling within any of classes A to C, if paragraph 88 did not apply to the applicant.
- (2) Sub-paragraph (1) does not apply in the case of a mover.
- (3) Where an applicant is in receipt of an extended reduction (qualifying contributory benefits) under this paragraph and the applicant's partner makes an application for a reduction under this scheme, the authority must not award a reduction in pursuance of that application during the extended reduction period.

Extended reductions (qualifying contributory benefits)--movers: pensioners

91

- (1) This paragraph applies--
 - (a) to a mover; and
 - (b) from the Monday following the day of the move.
- (2) The amount of the extended reduction (qualifying contributory benefits) awarded from the Monday from which this paragraph applies until the end of the extended reduction period is to be the amount of reduction under this scheme which was payable to the mover for the last reduction week before the mover, or the mover's partner, ceased to be entitled to a qualifying contributory benefit.

(3) Where a mover's liability to pay council tax in respect of the new dwelling is to a second authority, the extended reduction (qualifying contributory benefits) may take the form of a payment from this authority to--

- (a) the second authority; or
- (b) the mover directly.

Relationship between extended reduction (qualifying contributory benefits) and entitlement to a reduction by virtue of classes A to C

92

(1) Where an applicant's reduction under this scheme would have ended when the applicant ceased to be entitled to a qualifying contributory benefit in the circumstances listed in paragraph 88(1)(b), that reduction does not cease to have effect until the end of the extended reduction period.

(2) Part 13 (when entitlement begins and change of circumstances) does not apply to any extended reduction (qualifying contributory benefits) payable in accordance with paragraph 90(1)(a) or paragraph 91(2) (amount of extended reduction--movers: pensioners).

Continuing reductions where state pension credit claimed: pensioners

93

(1) This paragraph applies where--

- (a) the applicant is entitled to a reduction under this scheme;
- (b) sub-paragraph (2) is satisfied; and
- (c) either--
 - (i) the applicant has attained the qualifying age for state pension credit; or
 - (ii) the applicant's partner has actually claimed state pension credit.

(2) This sub-paragraph is only satisfied if the Secretary of State has certified to the authority that the applicant's partner has actually claimed state pension credit or that--

- (a) the applicant's award of--
 - (i) income support has terminated because the applicant has attained the qualifying age for state pension credit; or
 - (ii) income-based jobseeker's allowance or income-related employment and support allowance has terminated because the applicant has attained the qualifying age for state pension credit; and
- (b) the applicant has claimed or is treated as having claimed or is required to make a claim for state pension credit.

(3) Subject to sub-paragraph (4), in a case to which this paragraph applies, a person continues to be entitled to a reduction under this scheme for the period of 4 weeks beginning on the day following the day the applicant's entitlement to income support or, as the case may be, income-based jobseeker's allowance, income-related employment and support allowance, ceased, if and for so long as the applicant otherwise satisfies the conditions for entitlement to a reduction under this scheme.

(4) Where a reduction under this scheme is awarded for the period of 4 weeks in accordance with sub-paragraph (3) above, and the last day of that period falls on a day other than the last day of a reduction week, then a reduction under this scheme must continue to be awarded until the end of the reduction week in which the last day of that period falls.

(5) Throughout the period of 4 weeks specified in sub-paragraph (3) and any further period specified in sub-paragraph (4)--

- (a) the whole of the income and capital of the applicant is to be disregarded;
- (b) the maximum council tax reduction amount of the applicant is to be that which was applicable in his case immediately before that period commenced.

(6) The maximum reduction is to be calculated in accordance with paragraph 29(1) if, since the date it was last calculated--

- (a) the applicant's council tax liability has increased; or
- (b) a change in the deduction under paragraph 30 falls to be made.

Chapter 2

Extended Reductions: Persons Who are Not Pensioners

Extended reductions: persons who are not pensioners

94

Paragraphs 95 to 104 apply in relation to applicants who are not pensioners.

Extended reductions: persons who are not pensioners

95

(1) An applicant who is entitled to a reduction under this scheme by virtue of falling within any of classes D to F is entitled to an extended reduction where--

- (a) the applicant or the applicant's partner was entitled to a qualifying income-related benefit;
- (b) entitlement to a qualifying income-related benefit ceased because the applicant or the applicant's partner--
 - (i) commenced employment as an employed or self-employed earner;
 - (ii) increased their earnings from such employment; or
 - (iii) increased the number of hours worked in such employment,

and that employment is or, as the case may be, those increased earnings or increased number of hours are expected to last five weeks or more; and

- (c) the applicant or the applicant's partner had been entitled to and in receipt of a qualifying income-related benefit, jobseeker's allowance or a combination of those benefits for a continuous period of at least 26 weeks before the day on which the entitlement to a qualifying income-related benefit ceased.

(2) For the purpose of sub-paragraph (1)(c), an applicant or an applicant's partner is to be treated as having been entitled to and in receipt of a qualifying income-related benefit or jobseeker's allowance during any period of less than five weeks in respect of which the applicant or the applicant's partner

was not entitled to any of those benefits because the applicant or the applicant's partner was engaged in remunerative work as a consequence of their participation in an employment zone programme.

(3) For the purpose of this paragraph, where an applicant or an applicant's partner is entitled to and in receipt of joint-claim jobseeker's allowance they must be treated as being entitled to and in receipt of jobseeker's allowance.

(4) An applicant must be treated as entitled to a reduction under this scheme by virtue of falling within any of classes D to F where--

- (a) the applicant ceased to be entitled to a reduction under this scheme because the applicant vacated the dwelling in which the applicant was resident;
- (b) the day on which the applicant vacated the dwelling was either in the week in which entitlement to a qualifying income-related benefit ceased, or in the preceding week; and
- (c) entitlement to the qualifying income-related benefit ceased in any of the circumstances listed in sub-paragraph (1)(b).

(5) This paragraph does not apply where, on the day before an applicant's entitlement to income support ceased, regulation 6(5) of the Income Support (General) Regulations 1987 (remunerative work: housing costs) applied to that applicant.

Duration of extended reduction period: persons who are not pensioners

96

(1) Where an applicant is entitled to an extended reduction, the extended reduction period starts on the first day of the reduction week immediately following the reduction week in which the applicant, or the applicant's partner, ceased to be entitled to a qualifying income-related benefit.

(2) For the purpose of sub-paragraph (1), an applicant or an applicant's partner ceases to be entitled to a qualifying income-related benefit on the day immediately following the last day of entitlement to that benefit.

(3) The extended reduction period ends--

- (a) at the end of a period of four weeks; or
- (b) on the date on which the applicant to whom the extended reduction is payable has no liability for council tax, if that occurs first.

Amount of extended reduction: persons who are not pensioners

97

(1) For any week during the extended reduction period the amount of the extended reduction to which an applicant is entitled is to be the higher of--

- (a) the amount of the reduction under this scheme to which the applicant was entitled by virtue of falling within any of classes D to F in the last reduction week before the applicant or the applicant's partner ceased to be entitled to a qualifying income-related benefit;
- (b) the amount of reduction under this scheme to which the applicant would be entitled by virtue of falling within any of classes D to F for any reduction week during the extended reduction period, if paragraph 95 (extended reductions: persons who are not pensioners) did not apply to the applicant; or
- (c) the amount of reduction under this scheme to which the applicant's partner would be entitled by virtue of falling within any of classes D to F, if paragraph 95 did not apply to the applicant.

(2) Sub-paragraph (1) does not apply in the case of a mover.

(3) Where an applicant is in receipt of an extended reduction under this paragraph and the applicant's partner makes an application for a reduction under this scheme, no amount of reduction under this scheme is to be awarded by the authority during the extended reduction period.

Extended reductions--movers: persons who are not pensioners

98

(1) This paragraph applies--

- (a) to a mover; and
- (b) from the Monday following the day of the move.

(2) The amount of the extended reduction awarded from the Monday from which this paragraph applies until the end of the extended reduction period is to be the amount of reduction under this scheme to which the mover would have been entitled had they, or their partner, not ceased to be entitled to a qualifying income-related benefit.

(3) Where a mover's liability to pay council tax in respect of the new dwelling is to a second authority, the extended reduction (qualifying contributory benefits) may take the form of a payment from this authority to--

- (a) the second authority; or
- (b) the mover directly.

Relationship between extended reduction and entitlement to a reduction by virtue of classes D to F

99

(1) Where an applicant's entitlement to a reduction under this scheme would have ended when the applicant ceased to be entitled to a qualifying income-related benefit in the circumstances listed in paragraph 95(1)(b), that entitlement does not cease until the end of the extended reduction period.

(2) Paragraphs 106 and 107 do not apply to any extended reduction payable in accordance with paragraph 95(1)(a) or 98(2) (amount of extended reduction--movers: persons who are not pensioners).

Extended reductions (qualifying contributory benefits): persons who are not pensioners

100

(1) An applicant who is entitled to a reduction under this scheme by virtue of falling within any of classes D to F is entitled to an extended reduction (qualifying contributory benefits) where--

- (a) the applicant or the applicant's partner was entitled to a qualifying contributory benefit;
- (b) entitlement to a qualifying contributory benefit ceased because the applicant or the applicant's partner--
 - (i) commenced employment as an employed or self-employed earner;
 - (ii) increased their earnings from such employment; or
 - (iii) increased the number of hours worked in such employment,

and that employment is or, as the case may be, those increased earnings or increased number of hours are expected to last five weeks or more;

(c) the applicant or the applicant's partner had been entitled to and in receipt of a qualifying contributory benefit or a combination of qualifying contributory benefits for a continuous period of at least 26 weeks before the day on which the entitlement to a qualifying contributory benefit ceased; and

(d) the applicant or the applicant's partner was not entitled to and not in receipt of a qualifying income-related benefit in the last reduction week in which the applicant, or the applicant's partner, was entitled to a qualifying contributory benefit.

(2) An applicant must be treated as entitled to a reduction under this scheme by virtue of falling within any of classes D to F where--

(a) the applicant ceased to be entitled to a reduction under this scheme because the applicant vacated the dwelling in which the applicant was resident;

(b) the day on which the applicant vacated the dwelling was either in the week in which entitlement to a qualifying contributory benefit ceased, or in the preceding week; and

(c) entitlement to the qualifying contributory benefit ceased in any of the circumstances listed in sub-paragraph (1)(b).

Duration of extended reduction period (qualifying contributory benefits): persons who are not pensioners

101

(1) Where an applicant is entitled to an extended reduction (qualifying contributory benefits), the extended reduction period starts on the first day of the reduction week immediately following the reduction week in which the applicant, or the applicant's partner, ceased to be entitled to a qualifying contributory benefit.

(2) For the purpose of sub-paragraph (1), an applicant or an applicant's partner ceases to be entitled to a qualifying contributory benefit on the day immediately following the last day of entitlement to that benefit.

(3) The extended reduction period ends--

(a) at the end of a period of four weeks; or

(b) on the date on which the applicant entitled to the extended reduction (qualifying contributory benefits) has no liability for council tax, if that occurs first.

Amount of extended reduction (qualifying contributory benefits): persons who are not pensioners

102

(1) For any week during the extended reduction period the amount of the extended reduction (qualifying contributory benefits) payable to an applicant is to be the greater of--

(a) the amount of reduction under this scheme to which the applicant was entitled by virtue of falling within any of classes D to F in the last reduction week before the applicant or the applicant's partner ceased to be entitled to a qualifying contributory benefit;

(b) the amount of reduction under this scheme to which the applicant would be entitled by virtue of falling within any of classes D to F for any reduction week during the extended reduction period, if paragraph 100 (extended reductions (qualifying contributory benefits): persons who are not pensioners) did not apply to the applicant; or

(c) the amount of reduction under this scheme to which the applicant's partner would be entitled by virtue of falling within any of classes D to F, if paragraph 100 did not apply to the applicant.

(2) Sub-paragraph (1) does not apply in the case of a mover.

(3) Where an applicant is in receipt of an extended reduction (qualifying contributory benefits) under this paragraph and the applicant's partner makes an application for a reduction under this scheme, no amount of reduction may be allowed by the appropriate authority during the extended reduction period.

Extended reductions (qualifying contributory benefits)--movers: persons who are not pensioners

103

(1) This paragraph applies--

(a) to a mover; and

(b) from the Monday following the day of the move.

(2) The amount of the extended reduction (qualifying contributory benefit) payable from the Monday from which this paragraph applies until the end of the extended reduction period is to be the amount of reduction under this scheme which was awarded to the mover for the last reduction week before the mover, or the mover's partner, ceased to be entitled to a qualifying contributory benefit.

(3) Where a mover's liability to pay council tax in respect of the new dwelling is to a second authority, the extended reduction (qualifying contributory benefits) may take the form of a payment from this authority to--

(a) the second authority; or

(b) the mover directly.

Relationship between extended reduction (qualifying contributory benefits) and entitlement to reduction by virtue of classes D to F

104

(1) Where an applicant's reduction under this scheme would have ended when the applicant ceased to be entitled to a qualifying contributory benefit in the circumstances listed in paragraph 100(1)(b), that reduction does not cease until the end of the extended reduction period.

(2) Paragraphs 106 and 107 (dates on which entitlement begins and change of circumstances take effect) do not apply to any extended reduction (qualifying contributory benefits) payable in accordance with paragraph 102(1)(a) or 103(2) (amount of extended reduction--movers: persons who are not pensioners).

Chapter 3

Extended Reductions: Movers in the Authority's Area

Extended reductions: applicant moving into the authority's area

105

Where--

- (a) an application is made to the authority ("the current authority") for a reduction under this scheme, and
- (b) the applicant, or the partner of the applicant, is in receipt of an extended reduction from--
 - (i) another billing authority in England; or
 - (ii) a billing authority in Wales,

the current authority must reduce any reduction to which the applicant is entitled under this scheme by the amount of that extended reduction.

Part 13 **When Entitlement Begins and Change of Circumstances**

Date on which entitlement begins

106

- (1) Subject to sub-paragraph (2), any person by whom or in respect of whom an application for a reduction under this scheme is made and who is otherwise entitled to that reduction is so entitled from the reduction week following the date on which that application is made or is treated as made.
- (2) Where a person is otherwise entitled to a reduction under this scheme and becomes liable for the first time for the authority's council tax in respect of a dwelling of which he is a resident in the reduction week in which his application is made or is treated as made, he is so entitled from that reduction week.

Date on which change of circumstances is to take effect

107

- (1) Except in cases where paragraph 60 (disregard of changes in tax, contributions, etc) applies and subject to the following provisions of this paragraph and (in the case of applicants who are pensioners) paragraph 108 (change of circumstance where state pension credit in payment), a change of circumstances which affects entitlement to, or the amount of, a reduction under this scheme ("change of circumstances"), takes effect from the first day of the reduction week following the date on which the change actually occurs.
- (2) Where that change is cessation of entitlement to any benefit under the benefit Acts, the date on which the change actually occurs is the day immediately following the last day of entitlement to that benefit.
- (3) Subject to sub-paragraph (4), where the change of circumstances is a change in the amount of council tax payable, it takes effect from the day on which it actually occurs.
- (4) Where the change of circumstances is a change in the amount a person is liable to pay in respect of council tax in consequence of regulations under section 13 of the 1992 Act (reduced amounts of council tax) or changes in the discount to which a dwelling may be subject under section 11 or 11A of that Act (discounts), it takes effect from the day on which the change in amount has effect.
- (5) Where the change of circumstances is the applicant's acquisition of a partner, the change takes effect on the day on which the acquisition takes place.
- (6) Where the change of circumstances is the death of an applicant's partner or their separation, it takes effect on the day the death or separation occurs.

(7) If two or more changes of circumstances occurring in the same reduction week would, but for this paragraph, take effect in different reduction weeks in accordance with sub-paragraphs (1) to (6) they take effect from the day to which the appropriate sub-paragraph from (3) to (6) above refers, or, where more than one day is concerned, from the earlier day.

(8) Where the change of circumstances is that income, or an increase in the amount of income, other than a benefit or an increase in the amount of a benefit under the SSCBA, is paid in respect of a past period and there was no entitlement to income of that amount during that period, the change of circumstances takes effect from the first day on which such income, had it been paid in that period at intervals appropriate to that income, would have fallen to be taken into account for the purposes of this scheme.

(9) Without prejudice to sub-paragraph (8), where the change of circumstances is the payment of income, or arrears of income, in respect of a past period, the change of circumstances takes effect from the first day on which such income, had it been timeously paid in that period at intervals appropriate to that income, would have fallen to be taken into account for the purposes of this scheme.

(10) Sub-paragraph (11) applies if--

- (a) the applicant or his partner has attained the age of 65; and
- (b) either--
 - (i) a non-dependant took up residence in the applicant's dwelling; or
 - (ii) there has been a change of circumstances in respect of a non-dependant so that the amount of the deduction which falls to be made under paragraph 30 increased.

(11) Where this sub-paragraph applies, the change of circumstances referred to in sub-paragraph (10)(b) takes effect from the effective date.

(12) In sub-paragraph (11), but subject to sub-paragraph (13), "the effective date" means--

- (a) where more than one change of a kind referred to in sub-paragraph (10)(b) relating to the same non-dependant has occurred since--
 - (i) the date on which the applicant's entitlement to a reduction under this scheme first began; or
 - (ii) the date which was the last effective date in respect of such a change,

whichever is the later, the date which falls 26 weeks after the date on which the first such change occurred;

- (b) where paragraph (a) does not apply, the date which falls 26 weeks after the date on which the change referred to in sub-paragraph (10)(b) occurred.

(13) If in any particular case the date determined under sub-paragraph (12) is not the first day of a reduction week, the effective date in that case is to be the first day of the next reduction week to commence after the date determined under that sub-paragraph.

(14) Sub-paragraphs (15) to (19) apply to persons who fall within classes D, E and F.

(15) Where--

- (a) the change of circumstances is a change of circumstances that is required by this scheme to be notified, and
- (b) that change of circumstances is notified more than one month after it occurs, or such longer period as may be allowed under sub-paragraph (16), and

- (c) the superseding decision is advantageous to the claimant

the date of notification of the change of circumstances shall be treated as the date on which the change of circumstances occurred.

(16) Subject to sub-paragraph (18), for the purposes of making a decision under this scheme a longer period of time may be allowed for the notification of a change of circumstances in so far as it affects the effective date of the change where the conditions specified in sub-paragraph (17) are satisfied. An application for the purposes of this sub-paragraph shall include:

- (a) particulars of the change of circumstances and the reasons for the failure to notify the change of circumstances on an earlier date, and
- (b) be made within 3 months of the date on which the change occurred.

(17) In determining whether it is reasonable to grant an application for the purposes of sub-paragraph (16), the authority shall have regard to the principle that the greater the amount of time that has elapsed between the date one month after the change of circumstances occurred and the date the application for a superseding decision is made, the more compelling should be the special circumstances on which the application is based. An application shall not be granted unless the authority is satisfied that—

- (a) it is reasonable to grant the application;
- (b) that change of circumstances notified by the applicant is relevant to the decision which is to be superseded; and
- (c) special circumstances are relevant and as a result of those special circumstances it was not practicable for the applicant to notify the change of circumstances within one month of the change occurring.

(18) In determining whether it is reasonable to grant an application, no account shall be taken of the following—

- (a) that the applicant was unaware of, or misunderstood, the law applicable to his case (including ignorance or misunderstanding of the time limits imposed by this scheme); or
- (b) that the Valuation Tribunal or a court has taken a different view of the law from that previously understood and applied.

(19) An application under this part which has been refused may not be renewed.

Change of circumstances where state pension credit in payment

108

(1) Sub-paragraphs (2) and (3) apply where--

- (a) the applicant is in receipt of state pension credit;
- (b) the amount of state pension credit awarded to him is changed in consequence of a change in the applicant's circumstances or the correction of an official error; and
- (c) the change in the amount of state pension credit payable to the applicant results in a change in the amount of a reduction he receives under this scheme.

(2) Where the change of circumstance is that an increase in the amount of state pension credit payable to the applicant results in--

- (a) an increase in the reduction he receives under this scheme, the change takes effect from the first day of the reduction week in which state pension credit becomes payable at the increased rate; or
- (b) a decrease in the reduction he receives under this scheme, the change takes effect from the first day of the reduction week next following the date on which--
 - (i) the local authority receives notification from the Secretary of State of the increase in the amount of state pension credit; or
 - (ii) state pension credit is increased,

whichever is the later.

(3) Where the change of circumstance ("the relevant change") is that the applicant's state pension credit has been reduced and in consequence the reduction the applicant receives under this scheme reduces--

- (a) in a case where the applicant's state pension credit has been reduced because the applicant failed to notify the Secretary of State timeously of a change of circumstances, the relevant change takes effect from the first day of the reduction week from which state pension credit was reduced; or
- (b) in any other case the relevant change takes effect from the first day of the reduction week next following the date on which--
 - (i) the authority receives notification from the Secretary of State of the reduction in the amount of state pension credit; or
 - (ii) state pension credit is reduced,

whichever is the later.

(4) Where the change of circumstance is that state pension credit is reduced and in consequence of the change, the amount of a reduction he receives under this scheme is increased, the change takes effect from the first day of the reduction week in which state pension credit becomes payable at the reduced rate.

(5) Where a change of circumstance occurs in that an award of state pension credit has been made to the applicant or his partner and this would result in a decrease in the amount of reduction he receives under this scheme, the change takes effect from the first day of the reduction week next following the date on which--

- (a) the authority receives notification from the Secretary of State of the award of state pension credit; or
- (b) entitlement to state pension credit begins,

whichever is the later.

(6) Where, in the case of an applicant who, or whose partner, is or has been awarded state pension credit comprising only the savings credit, there is--

- (a) a change of circumstances of a kind described in any of sub-paragraphs (2) to (5) which results from a relevant calculation or estimate; and
- (b) a change of circumstances which is a relevant determination,

each of which results in a change in the amount of reduction the applicant receives under this scheme, the change of circumstances referred to in sub-paragraph (b) takes effect from the day specified in sub-paragraph (2), (3), (4) or (5) as the case may be, in relation to the change referred to in paragraph (a).

(7) Where a change of circumstance occurs in that a guarantee credit has been awarded to the applicant or his partner and this would result in an increase in the amount of a reduction the applicant receives under this scheme, the change takes effect from the first day of the reduction week next following the date in respect of which the guarantee credit is first payable.

(8) Where a change of circumstances would, but for this sub-paragraph, take effect under the preceding provisions of this paragraph within the 4 week period specified in paragraph 93 (continuing reductions where state pension credit claimed), that change takes effect on the first day of the first reduction week to commence after the expiry of the 4 week period.

(9) In this paragraph--

"official error" means an error made by--

(a) the authority or a person--

- (i) authorised to carry out any function of the authority relating to this scheme; or
- (ii) providing services relating to this scheme directly or indirectly to the authority; or

(b) an officer of--

- (i) the Department for Work and Pensions; or
- (ii) the Commissioners of Inland Revenue,

acting as such,

but excludes any error caused wholly or partly by any person or body not specified in paragraph (a) or (b) of this definition and any error of law which is shown to have been an error only by virtue of a subsequent decision of the court;

"relevant calculation or estimate" means the calculation or estimate made by the Secretary of State of the applicant's or, as the case may be, the applicant's partner's income and capital for the purposes of the award of state pension credit;

"relevant determination" means a change in the determination by the authority of the applicant's income and capital using the relevant calculation or estimate, in accordance with paragraph 36(1).

Part 14

Applications (Including Duties to Notify Authority of Change of Circumstances)

Making an application

109

(1) In the case of--

- (a) a couple or (subject to paragraph (b)) members of a polygamous marriage an application is to be made by whichever one of them they agree should so apply or, in default of agreement, by such one of them as the authority determines; or
- (b) in the case of members of a polygamous marriage to whom paragraph 37 (income and capital: award of universal credit) applies, an application is to be made by whichever one of the parties to

the earliest marriage that still subsists they agree should so apply or, in default of agreement, by such one of them as the authority determines.

(2) Where a person who is liable to pay council tax in respect of a dwelling is unable for the time being to act, and--

- (a) a deputy has been appointed by the Court of Protection with power to claim, or as the case may be, receive benefit on his behalf; or
- (b) in Scotland, his estate is being administered by a judicial factor or any guardian acting or appointed under the Adults with Incapacity (Scotland) Act 2000 who has power to apply or, as the case may be, receive benefit on his behalf; or
- (c) an attorney with a general power or a power to apply or, as the case may be, receive benefit, has been appointed by that person under the Powers of Attorney Act 1971, the Enduring Powers of Attorney Act 1985 or the Mental Capacity Act 2005 or otherwise,

that deputy, judicial factor, guardian or attorney, as the case may be, may make an application on behalf of that person.

(3) Where a person who is liable to pay council tax in respect of a dwelling is unable for the time being to act and sub-paragraph (2) does not apply to him, the authority may, upon written application made to them by a person who, if a natural person, is over the age of 18, appoint that person to exercise on behalf of the person who is unable to act, any right to which that person might be entitled under this scheme and to receive and deal on his behalf with any sums payable to him.

(4) Where a person who is liable to pay council tax in respect of a dwelling is for the time being unable to act and the Secretary of State has appointed a person to act on his behalf under regulation 33 of the Social Security (Claims and Payments) Regulations 1987 (persons unable to act), the authority may if that person agrees, treat him as if he had been appointed by them under sub-paragraph (3).

(5) Where the authority has made an appointment under sub-paragraph (3) or treated a person as an appointee under sub-paragraph (4)--

- (a) it may at any time revoke the appointment;
- (b) the person appointed may resign his office after having given 4 weeks notice in writing to the authority of his intention to do so;
- (c) any such appointment must terminate when the authority is notified of the appointment of a person mentioned in sub-paragraph (2).

(6) Anything required by this scheme to be done by or to any person who is for the time being unable to act may be done by or to the persons mentioned in sub-paragraph (2) above or by or to the person appointed or treated as appointed under this paragraph and the receipt of any such person so appointed shall be a good discharge to the authority for any sum paid.

(7) The authority must--

- (a) inform any person making an application of the duty imposed by paragraph 115(1)(a);
- (b) explain the possible consequences (including prosecution) of failing to comply with that duty; and
- (c) set out the circumstances a change in which might affect entitlement to the reduction or its amount.

Date on which an application is made

(1) Subject to sub-paragraph (7), the date on which an application is made is--

(a) in a case where--

- (i) an award of state pension credit which comprises a guarantee credit has been made to the applicant or his partner, and
- (ii) the application is made within one month of the date on which the claim for that state pension credit which comprises a guarantee credit was received at the appropriate DWP office,

the first day of entitlement to state pension credit which comprises a guarantee credit arising from that claim;

(b) in a case where--

- (i) an applicant or his partner is a person in receipt of a guarantee credit,
- (ii) the applicant becomes liable for the first time to pay council tax in respect of the dwelling which he occupies as his home, and
- (iii) the application to the authority is received at the designated office within one month of the date of the change,

the date on which the change takes place;

(c) in a case where--

- (i) an award of income support, an income-based jobseeker's allowance or an income-related employment and support allowance or an award of universal credit has been made to the applicant or his partner, and
- (ii) the application is made within one month of the date on which the claim for that income support, jobseeker's allowance, employment and support allowance or universal credit was received,

the first day of entitlement to income support, an income-based jobseeker's allowance, an income-related employment and support allowance or universal credit arising from that claim;

(d) in a case where--

- (i) an applicant or his partner is a person on income support, an income-based jobseeker's allowance or an income-related employment and support allowance or has an award of universal credit,
- (ii) the applicant becomes liable for the first time to pay council tax in respect of the dwelling which he occupies as his home, and
- (iii) the application to the authority is received at the designated office within one month of the date of the change,

the date on which the change takes place;

(e) in a case where--

- (i) the applicant is the former partner of a person who was, at the date of his death or their separation, entitled to a reduction under this scheme, and
- (ii) where the applicant makes an application for a reduction under this scheme within one month of the date of the death or the separation,

the date of the death or separation;

(f) except where paragraph (a), (b) or (e) is satisfied, in a case where a properly completed application is received within one month (or such longer period as the authority considers reasonable) of the date on which an application form was issued to the applicant following the applicant first notifying, by whatever means, the authority of an intention to make an application, the date of first notification;

(g) in any other case, the date on which the application is received at the designated office.

(2) For the purposes only of sub-paragraph (1)(c) a person who has been awarded an income-based jobseeker's allowance or an income-related employment and support allowance is to be treated as entitled to that allowance for any days which immediately precede the first day in that award and on which he would, but for regulations made under--

(a) in the case of income-based jobseeker's allowance, paragraph 4 of Schedule 1 to the Jobseekers Act 1995 (waiting days); or

(b) in the case of income-related employment and support allowance, paragraph 2 of Schedule 2 to the Welfare Reform Act 2007 (waiting days),

have been entitled to that allowance.

(3) Where the defect referred to in paragraph 7 of Schedule 1 to this scheme (application by telephone)--

(a) is corrected within one month (or such longer period as the authority considers reasonable) of the date the authority last drew attention to it, the authority must treat the application as if it had been duly made in the first instance;

(b) is not corrected within one month (or such longer period as the authority considers reasonable) of the date the authority last drew attention to it, the authority must treat the application as if it had been duly made in the first instance where it considers it has sufficient information to decide on the application.

(4) The authority is to treat a defective application as if it had been validly made in the first instance if, in any particular case, the conditions specified in sub-paragraph (5)(a), (b) or (c) are satisfied.

(5) The conditions are that--

(a) where paragraph 4(a) of Schedule 1 (incomplete form) applies, the authority receives at its designated office the properly completed application or the information requested to complete it or the evidence within one month of the request, or such longer period as the authority may consider reasonable; or

(b) where paragraph 4(b) of Schedule 1 (application not on approved form or further information requested by authority) applies--

(i) the approved form sent to the applicant is received at the designated office properly completed within one month of it having been sent to him; or, as the case may be,

(ii) the applicant supplies whatever information or evidence was requested under paragraph 4 of that Schedule within one month of the request,

or, in either case, within such longer period as the authority may consider reasonable; or

(c) where the authority has requested further information, the authority receives at its designated office the properly completed application or the information requested to complete it within one month of the request or within such longer period as the authority considers reasonable.

(6) Except in the case of an application made by a person treated as not being in Great Britain, where a person has not become liable for council tax to the authority but it is anticipated that he will become so liable within the period of 8 weeks (the relevant period), he may apply for a reduction under this scheme at any time in that period in respect of that tax and, provided that liability arises within the relevant period, the authority is to treat the application as having been made on the day on which the liability for the tax arises.

(7) Except in the case of an application made by a person treated as not being in Great Britain, where the applicant is not entitled to a reduction under this scheme in the reduction week immediately following the date of his application but the authority is of the opinion that unless there is a change of circumstances he will be entitled to a reduction under this scheme for a period beginning not later than--

(a) in the case of an application made by--

(i) a pensioner, or

(ii) a person who has attained, or whose partner has attained, the age which is 17 weeks younger than the qualifying age for state pension credit,

the seventeenth reduction week following the date on which the application is made, or

(b) in the case of an application made by a person who is not a pensioner, the thirteenth reduction week following the date on which the application is made,

the authority may treat the application as made on a date in the reduction week immediately preceding the first reduction week of that period of entitlement and award a reduction accordingly.

(8) In this paragraph "appropriate DWP office" means an office of the Department for Work and Pensions dealing with state pension credit or an office which is normally open to the public for the receipt of claims for income support, a jobseeker's allowance or an employment and support allowance.

Back-dating of applications: pensioners

111

(1) Subject to sub-paragraph (2), the time for the making of an application under this scheme by a pensioner is as regards any day on which, apart from satisfying the condition of making an application, the applicant is entitled to such a reduction, that day and the period of three months immediately following it.

(2) In any case where paragraph 110(1)(a) applies, sub-paragraph (1) does not entitle a person to apply for a reduction under this scheme in respect of any day earlier than three months before the date on which the claim for state pension credit is made (or treated as made by virtue of any provision of the Social Security (Claims and Payments) Regulations 1987).

Back-dating of applications: persons who are not pensioners

112

(1) Where an applicant who is a person who is not a pensioner--

(a) makes an application under this scheme which includes (or which he subsequently requests should include) a period before the application is made; and

(b) from a day in that period, up to the date he made the application (or subsequently requested that the application should include a past period), the applicant had continuous good cause for failing to make an application (or request that the application should include that period),

the application is to be treated as made on the date determined in accordance with sub-paragraph (2).

(2) That date is the latest of--

- (a) the first day from which the applicant had continuous good cause;
- (b) the day 6 months before the date the application was made;
- (c) the day 6 months before the date when the applicant requested that the application should include a past period.

Information and evidence

113

(1) Subject to sub-paragraph (3), a person who makes an application for a reduction under this scheme must satisfy sub-paragraph (2) in relation both to himself and to any other person in respect of whom he is making the application.

(2) This sub-paragraph is satisfied in relation to a person if--

- (a) the application is accompanied by--
 - (i) a statement of the person's national insurance number and information or evidence establishing that that number has been allocated to the person; or
 - (ii) information or evidence enabling the authority to ascertain the national insurance number that has been allocated to the person; or
- (b) the person has made an application for a national insurance number to be allocated to him and the application for the reduction is accompanied by--
 - (i) evidence of the application for a national insurance number to be so allocated; and
 - (ii) the information or evidence enabling it to be so allocated.

(3) Sub-paragraph (2) does not apply--

- (a) in the case of a child or young person in respect of whom an application for a reduction is made;
- (b) to a person who--
 - (i) is a person treated as not being in Great Britain for the purposes of this scheme;
 - (ii) is subject to immigration control within the meaning of section 115(9)(a) of the Immigration and Asylum Act 1999; and
 - (iii) has not previously been allocated a national insurance number.

(4) Subject to sub-paragraph (5), a person who makes an application, or a person to whom a reduction under this scheme has been awarded, must furnish such certificates, documents, information and evidence in connection with the application or the award, or any question arising out of the application or the award, as may reasonably be required by the authority in order to determine that person's entitlement to, or continuing entitlement to a reduction under this scheme and must do so within one month of the authority requiring him to do so or such longer period as the authority may consider reasonable.

(5) Nothing in this paragraph requires a person to furnish any certificates, documents, information or evidence relating to a payment to which sub-paragraph (7) applies.

(6) Where a request is made under sub-paragraph (4), the authority must--

- (a) inform the applicant or the person to whom a reduction under this scheme has been awarded of his duty under paragraph 115 (duty to notify change of circumstances) to notify the authority of any change of circumstances; and
- (b) without prejudice to the extent of the duty owed under paragraph 115, indicate to him either orally or by notice or by reference to some other document available to him on application and without charge, the kind of change of circumstances which is to be notified.

(7) This sub-paragraph applies to any of the following payments--

- (a) a payment which is--
 - (i) disregarded under paragraph 28 of Schedule 8 (sums disregarded in the calculation of income other than earnings: persons who are not pensioners) or paragraph 38 of Schedule 10 (capital disregards: persons who are not pensioners); or
 - (ii) made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, the London Emergencies Trust, the We Love Manchester Emergency Fund or the London Bombings Relief Charitable Fund;
- (b) a payment which is disregarded under paragraph 16 of Schedule 9 (payments made under certain trusts and certain other payments), other than a payment under the Independent Living Fund (2006);
- (c) a payment which is disregarded under paragraph 30(9)(b) or (c) (payment made under certain trusts etc) or paragraph 2(b) or (c) of Schedule 4 (payments made under certain trusts etc) other than a payment under the Independent Living Fund (2006).

(8) Where an applicant or a person to whom a reduction under this scheme has been awarded or any partner has attained the qualifying age for state pension credit and is a member of, or a person deriving entitlement to a pension under, a personal pension scheme, he must where the authority so requires furnish the following information--

- (a) the name and address of the pension fund holder;
- (b) such other information including any reference or policy number as is needed to enable the personal pension scheme to be identified.

Amendment and withdrawal of application

114

- (1) A person who has made an application may amend it at any time before a decision has been made on it by a notice in writing delivered or sent to the designated office.
- (2) Where the application was made by telephone in accordance with Part 1 of Schedule 1, the amendment may also be made by telephone.
- (3) Any application amended in accordance with sub-paragraph (1) or (2) is to be treated as if it had been amended in the first instance.
- (4) A person who has made an application may withdraw it by notice to the designated office at any time before a decision has been made on it.
- (5) Where the application was made by telephone in accordance with Part 1 of Schedule 1, the withdrawal may also be made by telephone.
- (6) Any notice of withdrawal given in accordance with sub-paragraph (4) or (5) has effect when it is received.

(7) Where a person, by telephone, amends or withdraws an application the person must (if required to do so by the authority) confirm the amendment or withdrawal by a notice in writing delivered or sent to the designated office.

Duty to notify changes of circumstances

115

(1) Subject to sub-paragraphs (3), and (9), the applicant (or any person acting on his behalf) must comply with sub-paragraph (2) if there is a relevant change of circumstances at any time--

- (a) between the making of an application and a decision being made on it, or
- (b) after the decision is made (where the decision is that the applicant is entitled to a reduction under this scheme) including at any time while the applicant is in receipt of such a reduction.

(2) The applicant (or any person acting on his behalf) must notify any change of circumstances which the applicant (or that person) might reasonably be expected to know might affect his entitlement to, or the amount of, a reduction under this scheme (a "relevant change of circumstances") by giving notice to the authority--

- (a) in writing; or
- (b) by telephone--
 - (i) where the authority has published a telephone number for that purpose or for the purposes of Part 1 of Schedule 1 unless the authority determines that in any particular case or class of case notification may not be given by telephone; or
 - (ii) in any case or class of case where the authority determines that notice may be given by telephone; or
- (c) by any other means which the authority agrees to accept in any particular case,

within a period of 21 days beginning with the day on which the change occurs, or as soon as reasonably practicable after the change occurs, whichever is later.

(3) The duty imposed on a person by sub-paragraph (1) does not extend to notifying--

- (a) changes in the amount of council tax payable to the authority;
- (b) changes in the age of the applicant or that of any member of his family;
- (c) in the case of an applicant in receipt of a relevant benefit, changes in circumstances which affect the amount of the benefit but not the amount of the reduction under this scheme to which he is entitled, other than the cessation of that entitlement to the benefit.

(4) For the purposes of sub-paragraph (3)(c) "relevant benefit" means income support, an income-based jobseeker's allowance or an income-related employment and support allowance or universal credit.

(5) Notwithstanding sub-paragraph (3)(b) or (c) an applicant is required by sub-paragraph (1) to notify the authority of any change in the composition of his family arising from the fact that a person who was a member of his family is now no longer such a person because he has ceased to be a child or young person.

(6) The duty imposed on a person by sub-paragraph (1) includes--

- (a) in the case of a person falling within class C (pensioners: alternative maximum council tax reduction) giving written notice to the authority of changes which occur in the number of adults in the

dwelling or in their total gross incomes and, where any such adult ceases to be in receipt of state pension credit, the date when this occurs;

(b) in the case of a person falling within class F (persons who are not pensioners: alternative maximum council tax reduction) giving written notice to the authority of changes which occur in the number of adults in the dwelling or in their total gross incomes and, where any such adult ceases to be in receipt of income support, an income-based jobseeker's allowance or an income-related employment and support allowance, the date when this occurs.

(7) A person who has been awarded a reduction under this scheme who is also on state pension credit must report--

(a) changes affecting the residence or income of any non-dependant normally residing with the applicant or with whom the applicant normally resides;

(b) any absence from the dwelling which exceeds or is likely to exceed 13 weeks or where the absence is from Great Britain, which exceeds or is likely to exceed 4 weeks.

(8) In addition to the changes required to be reported under sub-paragraph (7), a person whose state pension credit comprises only the savings credit must also report--

(a) changes affecting a child living with him which may result in a change in the amount of reduction under this scheme allowed in his case, but not changes in the age of the child;

(b) any change in the amount of the applicant's capital to be taken into account which does or may take the amount of his capital to more than £16,000;

(c) any change in the income or capital of--

(i) a non-dependant whose income and capital are treated as belonging to the applicant in accordance with paragraph 34 (circumstances in which income of a non-dependant is to be treated as applicant's); or

(ii) a person to whom paragraph 36(2)(e) (partner treated as member of the household under paragraph 8) refers,

and whether such a person or, as the case may be, non-dependant stops living or begins or resumes living with the applicant.

(9) A person who is entitled to a reduction under this scheme and on state pension credit need only report to the authority the changes specified in sub-paragraphs (7) and (8).

Part 15

Decisions by Authority

Decision by authority

116

The authority must make a decision on an application for a reduction under this scheme within 14 days of paragraphs 110 and 113 and Part 1 of Schedule 1 being satisfied, or as soon as reasonably practicable thereafter.

Notification of decision

117

- (1) The authority must notify in writing any person affected by a decision made by it under this scheme--
- (a) in the case of a decision on an application, forthwith or as soon as reasonably practicable thereafter;
 - (b) in any other case, within 14 days of that decision or as soon as reasonably practicable thereafter.
- (2) Where the decision is to award a reduction the notification under sub-paragraph (1) must include a statement--
- (a) informing the person affected of the duty imposed by paragraph 115(1)(b);
 - (b) explaining the possible consequences (including prosecution) of failing to comply with that duty; and
 - (c) setting out the circumstances a change in which might affect entitlement to the reduction or its amount.
- (3) Where the decision is to award a reduction, the notification under sub-paragraph (1) must include a statement as to how that entitlement is to be discharged.
- (4) In any case, the notification under sub-paragraph (1) must inform the person affected of the procedure by which an appeal may be made and must refer the person to the provisions in this scheme relating to the procedure for making an appeal.
- (5) A person affected to whom the authority sends or delivers a notification of decision may, within one month of the date of the notification of that decision request in writing the authority to provide a written statement setting out the reasons for its decision on any matter set out in the notice.
- (6) The written statement referred to in sub-paragraph (5) must be sent to the person requesting it within 14 days or as soon as reasonably practicable thereafter.
- (7) For the purposes of this paragraph a person is to be treated as a person affected by a decision of the authority under this scheme where the rights, duties or obligations of that person are affected by that decision and the person falls within sub-paragraph (8).
- (8) This sub-paragraph applies to--
- (a) the applicant;
 - (b) in the case of a person who is liable to pay council tax in respect of a dwelling and is unable for the time being to act--
 - (i) a deputy appointed by the Court of Protection with power to claim, or as the case may be, receive benefit on his behalf; or
 - (ii) in Scotland, a judicial factor or any guardian acting or appointed under the Adults with Incapacity (Scotland) Act 2000 who has power to apply or, as the case may be, receive benefit on the person's behalf; or
 - (iii) an attorney with a general power or a power to apply or, as the case may be, receive benefit, has been appointed by that person under the Powers of Attorney Act 1971, the Enduring Powers of Attorney Act 1985 or the Mental Capacity Act 2005 or otherwise,
 - (c) a person appointed by the authority under paragraph 109(3).

Part 16
Circumstances in Which a Payment May be Made

Payment where there is joint and several liability

118

(1) Where--

- (a) a person is entitled to a reduction under this scheme in respect of his liability for the authority's council tax as it has effect in respect of a financial year;
- (b) the person entitled to the reduction is jointly and severally liable for the council tax; and
- (c) the authority determines that discharging his entitlement by reducing the amount of his liability to which regulation 20(2) of the Council Tax (Administration and Enforcement) Regulations 1992 refers would be inappropriate,

it may make a payment to him of the amount of reduction to which he is entitled, rounded where necessary to the nearest penny.

(2) Subject to sub-paragraph (3), any payment made under sub-paragraph (1) must be made to the person who is entitled to the reduction.

(3) Where a person other than the person who is entitled to the reduction under this scheme made the application for the reduction and that first person is a person acting pursuant to an appointment under paragraph 109(3) (persons appointed to act for a person unable to act) or is treated as having been so appointed by virtue of paragraph 109(5), the amount of the reduction may be paid to that person.

**SCHEDULE 1
PROCEDURAL MATTERS**

Paragraph 11

**Part 1
Procedure for an Application for a Reduction Under this Scheme**

Procedure by which a person may apply for a reduction under this scheme

1

Paragraphs 2 to 7 apply to an application for a reduction under this scheme.

2

An application may be made--

- (a) in writing,
- (b) by means of an electronic communication in accordance with Part 4 of this Schedule, or
- (c) where the authority has published a telephone number for the purpose of receiving such applications, by telephone.

3

(1) An application which is made in writing must be made to the designated office on a properly completed form.

(2) The form must be provided free of charge by the authority for the purpose.

4

Where an application made in writing is defective because--

- (a) it was made on the form supplied for the purpose but that form is not accepted by the authority as being properly completed; or
- (b) it was made in writing but not on the form supplied for the purpose and the authority does not accept the application as being in a written form which is sufficient in the circumstances of the case having regard to the sufficiency of the written information and evidence,

the authority may, in a case to which sub-paragraph (a) applies, request the applicant to complete the defective application or, in the case to which sub-paragraph (b) applies, supply the applicant with the approved form or request further information and evidence.

- (2) An application made on a form provided by the authority is properly completed if completed in accordance with the instructions on the form, including any instructions to provide information and evidence in connection with the application.

5

- (1) If an application made by electronic communication is defective the authority must provide the person making the application with an opportunity to correct the defect.
- (2) An application made by electronic communication is defective if the applicant does not provide all the information the authority requires.

6

In a particular case the authority may determine that an application made by telephone is only valid if the person making the application approves a written statement of his circumstances provided by the authority.

7

- (1) If an application made by telephone is defective the authority must provide the person making the application with an opportunity to correct the defect.
- (2) An application made by telephone is defective if the applicant does not provide all the information the authority requests during the telephone call.

Part 2
Procedure for Making an Appeal

Procedure by which a person may make an appeal against certain decisions of the authority

8

A person who is aggrieved by a decision of the authority which affects--

- (a) the person's entitlement to a reduction under this scheme, or
- (b) the amount of any reduction under this scheme,

may serve a written notice on the authority stating the matter by which, and the grounds on which, he is aggrieved.

9

The authority must--

- (a) consider the matter to which the notice relates;
- (b) notify the aggrieved person in writing--
 - (i) that the ground is not well founded, giving reasons for that belief; or
 - (ii) that steps have been taken to deal with the grievance, stating the steps taken.

10

Where, following notification under paragraph 9(b)(i) or (ii), the person is still aggrieved, or if the authority fails to notify the person aggrieved in accordance with paragraph 9(b) within two months of the service of his notice, he may appeal to a valuation tribunal under section 16 of the 1992 Act.

10A

~~An appeal to the authority under paragraph 8 of this Part must be signed by the appellant and should be made within one calendar month of the date of notification of the authority's decision or the date of a written statement in accordance with sub-paragraph 117, whichever is the later.~~

10B

~~Subject to paragraph 10D, a late appeal may be considered where the conditions specified in paragraph 10C are satisfied. An appeal for the purposes of this paragraph shall include:~~

- ~~(a) particulars of the disputed decision and the reasons for the failure to request a reconsideration on an earlier date, and~~
- ~~(b) be made within 13 months of the date on which the decision was notified.~~

10C

~~In determining whether it is reasonable to grant an appeal for the purposes of paragraph 10B, the authority shall have regard to the principle that the greater the amount of time that has elapsed between the date one month after the date of notification of the authority's decision or the date of a written statement and the date the appeal is made, the more compelling should be the special circumstances on which the appeal is based. An appeal shall not be granted unless the authority is satisfied that~~

- ~~(a) the appeal has merit;~~
- ~~(b) it is reasonable to grant the appeal; and~~
- ~~(c) special circumstances are relevant and as a result of those special circumstances it was not practicable for the applicant to appeal within the one month time limit.~~

10D

~~In determining whether it is reasonable to grant an appeal, no account shall be taken of the following~~

- ~~(a) that the applicant was unaware of, or misunderstood, the law applicable to his case (including ignorance or misunderstanding of the time limits imposed by this scheme); or~~
- ~~(b) that the Valuation Tribunal or a court has taken a different view of the law from that previously understood and applied.~~

10E

An appeal under this part which has been refused may not be renewed.

Part 3
Procedure for Applying for a Discretionary Reduction

Procedure for an application to the authority for a reduction under section 13A(1)(c) of the 1992 Act

11

(1) An application to the authority for a reduction under section 13A(1)(c) of the 1992 Act may be made--

- (a) in writing;
- (b) by means of an electronic communication in accordance with Part 4 of this Schedule; or
- (c) where the authority has published a telephone number for the purposes of receiving such applications, by telephone.

(2) Where--

- (a) the authority has made a determination under section 13A(1)(c) in relation to a class of case in which liability is to be reduced; and
- (b) a person in that class would otherwise be entitled to a reduction under this scheme,

that person's application for a reduction under this scheme may also be treated as an application for a reduction under section 13A(1)(c).

Part 4
Electronic Communication

Interpretation

12

In this Part--

"information" includes an application, certificate, notice or other evidence;

"official computer system" means a computer system maintained by or on behalf of the authority for the sending, receiving, processing or storing of any information.

Conditions for the use of electronic communication

13

- (1) The authority may use an electronic communication in connection with applications for, and awards of, reductions under this scheme.
- (2) A person other than the authority may use an electronic communication in connection with the matters referred to in sub-paragraph (1) if the conditions specified in sub-paragraphs (3) to (6) are satisfied.
- (3) The first condition is that the person is for the time being permitted to use an electronic communication by an authorisation given by means of a direction of the Chief Executive of the authority.
- (4) The second condition is that the person uses an approved method of--
 - (a) authenticating the identity of the sender of the communication;
 - (b) electronic communication;
 - (c) authenticating any application or notice delivered by means of an electronic communication; and
 - (d) subject to sub-paragraph (7), submitting to the authority any information.
- (5) The third condition is that any information sent by means of an electronic communication is in a form supplied for the purposes of this Part of this Schedule.
- (6) The fourth condition is that the person maintains such records in written or electronic form as may be specified in a direction given by the Chief Executive of the authority.
- (7) Where the person uses any method other than the method approved of submitting any information, that information is to be treated as not having been submitted.
- (8) In this paragraph "approved" means approved by means of a direction given by the Chief Executive of the authority for the purposes of this Part of this Schedule.

Use of intermediaries

14

The authority may use intermediaries in connection with--

- (a) the delivery of any information by means of an electronic communication; and
- (b) the authentication or security of anything transmitted by such means,

and may require other persons to use intermediaries in connection with those matters.

Effect of delivering information by means of electronic communication

15

- (1) Any information which is delivered by means of an electronic communication is to be treated as having been delivered in the manner or form required by any provision of this scheme, on the day the conditions imposed--
 - (a) by this Part; and
 - (b) by or under an enactment,

are satisfied.

(2) The authority may determine that any information is to be treated as delivered on a different day (whether earlier or later) from the day provided for in sub-paragraph (1).

(3) Information must not be taken to have been delivered to an official computer system by means of an electronic communication unless it is accepted by the system to which it is delivered.

Proof of identity of sender or recipient of information

16

If it is necessary to prove, for the purpose of any legal proceedings, the identity of--

- (a) the sender of any information delivered by means of an electronic communication to an official computer system; or
- (b) the recipient of any such information delivered by means of an electronic communication from an official computer system,

the sender or recipient, as the case may be, is to be presumed to be the person whose name is recorded as such on that official computer system.

Proof of delivery of information

17

(1) If it is necessary to prove, for the purpose of any legal proceedings, that the use of an electronic communication has resulted in the delivery of any information this must be presumed to have been the case where--

- (a) any such information has been delivered to the relevant authority, if the delivery of that information has been recorded on an official computer system; or
- (b) any such information has been delivered by the relevant authority, if the delivery of that information has been recorded on an official computer system.

(2) If it is necessary to prove, for the purpose of any legal proceedings, that the use of an electronic communication has resulted in the delivery of any such information, this must be presumed not to be the case, if that information delivered to the relevant authority has not been recorded on an official computer system.

(3) If it is necessary to prove, for the purpose of any legal proceedings, when any such information sent by means of an electronic communication has been received, the time and date of receipt must be presumed to be that recorded on an official computer system.

Proof of content of information

18

If it is necessary to prove, for the purpose of any legal proceedings, the content of any information sent by means of an electronic communication, the content must be presumed to be that recorded on an official computer system.

SCHEDULE 2
APPLICABLE AMOUNTS: PENSIONERS

Paragraph 25

Part 1
Personal Allowances

Personal allowance

1

The amount specified for the purposes of paragraph 25(1)(a) 1 is—

- (a) prior to 6th December 2018, the amount specified in column (2) of Table 1 below in respect of each person or couple referred to in column (1) of that Table;
- (b) on or after 6th December 2018, the amount specified in column (2) of Table 2 below in respect of each person or couple referred to in column (1) of that Table.

Table 1

<i>Column (1)</i> <i>Person, couple or polygamous marriage</i>	<i>Column (2)</i> <i>Amount</i>
(1) Single applicant or lone parent—	(a) £163.00;
(a) aged under 65;	(b) £176.40.
(b) aged 65 or over.	
(2) Couple—	(a) £248.80;
(a) both members aged under 65;	(b) £263.80.
(b) one or both members aged 65 or over	
(3) If the applicant is a member of a polygamous marriage and none of the members of the marriage has attained the age of 65—	(a) £248.80;
(a) for the applicant and the other party to the marriage;	(b) £85.80.
(b) for each additional spouse who is a member of the same household as the applicant.	(a) £263.80;
	(b) £87.40.
(4) If the applicant is a member of a polygamous marriage and one or more members of the marriage are aged 65 or over—	
(a) for the applicant and the other party to the marriage;	
(b) for each additional spouse who is a member of the same household as the applicant.	

Table 2

<i>Column (1)</i> <i>Person, couple or polygamous marriage</i>	<i>Column (2)</i> <i>Amount</i>
(1) Single applicant or lone parent who has attained pensionable age	£176.40.
(2) Couple and one or both members have attained pensionable age	£263.80.

- (3) If the applicant is a member of a polygamous marriage and one or more members of the marriage have attained pensionable age — (a) £263.80;
 (a) for the applicant and the other party to the marriage; (b) £87.40.”
 (b) for each additional spouse who is a member of the same household as the applicant.

Child or young person amounts

2

(1) The amounts specified in column (2) below in respect of each person specified in column (1) are the amounts, for the relevant period specified in column (1), specified for the purposes of paragraph 25(1)(b).

<i>Column (1)</i> <i>Child or young person</i>	<i>Column (2)</i> <i>Amount</i>
Person in respect of the period--	
(a) beginning on that person's date of birth and ending on the day preceding the first Monday in September following that person's sixteenth birthday;	(a) £66.90;
(b) beginning on the first Monday in September following that person's sixteenth birthday and ending on the day preceding that person's twentieth birthday.	(b) £66.90.

(2) In column (1) of the table "the first Monday in September" means the Monday which first occurs in the month of September in any year.

Part 2 Family Premium

Family premium

3

The amount for the purposes of paragraph 25(1)(c) in respect of a family of which at least one member is a child or young person —

- (a) is £17.45 in respect of a reduction week which begins in the period beginning with 1st April 2016 and ending with 30th April 2016;
- (b) is nil in respect of a reduction week which begins after 1st May 2016.

Transitional provision

3 A

(1) Subject to paragraph (2), paragraph 3 does not apply to a person who, on 30th April 2016, is liable to pay council tax at a reduced rate by virtue of a council tax reduction under the authority's scheme established under section 13A(2) of the Act and is—

- (a) a member of a family of which at least one member is a child or young person; or
- (b) a partner in a polygamous marriage, where he or she, or another partner of the polygamous marriage, is responsible for a child or young person who is a member of the same household.

(2) Paragraph (1) does not apply if—

- (a) sub-paragraph (a) or (b) of that paragraph ceases to apply; or
- (b) the person makes a new application for a reduction under the authority's scheme under section 13A(2) of the Act.

(3) For the purposes of this paragraph—

- (a) “the Act” means the Local Government Finance Act 1992;
- (b) “child”, “family”, “partner”, “polygamous marriage” and “young person” have the meanings given by Part 2 (‘Interpretation’) of this scheme.

Part 3 Premiums

4

The premiums specified in Part 4 are, for the purposes of paragraph 25(1)(d), applicable to an applicant who satisfies the condition specified in this Part in respect of that premium.

5

(1) Subject to sub-paragraph (2), for the purposes of this Part of this Schedule, once a premium is applicable to an applicant under this Part, a person is to be treated as being in receipt of any benefit for--

- (a) in the case of a benefit to which the Social Security (Overlapping Benefits) Regulations 1979 applies, any period during which, apart from the provision of those Regulations, he would be in receipt of that benefit; and
- (b) any period spent by a person in undertaking a course of training or instruction provided or approved by the Secretary of State under section 2 of the Employment and Training Act 1973, or by Skills Development Scotland, Scottish Enterprise or Highland and Islands Enterprise under section 2 of the Enterprise and New Towns (Scotland) Act 1990 or for any period during which he is in receipt of a training allowance.

(2) For the purposes of the carer premium under paragraph 9, a person is to be treated as being in receipt of a carer's allowance by virtue of sub-paragraph (1)(a) only if and for so long as the person in respect of whose care the allowance has been claimed remains in receipt of attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA, or the daily living component of personal independence payment paid at either rate prescribed in accordance with Part 4 of the Welfare Reform Act 2012 or an AFIP.

Severe disability premium

6

- (1) The condition is that the applicant is a severely disabled person.
 - (2) For the purposes of sub-paragraph (1), an applicant is to be treated as being a severely disabled person if, and only if--
 - (a) in the case of a single applicant, a lone parent or an applicant who is treated as having no partner in consequence of sub-paragraph (3)--
 - (i) he is in receipt of attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA, or the daily living component of personal independence payment paid at either rate prescribed in accordance with Part 4 of the Welfare Reform Act 2012, or an AFIP; and
 - (ii) subject to sub-paragraph (6), he has no non-dependants aged 18 or over normally residing with him or with whom he is normally residing; and
 - (iii) no person is entitled to, and in receipt of, a carer's allowance under section 70 of the SSCBA or has an award of universal credit which includes the carer element under regulation 29 of the Universal Credit Regulations 2013 in respect of caring for him;
 - (b) in the case of an applicant who has a partner--
 - (i) the applicant is in receipt of attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA, or the daily living component of personal independence payment paid at either rate prescribed in accordance with Part 4 of the Welfare Reform Act 2012, or an AFIP;
 - (ii) his partner is also in receipt of such an allowance or, if he is a member of a polygamous marriage, each other member of that marriage is in receipt of such an allowance; and
 - (iii) subject to sub-paragraph (6), the applicant has no non-dependants aged 18 or over normally residing with him or with whom he is normally residing,
- and either a person is entitled to and in receipt of a carer's allowance or has an award of universal credit that includes the carer element in respect of caring for only one of the couple or, if he is a member of a polygamous marriage, for one or more but not all the members of the marriage, or as the case may be, no person is entitled to and in receipt of such an allowance or has such an award of universal credit in respect of caring for either member of a couple or any of the members of the marriage.
- (3) Where an applicant has a partner who does not satisfy the condition in sub-paragraph (2)(b)(ii), and that partner is blind or is treated as blind within the meaning of sub-paragraph (4), that partner is to be treated for the purposes of sub-paragraph (2) as if he were not a partner of the applicant.
 - (4) For the purposes of sub-paragraph (3), a person is blind if he is registered in a register compiled by a local authority under section 29 of the National Assistance Act 1948 (welfare services) or, in Scotland, has been certified as blind and in consequence he is registered in a register maintained by or on behalf of a council constituted under section 2 of the Local Government (Scotland) Act 1994.
 - (5) For the purposes of sub-paragraph (4), a person who has ceased to be registered as blind on regaining his eyesight is nevertheless to be treated as blind and as satisfying the additional condition set out in that sub-paragraph for a period of 28 weeks following the date on which he ceased to be so registered.
 - (6) For the purposes of sub-paragraph (2)(a)(ii) and (2)(b)(iii) no account is to be taken of--
 - (a) a person receiving attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA, or the daily living component of personal independence payment paid at either rate prescribed in accordance with Part 4 of the Welfare Reform Act 2012, or an AFIP; or

(b) a person who is blind or is treated as blind within the meaning of sub-paragraphs (4) and (5).

(7) For the purposes of sub-paragraph (2)(b) a person is to be treated--

(a) as being in receipt of attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA, if he would, but for his being a patient for a period exceeding 28 days, be so in receipt;

(b) as being in receipt of the daily living component of personal independence payment paid at the rate prescribed in accordance with Part 4 of the Welfare Reform Act 2012 if he would, but for his being a patient for a period exceeding 28 days, be so in receipt, notwithstanding section 86 of that Act and regulations made thereunder;

(c) as being in receipt of an AFIP if he would be so in receipt but for a suspension of payment in accordance with any terms of the armed and reserve forces compensation scheme which allow for a suspension because a person is undergoing medical treatment in a hospital or similar institution;

(d) as being entitled to and in receipt of a carer's allowance or having an award of universal credit which includes the carer element if he would, but for the person for whom he was caring being a patient in hospital for a period exceeding 28 days, be so entitled and in receipt or have such an award of universal credit.

(8) For the purposes of sub-paragraph (2)(a)(iii) and (b)--

(a) no account is to be taken of an award of carer's allowance to the extent that payment of such an award is back-dated for a period before the date on which the award is first paid; and

(b) a reference to a person being in receipt of a carer's allowance or as having an award of universal credit which includes the carer element include reference to a person who would have been in receipt of that allowance or had such an award of universal credit but for the application of a restriction under section 6B or 7 of the Social Security Fraud Act 2001 (loss of benefit).

Enhanced disability premium

7

(1) The condition is that--

(a) the care component of disability living allowance is, or would, but for a suspension of benefit in accordance with regulations under section 113(2) of the SSCBA or but for an abatement as a consequence of hospitalisation, be payable at the highest rate prescribed under section 73(2) of that Act; or

(b) (as the case may be) the daily living component of personal independence payment is, or would, but for a suspension of benefit in accordance with regulations under section 86 of the Welfare Reform Act 2012, be payable at the enhanced rate prescribed in accordance with section 78(2) of that Act,

in respect of a child or young person who is a member of the applicant's family.

(2) Where the condition in sub-paragraph (1) ceases to be satisfied because of the death of a child or young person, the condition is that the applicant or partner is entitled to child benefit in respect of that person under section 145A of the SSCBA (entitlement after death of child or qualifying young person).

Disabled child premium

8

The condition is that a child or young person for whom the applicant or a partner of his is responsible and who is a member of the applicant's household--

- (a) is in receipt of disability living allowance, personal independence payment or is no longer in receipt of such allowance or payment because he is a patient, provided that the child or young person continues to be a member of the family; or
- (b) is blind within the meaning of paragraph 6(4) or treated as blind in accordance with paragraph 6(5); or
- (c) is a child or young person in respect of whom section 145A of the SSCBA (entitlement after death of child or qualifying young person) applies for the purposes of entitlement to child benefit but only for the period prescribed under that section, and in respect of whom a disabled child premium was included in the applicant's applicable amount immediately before the death of that child or young person, or ceased to be included in the applicant's applicable amount because of that child or young person's death.

Carer premium

9

- (1) The condition is that the applicant or his partner is, or both of them are, entitled to a carer's allowance.
- (2) Where a carer premium has been awarded but--
 - (a) the person in respect of whose care the carer's allowance has been awarded dies; or
 - (b) the person in respect of whom the premium was awarded ceases to be entitled, or ceases to be treated as entitled, to a carer's allowance,

this paragraph is to be treated as satisfied for a period of eight weeks from the relevant date specified in sub-paragraph (3).

- (3) The relevant date for the purposes of sub-paragraph (2) is--
 - (a) in a case within sub-paragraph (2)(a), the Sunday following the death of the person in respect of whose care the carer's allowance has been awarded (or beginning with the date of death if the date occurred on a Sunday);
 - (b) in a case within sub-paragraph (2)(b), the date on which that person who was entitled to a carer's allowance ceases to be entitled to it.

- (4) For the purposes of this paragraph, a person is to be treated as being entitled to and in receipt of a carer's allowance for any period not covered by an award but in respect of which a payment is made in lieu of an award.

Persons in receipt of concessionary payments

10

For the purpose of determining whether a premium is applicable to a person under paragraphs 6 to 9, any concessionary payment made to compensate that person for the non-payment of any benefit mentioned in those paragraphs is to be treated as if it were a payment of that benefit.

Person in receipt of benefit

11

For the purposes of this Part of this Schedule, a person is to be regarded as being in receipt of any benefit if, and only if, it is paid in respect of him and is to be so regarded only for any period in respect of which that benefit is paid.

Part 4
Amounts of Premium Specified in Part 3

12

(1) Severe Disability Premium--

<i>Provision</i>	<i>Amount</i>
(a) where the applicant satisfies the condition in paragraph 6(2)(a);	(a) £64.30;
(b) where the applicant satisfies the condition in paragraph 6(2)(b)--	(b)
(i) in a case where there is someone in receipt of a carer's allowance or who has an award of universal credit which includes the carer element under regulation 29 of the Universal Credit Regulations 2013 or if he or any partner satisfies that condition only by virtue of paragraph 6(7);	(i) £64.30;
(ii) in a case where there is no-one in receipt of such an allowance or such an award of universal credit.	(ii) £128.60.
(2) Enhanced disability premium.	(2) £25.48 in respect of each child or young person in respect of whom the conditions specified in paragraph 7 are satisfied.
(3) Disabled Child Premium.	(3) £62.86 in respect of each child or young person in respect of whom the condition specified in paragraph 8 is satisfied
(4) Carer Premium.	(4) £36.00 in respect of each person who satisfies the condition specified in paragraph 9.

SCHEDULE 3
APPLICABLE AMOUNTS: PERSONS WHO ARE NOT PENSIONERS

Paragraph 26

Part 1
Personal Allowances

1

The amounts specified in column (2) below in respect of each person or couple specified in column (1) are the amounts specified for the purposes of paragraphs 26(1)(a) and 27(1)(a) and (b)--

<i>Column (1)</i> <i>Person or couple</i>	<i>Column (2)</i> <i>Amount</i>
(1) A single applicant who--	(1)

(a) is entitled to main phase employment and support allowance;	(a) £71.70;
(b) is aged not less than 25;	(b) £71.70;
(c) is aged not less than 18 but less than 25.	(c) £56.80. Amounts as specified in the Housing Benefit Regulations 2006 as amended from time to time
(2) Lone parent.	(2) £71.70.
(3) Couple.	(3) £112.55.

2

For the purposes of paragraph 1 an applicant is entitled to main phase employment and support allowance if--

- (a) paragraph 18 is satisfied in relation to the applicant; or
- (b) the applicant is entitled to a converted employment and support allowance.

3

(1) The amounts specified in column (2) below in respect of each person specified in column (1) are, for the relevant period specified in column (1), the amounts specified for the purposes of paragraphs 26(1)(b) and 27(1)(c)--

<i>Column (1)</i> <i>Child or Young person</i>	<i>Column (2)</i> <i>Amount</i>
Person in respect of the period--	
(a) beginning on that person's date of birth and ending on the day preceding the first Monday in September following that person's sixteenth birthday;	£65.62
(b) beginning on the first Monday in September following that person's sixteenth birthday and ending on the day preceding that person's twentieth birthday.	£65.62. Amounts as specified in the Housing Benefit Regulations 2006 as amended from time to time

(2) In column (1) of the table in sub-paragraph (1), "the first Monday in September" means the Monday which first occurs in the month of September in any year.

Part 2
Family Premium

4

(1) The amount for the purposes of paragraphs 26(1)(c) and 27(1)(d) in respect of a family of which at least one member is a child or young person is--

- (a) where the applicant is a lone parent to whom sub-paragraph (2) applies, ~~£22.20;~~
- (b) in any other case, ~~£17.40.~~

In both cases, the amounts as specified in the Housing Benefit Regulations 2006 as amended from time to time

(2) The amount in sub-paragraph (1)(a) is applicable to a lone parent--

(a) who was entitled to council tax benefit on 5th April 1998 and whose applicable amount on that date included the amount applicable under paragraph 3(1)(a) of Schedule 1 to the Council Tax Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 as in force on that date; or

(b) on becoming entitled to council tax benefit where that lone parent--

(i) had been treated as entitled to that benefit in accordance with sub-paragraph (3) as at the day before the date of claim for that benefit; and

(ii) was entitled to housing benefit as at the date of claim for council tax benefit or would have been entitled to housing benefit as at that date had that day not fallen during a rent free period as defined in regulation 81 of the Housing Benefit Regulations 2006,

and in respect of whom, all of the conditions specified in sub-paragraph (3) have continued to apply.

(3) The conditions specified for the purposes of sub-paragraph (2) are that, in respect of the period commencing on 6th April 1998--

(a) the applicant has not ceased to be entitled, or has not ceased to be treated as entitled, to

(i) council tax benefit (in relation to the period prior to 1st April 2013), and

(ii) a reduction under a scheme made by this authority (in relation to the period commencing on 1st April 2013);

(b) the applicant has not ceased to be a lone parent;

(c) where the applicant was entitled to income support or to an income-based jobseeker's allowance on 5th April 1998, he has continuously, since that date, been entitled to income support, an income-based jobseeker's allowance or income-related employment and support allowance or a combination of those benefits;

(d) where the applicant was not entitled to income support or to an income-based jobseeker's allowance on 5th April 1998, he has not become entitled to income support, an income-based jobseeker's allowance or an income-related employment and support allowance; and

(e) a premium under paragraph 9 or a component under paragraph 24 or 22 has not become applicable to the applicant.

(4) For the purposes of sub-paragraphs (2)(b)(i) and (3)(a), an applicant is to be treated as entitled to council tax benefit during any period where he was not, or had ceased to be, so entitled and--

(a) throughout that period, he had been awarded housing benefit and his applicable amount included the amount applicable under paragraph 3(1)(a) of Schedule 3 to the Housing Benefit Regulations 2006 (lone parent rate of family premium); or

(b) he would have been awarded housing benefit during that period had that period not been a rent free period as defined in regulation 81 of the Housing Benefit Regulations 2006 and his applicable amount throughout that period would have included the amount applicable under paragraph 3(1)(a) of Schedule 3 to those Regulations.

Part 3 Premiums

Except as provided in paragraph 6, the premiums specified in Part 4 are, for the purposes of paragraphs 26(1)(d) and 27(1)(e) (premiums), applicable to an applicant who satisfies the condition specified in paragraphs 9 to 14 in respect of that premium.

6

Subject to paragraph 7, where an applicant satisfies the conditions in respect of more than one premium in this Part of this Schedule, only one premium is applicable to him and, if they are different amounts, the higher or highest amount applies.

7

The following premiums, namely--

- (a) a severe disability premium to which paragraph 11 applies;
- (b) an enhanced disability premium to which paragraph 12 applies;
- (c) a disabled child premium to which paragraph 13 applies; and
- (d) a carer premium to which paragraph 14 applies,

may be applicable in addition to any other premium which may apply under this Schedule.

8

(1) Subject to sub-paragraph (2), for the purposes of this Part of this Schedule, once a premium is applicable to an applicant under this Part, a person is to be treated as being in receipt of any benefit for--

- (a) in the case of a benefit to which the Social Security (Overlapping Benefits) Regulations 1979 applies, any period during which, apart from the provisions of those Regulations, he would be in receipt of that benefit; and
- (b) any period spent by a person in undertaking a course of training or instruction provided or approved by the Secretary of State under section 2 of the Employment and Training Act 1973 or by Skills Development Scotland, Scottish Enterprise or Highlands and Islands Enterprise under section 2 of the Enterprise and New Towns (Scotland) Act 1990 for any period during which he is in receipt of a training allowance.

(2) For the purposes of the carer premium under paragraph 14, a person is to be treated as being in receipt of carer's allowance by virtue of sub-paragraph (1)(a) only if and for so long as the person in respect of whose care the allowance has been claimed remains in receipt of attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA or the daily living component of personal independence payment payable under Part 4 of the Welfare Reform Act 2012.

Disability premium

9

The condition is that--

- (a) where the applicant is a single applicant or a lone parent, he has not attained the qualifying age for state pension credit and the additional condition specified in paragraph 10 is satisfied; or

- (b) where the applicant has a partner, either--
 - (i) the applicant has not attained the qualifying age for state pension credit and the additional condition specified in paragraph 10(1)(a) or (b) is satisfied by him; or
 - (ii) his partner has not attained the qualifying age for state pension credit and the additional condition specified in paragraph 10(1)(a) is satisfied by his partner.

Additional condition for the disability premium

10

(1) Subject to sub-paragraph (2) and paragraph 8, the additional condition referred to in paragraph 9 is that either--

- (a) the applicant or, as the case may be, his partner--
 - (i) is in receipt of one or more of the following benefits: attendance allowance, disability living allowance, personal independence payment, an AFIP, the disability element or the severe disability element of working tax credit as specified in regulation 20(1)(b) and (f) of the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002, mobility supplement, long-term incapacity benefit under Part 2 of the SSCBA or severe disablement allowance under Part 3 of that Act but, in the case of long-term incapacity benefit or severe disablement allowance, only where it is paid in respect of him; or
 - (ii) was in receipt of long-term incapacity benefit under Part 2 of the SSCBA when entitlement to that benefit ceased on account of the payment of a retirement pension under that Act or a state pension under Part 1 of the Pensions Act 2014 and the applicant remained continuously entitled to--
 - (aa) council tax benefit (in relation to the period prior to 1st April 2013, or
 - (bb) a reduction under a scheme made by this authority (in relation to the period commencing on 1st April 2013), and

if the long-term incapacity benefit was payable to his partner, the partner is still a member of the family; or

- (iii) was in receipt of attendance allowance or disability living allowance but payment of benefit has been suspended in accordance with regulations made under section 113(2) of the SSCBA or otherwise abated as a consequence of the applicant or his partner becoming a patient within the meaning of paragraph 58(11)(i) (treatment of child care charges); or
- (iv) was in receipt of personal independence payment, but payment of that benefit has been suspended in accordance with section 86 of the Welfare Reform Act 2012 as a consequence of the applicant becoming a patient within the meaning of paragraph 58(11)(i) (treatment of child care charges); or
- (v) was in receipt of an AFIP, but payment has been suspended in accordance with any terms of the armed and reserve forces compensation scheme which allow for suspension because a person is undergoing medical treatment in a hospital or similar institution; or
- (vi) he has an invalid carriage or other vehicle provided to him by the Secretary of State or a clinical commissioning group under paragraph 9 of Schedule 1 to the National Health Service Act 2006 or under section 46 of the National Health Service (Scotland) Act 1978 or provided by the Department of Health, Social Services and Public Safety in Northern Ireland under Article 30(1) of the Health and Personal Social Services (Northern Ireland) Order 1972; or

(vii) is blind and in consequence registered in a register compiled by a local authority under section 29 of the National Assistance Act 1948 (welfare services) or, in Scotland, has been certified as blind and in consequence he is registered in a register maintained by or on behalf of a council constituted under section 2 of the Local Government (Scotland) Act 1994; or

(b) the applicant--

(i) is, or is treated as, incapable of work in accordance with the provisions of, and regulations made under, Part 12A of the SSCBA (incapacity for work); and

(ii) has been incapable, or has been treated as incapable, of work for a continuous period of not less than--

(aa) in the case of an applicant who is terminally ill within the meaning of section 30B(4) of the SSCBA, 196 days;

(bb) in any other case, 364 days.

(2) For the purposes of sub-paragraph (1)(a)(vii), a person who has ceased to be registered as blind on regaining his eyesight is nevertheless to be treated as blind and as satisfying the additional condition set out in that sub-paragraph for a period of 28 weeks following the date on which he ceased to be so registered.

(3) For the purposes of sub-paragraph (1)(b), once the disability premium is applicable to an applicant by virtue of his satisfying the additional condition specified in that provision, if he then ceases, for a period of 8 weeks or less, to be treated as incapable of work or to be incapable of work he is, on again becoming so incapable of work, immediately thereafter to be treated as satisfying the condition in sub-paragraph (1)(b).

(4) For the purposes of sub-paragraph (1)(b), once the disability premium is applicable to an applicant by virtue of his satisfying the additional condition specified in that provision, he is to continue to be treated as satisfying that condition for any period spent by him in undertaking a course of training provided under section 2 of the Employment and Training Act 1973 or section 2 of the Enterprise and New Towns (Scotland) Act 1990 or for any period during which he is in receipt of a training allowance.

(5) For the purposes of sub-paragraph (1)(b), where any two or more periods of incapacity are separated by a break of not more than 56 days, those periods are to be treated as one continuous period.

(6) For the purposes of this paragraph, a reference to a person who is or was in receipt of long-term incapacity benefit includes a person who is or was in receipt of short-term incapacity benefit at a rate equal to the long-term rate by virtue of section 30B(4)(a) of the Act (short-term incapacity benefit for a person who is terminally ill), or who would be or would have been in receipt of short-term incapacity benefit at such a rate but for the fact that the rate of short-term incapacity benefit already payable to him is or was equal to or greater than the long-term rate.

(7) In the case of an applicant who is a welfare to work beneficiary (a person to whom regulation 13A(1) of the Social Security (Incapacity for Work) (General) Regulations 1995 applies, and who again becomes incapable of work for the purposes of Part 12A of the SSCBA)--

(a) the reference to a period of 8 weeks in sub-paragraph (3); and

(b) the reference to a period of 56 days in sub-paragraph (5),

in each case is to be treated as a reference to a period of 104 weeks.

(8) The applicant is not entitled to the disability premium if he has, or is treated as having, limited capability for work.

Severe disability premium

- (1) The condition is that the applicant is a severely disabled person.
- (2) For the purposes of sub-paragraph (1), an applicant is to be treated as being a severely disabled person if, and only if--
 - (a) in the case of a single applicant, a lone parent or an applicant who is treated as having no partner in consequence of sub-paragraph (3)--
 - (i) he is in receipt of attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA, or the daily living component of personal independence payment payable at either rate under Part 4 of the Welfare Reform Act 2012, or an AFIP; and
 - (ii) subject to sub-paragraph (4), he has no non-dependants aged 18 or over normally residing with him or with whom he is normally residing; and
 - (iii) no person is entitled to, and in receipt of, a carer's allowance under section 70 of the SSCBA in respect of caring for him;
 - (b) in the case of an applicant who has a partner--
 - (i) the applicant is in receipt of attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA or the daily living component of personal independence payment payable at either rate under Part 4 of the Welfare Reform Act 2012, or an AFIP; and
 - (ii) his partner is also in receipt of such an allowance or, if he is a member of a polygamous marriage, all the partners of that marriage are in receipt of such an allowance; and
 - (iii) subject to sub-paragraph (4), the applicant has no non-dependants aged 18 or over normally residing with him or with whom he is normally residing,

and either a person is entitled to and in receipt of a carer's allowance in respect of caring for only one of a couple or, in the case of a polygamous marriage, for one or more but not all the partners of the marriage, or as the case may be, no person is entitled to and in receipt of such an allowance in respect of caring for either member of a couple or any partner of a polygamous marriage.
- (3) Where an applicant has a partner who does not satisfy the condition in sub-paragraph (2)(b)(ii), and that partner is blind or is treated as blind within the meaning of paragraph 10(1)(a)(vii) and (2), that partner is to be treated for the purposes of sub-paragraph (2)(b)(ii) as if he were not a partner of the applicant.
- (4) For the purposes of sub-paragraph (2)(a)(ii) and (2)(b)(iii) no account is to be taken of--
 - (a) a person receiving attendance allowance, or disability living allowance by virtue of the care component at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA, or the daily living component of personal independence payment payable at either rate prescribed in accordance with Part 4 of the Welfare Reform Act 2012; or
 - (b) a person who is blind or is treated as blind within the meaning of paragraph 10(1)(a)(vii) and (2).
- (5) For the purposes of sub-paragraph (2)(b) a person is to be treated--
 - (a) as being in receipt of attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA, or the daily living component of personal independence payment payable at either rate under Part 4 of the

Welfare Reform Act 2012, or an AFIP if he would, but for his being a patient for a period exceeding 28 days, be so in receipt;

(b) as being entitled to and in receipt of a carer's allowance if he would, but for the person for whom he was caring being a patient in hospital for a period exceeding 28 days, be so entitled and in receipt.

(6) For the purposes of sub-paragraph (2)(a)(iii) and (2)(b), no account is to be taken of an award of carer's allowance to the extent that payment of such an award is back-dated for a period before the date on which the award is first paid.

(7) In sub-paragraph (2)(a)(iii) and (b), references to a person being in receipt of a carer's allowance include references to a person who would have been in receipt of that allowance but for the application of a restriction under section 6B or 7 of the Social Security Fraud Act 2001 (loss of benefit provisions).

Enhanced disability premium

12

(1) Subject to sub-paragraph (2), the condition is that--

(a) the Secretary of State has decided that the applicant has, or is to be treated as having, limited capability for work-related activity; or

(b) the care component of disability living allowance is, or would be payable at the highest rate prescribed under section 72(3) of the SSCBA, but for a suspension of benefit in accordance with regulations made under section 113(2) of the SSCBA or but for an abatement as a consequence of hospitalisation be payable at the highest rate prescribed under section 72(3) of the SSCBA in respect of--

(i) the applicant; or

(ii) a member of the applicant's family,

who has not attained the qualifying age for state pension credit; or

(c) the daily living component of personal independence payment is, or would be payable at either rate under Part 4 of the Welfare Reform Act 2012, but for a suspension of benefit in accordance with section 86 of the Welfare Reform Act 2012 in respect of--

(i) the applicant; or

(ii) a member of the applicant's family,

who has not attained the qualifying age for state pension credit.

(2) Where the condition in sub-paragraph (1) ceases to be satisfied because of the death of a child or young person, the condition is that the applicant or partner is entitled to child benefit in respect of that person under section 145A of the SSCBA (entitlement after death of child or qualifying young person).

(3) The condition is not satisfied if the person to whom sub-paragraph (1) refers is--

(a) an applicant who--

(i) is not a member of a couple or a polygamous marriage; and

(ii) is a patient within the meaning of paragraph 58(11)(i) (treatment of child care charges) and has been for a period of more than 52 weeks; or

- (b) a member of a couple or a polygamous marriage where each member is a patient within the meaning of paragraph 58(11)(i) and has been for a period of more than 52 weeks.

Disabled child premium

13

The condition is that a child or young person for whom the applicant or a partner of his is responsible and who is a member of the applicant's household--

- (a) is in receipt of disability living allowance or personal independence payment or is no longer in receipt of such allowance because he is a patient, provided that the child or young person continues to be a member of the family; or
- (b) is blind or treated as blind within the meaning of paragraph 10; or
- (c) is a child or young person in respect of whom section 145A of the SSCBA (entitlement after death of child or qualifying young person) applies for the purposes of entitlement to child benefit but only for the period prescribed under that section, and in respect of whom a disabled child premium was included in the applicant's applicable amount immediately before the death of that child or young person, or ceased to be included in the applicant's applicable amount because of that child or young person's death.

Carer premium

14

- (1) The condition is that the applicant or his partner is, or both of them are, entitled to a carer's allowance under section 70 of the SSCBA.

- (2) Where a carer premium is awarded but--

- (a) the person in respect of whose care the carer's allowance has been awarded dies; or
- (b) in any other case the person in respect of whom a carer premium has been awarded ceases to be entitled to a carer's allowance,

the condition for the award of the premium is to be treated as satisfied for a period of eight weeks from the relevant date specified in sub-paragraph (3).

- (3) The relevant date for the purposes of sub-paragraph (2) is--

- (a) where sub-paragraph (2)(a) applies, the Sunday following the death of the person in respect of whose care a carer's allowance has been awarded or the date of death if the death occurred on a Sunday;
- (b) in any other case, the date on which the person who has been entitled to a carer's allowance ceases to be entitled to that allowance.

- (4) Where a person who has been entitled to a carer's allowance ceases to be entitled to that allowance and makes an application for a reduction, the condition for the award of the carer premium is to be treated as satisfied for a period of eight weeks from the date on which--

- (a) the person in respect of whose care the carer's allowance has been awarded dies; or
- (b) in any other case, the person who has been entitled to a carer's allowance ceased to be entitled to that allowance.

Persons in receipt of concessionary payments**15**

For the purpose of determining whether a premium is applicable to a person under paragraphs 10 to 14, any concessionary payment made to compensate that person for the non-payment of any benefit mentioned in those paragraphs is to be treated as if it were a payment of that benefit.

Persons in receipt of benefit for another**16**

For the purposes of this Part of this Schedule, a person is to be regarded as being in receipt of any benefit if, and only if, it is paid in respect of him and is to be so regarded only for any period in respect of which that benefit is paid.

Part 4
Amounts of Premiums Specified in Part 3

17**(1) Disability Premium--**

<i>Premium</i>	<i>Amount</i>
(a) where the applicant satisfies the condition in paragraph 9(a);	(a) £31.00 ;
(b) where the applicant satisfies the condition in paragraph 9(b).	(b) £44.20 .
(2) Severe Disability Premium--	(2)
(a) where the applicant satisfies the condition in paragraph 11(2)(a);	(a) £59.50 ;
(b) where the applicant satisfies the condition in paragraph 11(2)(b)--	
(i) in a case where there is someone in receipt of a carer's allowance or if he or any partner satisfies that condition only by virtue of paragraph 11(5);	(b)(i) £59.50 ;
(ii) in a case where there is no-one in receipt of such an allowance.	(b)(ii) £119.00 .
(3) Disabled Child Premium.	(3) £57.89 in respect of each child or young person in respect of whom the condition specified in paragraph 13 is satisfied.
(4) Carer Premium.	(4) £33.30 in respect of each person who satisfies the condition specified in paragraph 14.
(5) Enhanced disability premium	(5)
	(a) £23.45 in respect of each child or young person in respect of whom the conditions specified in paragraph 12 are satisfied;
	(b) £15.15 in respect of each person who is neither--
	(i) a child or young person; nor

- (ii) a member of a couple or a polygamous marriage, in respect of whom the conditions specified in paragraph 12 are satisfied;
- (c) ~~£21.75~~ where the applicant is a member of a couple or a polygamous marriage and the conditions specified in paragraph 12 are satisfied in respect of a member of that couple or polygamous marriage.

Amounts as specified in the Housing Benefit Regulations 2006 as amended from time to time

Part 5 The Component

18

Subject to paragraph 20 the applicant is entitled to ~~one, but not both,~~ of the support component in paragraph ~~21 or 22~~ if--

- (a) the applicant or the applicant's partner has made a claim for employment and support allowance;
- (b) the Secretary of State has decided that the applicant or the applicant's partner has, or is to be treated as having, ~~limited capability for work or~~ limited capability for work-related activity; and
- (c) either--
 - (i) the assessment phase as defined in section 24(2) of the Welfare Reform Act has ended; or
 - (ii) regulation 7 of the Employment and Support Allowance Regulations 2008 (circumstances where the condition that the assessment phase has ended before entitlement to the support component arises does not apply) applies.

19

Subject to paragraph 20, the applicant is entitled the support component in paragraph 22 if the applicant or his partner is entitled to a converted employment and support allowance.

20

- (1) The applicant has no entitlement under paragraph ~~21 or 22~~ if the applicant is entitled to the disability premium under paragraphs 9 and 10.
- (2) Where the applicant and the applicant's partner each satisfies paragraph ~~21 or 22~~, the component to be included in the applicant's applicable amount is that which relates to the applicant.

The work-related activity component

21

~~The applicant is entitled to the work-related activity component if the Secretary of State has decided that the applicant or the applicant's partner has, or is to be treated as having, limited capability for work.~~

The support component

22

The applicant is entitled to the support component if the Secretary of State has decided that the applicant or the applicant's partner has, or is to be treated as having, limited capability for work-related activity.

Part 6 Amount of Component

23

~~The amount of the work-related activity component is £28.45.~~

24

The amount of the support component is ~~£34.80~~ the amount as specified in the Housing Benefit Regulations 2006 as amended from time to time.

Part 7 Transitional Addition

25

(1) The applicant is entitled to the transitional addition calculated in accordance with paragraph 28 where the applicant or the applicant's partner ("the relevant person")--

- (a) is entitled to a converted employment and support allowance; or
- (b) is appealing a conversion decision as described in regulation 5(2)(b) of the Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) (No 2) Regulations 2008 and--
 - (i) is treated as having limited capability for work by virtue of regulation 30 of the Employment and Support Allowance Regulations 2008 as modified by the Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) (No 2) Regulations 2008; and
 - (ii) is not in receipt of an income-related employment and support allowance,

unless the amount of the transitional addition calculated in accordance with paragraph 28 would be nil.

(2) The applicant's entitlement to a transitional addition by virtue of this paragraph ends on any of the following--

- (a) the reduction of the transitional addition to nil in accordance with paragraph 29;
- (b) the termination of the applicant's award of reduction under this scheme;
- (c) the relevant person ceasing to meet the requirements of sub-paragraph (1)(a) or (b), as the case may be;
- (d) the applicant or the applicant's partner becoming entitled to an income-related employment and support allowance, an income-based jobseeker's allowance or income support;

- (e) 5th April 2020.

26

- (1) This paragraph applies where--

- (a) the applicant's entitlement to a transitional addition ends, by virtue of the termination of the applicant's award of reduction, under--

- (i) paragraph 25(2)(b);
 - (ii) sub-paragraph (3)(b); or
 - (iii) paragraph 27(3)(b);

- (b) within 12 weeks of that termination but before 5th April 2020 the applicant again becomes entitled to a reduction under this scheme;

- (c) in the reduction week in which the applicant again becomes entitled to a reduction under this scheme the relevant person is entitled to an employment and support allowance which is not income-related; and

- (d) at the date on which the applicant again becomes entitled to a reduction under this scheme, neither the applicant nor the applicant's partner is entitled to an income-related employment and support allowance, an income-based jobseeker's allowance or income support.

- (2) Where this paragraph applies, the applicant is entitled, with effect from the day on which the applicant again becomes entitled to a reduction under this scheme, to a transitional addition of the amount of the transitional addition that would have applied had the applicant's entitlement to a transitional addition not ended (but taking account of the effect which any intervening change of circumstances would have had by virtue of paragraph 29), unless the amount of the transitional addition would be nil.

- (3) The applicant's entitlement to a transitional addition by virtue of this paragraph ends on any of the following--

- (a) the reduction of the transitional addition to nil in accordance with paragraph 29;
 - (b) the termination of the applicant's award of a reduction under this scheme;
 - (c) the relevant person no longer being entitled to the employment and support allowance referred to in sub-paragraph (1)(c);
 - (d) the applicant or the applicant's partner becoming entitled to an income-related employment and support allowance, an income-based jobseeker's allowance or income support;
 - (e) 5th April 2020.

27

- (1) This paragraph applies where--

- (a) the applicant's entitlement to a transitional addition ends, by virtue of the relevant person ceasing to be entitled to an employment and support allowance, under--

- (i) paragraph 25(2)(c);
 - (ii) paragraph 26(3)(c); or
 - (iii) sub-paragraph (3)(c);

- (b) before 5th April 2020 the relevant person again becomes entitled to an employment and support allowance which is not income-related;
- (c) at the date on which the relevant person again becomes entitled to an employment support allowance which is not income-related regulation 145(1) of the Employment and Support Allowance Regulations 2008 applies to the relevant person; and
- (d) at the date on which the relevant person again becomes entitled to an employment support allowance which is not income-related, neither the applicant nor the applicant's partner is entitled to an income-related employment and support allowance, an income-based jobseeker's allowance or income support.

(2) Where this paragraph applies, the applicant is entitled, with effect from the day that the relevant person's entitlement to employment and support allowance takes effect for the purposes of a reduction under this scheme, to a transitional addition of the amount of the transitional addition that would have applied had the applicant's entitlement to a transitional addition not ended (but taking account of the effect which any intervening change of circumstances would have had by virtue of paragraph 29), unless the amount of the transitional addition would be nil.

(3) The applicant's entitlement to a transitional addition by virtue of this paragraph ends on any of the following--

- (a) the reduction of the transitional addition to nil in accordance with paragraph 29;
- (b) the termination of the applicant's award of a reduction under this scheme;
- (c) the relevant person no longer being entitled to the employment and support allowance referred to in sub-paragraph (1)(b);
- (d) the applicant or the applicant's partner becoming entitled to an income-related employment and support allowance, an income-based jobseeker's allowance or income support;
- (e) 5th April 2020.

Part 8 Amount of Transitional Addition

28

(1) Subject to paragraph 29, the amount of the transitional addition is the amount by which Amount A exceeds Amount B.

(2) Where a conversion decision as described in regulation 5(2)(a) of the Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) (No 2) Regulations 2010 ("the 2010 Regulations") is made in respect of the relevant person--

- (a) Amount A is the basic amount that would have applied on the day that decision took effect had that decision not been made; and
- (b) Amount B is the basic amount that applied on that day as a result of that decision.

(3) Where the relevant person is appealing a conversion decision as described in regulation 5(2)(b) of the 2010 Regulations and is treated as having limited capability for work by virtue of regulation 30 of the Employment and Support Allowance Regulations 2008 as modified by the 2010 Regulations--

- (a) Amount A is the basic amount that would have applied on the day the relevant person was first treated as having limited capability for work if the relevant person had not been so treated; and
- (b) Amount B is the basic amount that applied on that day as a result of the relevant person being so treated.

(4) In this paragraph and paragraph 29, "basic amount" means the aggregate of such amounts as may apply in the applicant's case in accordance with paragraph 26(1)(a) to (e) or paragraph 27(1)(a) to (f) (applicable amounts).

29

(1) Subject to sub-paragraph (2), where there is a change of circumstances which leads to an increase in the applicant's basic amount, the transitional addition that applies immediately before the change of circumstances must be reduced by the amount by which Amount C exceeds Amount D.

(2) If Amount C exceeds Amount D by more than the amount of the transitional addition that applies immediately before the change of circumstances, that transitional addition must be reduced to nil.

(3) Amount C is the basic amount that applies as a result of the increase.

(4) Amount D is the basic amount that applied immediately before the increase.

SCHEDULE 4

AMOUNT OF ALTERNATIVE MAXIMUM COUNCIL TAX REDUCTION: PENSIONERS AND PERSONS WHO ARE NOT PENSIONERS

Paragraph 31

1

(1) Subject to paragraphs 2 and 3, the alternative maximum council tax reduction in respect of a day for the purpose of paragraph 31 (alternative maximum council tax reduction: pensioners and persons who are not pensioners) is determined in accordance with Table 1 and Table 2 and in these Tables--

(a) "second adult" means any person or persons residing with the applicant to whom paragraph 15(2) (class C) or 18(2) (class F) (as the case may be) applies; and

(b) "persons to whom paragraph 75(1) of this scheme applies" includes any person to whom that paragraph would apply were they, and their partner if they had one, below the qualifying age for state pension credit.

(2) In this Schedule "council tax due in respect of that day" means the council tax payable under section 10 of the 1992 Act less--

(a) any reductions made in consequence of any enactment in, or under, the 1992 Act (other than a reduction under this scheme); and

(b) in a case to which sub-paragraph (c) in column (1) of Table 1 or Table 2 below applies, the amount of any discount which may be appropriate to the dwelling under the 1992 Act.

Table 1

Pensioners

(1) <i>Second adult</i>	(2) <i>Alternative maximum council tax reduction</i>
(a) Where the second adult or all second adults are in receipt of income support, an income-related employment and support allowance or state pension credit or are persons on an income-based jobseeker's allowance;	(a) 25 per cent of the council tax due in respect of that day;
(b) where the gross income of the second adult or, where there is more than one second	(b)

adult, their aggregate gross income disregarding any income of persons on income support, an income-related employment and support allowance, state pension credit or an income-based jobseeker's allowance--

(i) is less than £201.00 per week;

(ii) is not less than £201.00 per week but less than £260.00 per week;

(c) where the dwelling would be wholly occupied by one or more persons to whom paragraph 75(1) of this scheme applies but for the presence of one or more second adults who are in receipt of income support, state pension credit, an income-related employment and support allowance or are persons on an income-based jobseeker's allowance.

(i) 15 per cent of the council tax due in respect of that day;

(ii) 7.5 per cent of the council tax due in respect of that day;

(c) 100 per cent of the council tax due in respect of that day.

Table 2

Persons who are not pensioners

(1) <i>Second adult</i>	(2) <i>Alternative maximum council tax reduction</i>
(a) Where the second adult or all second adults are in receipt of income support, an income-related employment and support allowance or state pension credit or are persons on an income-based jobseeker's allowance;	(a) 25 per cent of the council tax due in respect of that day;
(b) where the gross income of the second adult or, where there is more than one second adult, their aggregate gross income disregarding any income of persons on income support, an income-related employment and support allowance, state pension credit or an income-based jobseeker's allowance--	(b)
(i) is less than the amount specified above in Table 1 £183.00 per week;	(i) 15 per cent of the council tax due in respect of that day;
(ii) is in accordance with £183.00 per week but less than £239.00 the amounts specified above in Table 1 per week;	(ii) 7.5 per cent of the council tax due in respect of that day;
(c) where the dwelling would be wholly occupied by one or more persons to whom paragraph 75(1) of this scheme applies but for the presence of one or more second adults who are in receipt of income support, state pension credit, an income-related employment and support allowance or are persons on an income-based jobseeker's allowance.	(c) 100 per cent of the council tax due in respect of that day.

2

In determining a second adult's gross income for the purposes of this Schedule, the following must be disregarded from that income--

- (a) any attendance allowance, any disability living allowance, any personal independence payment under Part 4 of the Welfare Reform Act 2012 or an AFIP;
- (b) any payment made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006) which, had his income fallen to be calculated under paragraph 54 (calculation of income other than earnings: persons who are not pensioners), would have been disregarded under paragraph 28 of Schedule 8 (income in kind); and
- (c) any payment which, had his income fallen to be calculated under paragraph 54, would have been disregarded under paragraph 41 of Schedule 8 (payments made under certain trusts and certain other payments).

3

Where there are two or more second adults residing with the applicant for a reduction under this scheme and any such second adult falls to be disregarded for the purposes of discount in accordance with Schedule 1 to the 1992 Act, his income must be disregarded in determining the amount of any alternative maximum council tax reduction, unless that second adult is a member of a couple and his partner does not fall to be disregarded for the purposes of discount.

SCHEDULE 5 SUMS DISREGARDED FROM APPLICANT'S EARNINGS: PENSIONERS

Paragraph 40

1

Where two or more of paragraphs 2 to 5 apply in any particular case the overall maximum sum which falls to be disregarded in that case under those paragraphs is restricted to--

- (a) £25 in the case of a lone parent;
- (b) £20 in any other case.

2

In a case where an applicant is a lone parent, £25 of earnings.

3

(1) In a case of earnings from any employment or employments to which sub-paragraph (2) applies, £20.

(2) This paragraph applies to employment--

- (a) as a part-time fire-fighter employed by a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies;
- (b) a part-time fire-fighter employed by the Scottish Fire and Rescue Service established under section 1A of the Fire (Scotland) Act 2005;
- (c) as an auxiliary coastguard in respect of coast rescue activities;
- (d) in the manning or launching of a lifeboat if the employment is part-time;
- (e) as a member of any territorial or reserve force prescribed in Part I of Schedule 6 to the Social Security (Contributions) Regulations 2001.

(3) If--

- (a) any of the earnings of the applicant or, if he has a partner, his partner, or both of them, are disregarded under sub-paragraph (1); and
- (b) either of them has, or both of them have, other earnings,

so much of those other earnings as would not, in the aggregate with the earnings disregarded under that sub-paragraph, exceed £20.

4

- (1) If the applicant or, if he has a partner, his partner is a carer, or both are carers, £20 of any earnings received from his or their employment.
- (2) Where the carer premium is awarded in respect of the applicant and of any partner of his, their earnings must for the purposes of this paragraph be aggregated, but the amount to be disregarded in accordance with sub-paragraph (1) must not exceed £20 of the aggregated amount.
- (3) In this paragraph the applicant or his partner is a carer if paragraph 14 of Part 3 of Schedule 3 (amount applicable for carers) is satisfied in respect of him.

5

(1) £20 is disregarded if the applicant or, if he has a partner, his partner--

(a) is in receipt of--

- (i) long-term incapacity benefit under section 30A of the SSCBA;
- (ii) severe disablement allowance under section 68 of that Act;
- (iii) attendance allowance under sections 64 of that Act;
- (iv) disability living allowance;
- (v) personal independence payment;
- (vi) an AFIP;
- (vii) any mobility supplement under article 20 of the Naval, Military and Air Forces Etc (Disablement and Death) Service Pensions Order 2006 (including such a supplement by virtue of any other scheme or order) or under article 25A of the Personal Injuries (Civilians) Scheme 1983;
- (viii) the disability element or the severe disability element of working tax credit under Schedule 2 to the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002; or
- (ix) main phase employment and support allowance; or

(b) is or are registered as blind in a register compiled by a local authority under section 29 of the National Assistance Act 1948 (welfare services) or, in Scotland, has been certified as blind and in consequence is registered in a register maintained by or on behalf of a council constituted under section 2 of the Local Government (Scotland) Act 1994; or

(c) is, or is treated as, incapable of work in accordance with the provisions of, and regulations made under, Part 12A of the SSCBA (incapacity for work), and has been incapable, or has been treated as incapable, of work for a continuous period of not less than--

- (i) in the case of an applicant who is terminally ill within the meaning of section 30B(4) of the Act, 196 days;

(ii) in any other case, 364 days; or

(d) has, or is treated as having, limited capacity for work within the meaning of section 1(4) of the Welfare Reform Act 1997 or limited capacity for work-related activity within the meaning of section 2(5) of that Act and either--

(i) the assessment phase as defined in section 24(2) of the Welfare Reform Act has ended; or

(ii) regulation 7 of the Employment and Support Allowance Regulations 2008 or Regulation 7 of the Employment and Support Allowance Regulations 2013 (circumstances where the condition that the assessment phase has ended before entitlement to the support component arising does not apply) applies.

(2) Subject to sub-paragraph (3), £20 is disregarded if the applicant or, if he has a partner, his partner has, within a period of 8 weeks ending on the day in respect of which the applicant or his partner attains the qualifying age for state pension credit, had an award of housing benefit or council tax benefit or been in receipt of a reduction under this scheme and--

(a) £20 was disregarded in respect of earnings taken into account in that award; and

(b) the person whose earnings qualified for the disregard continues in employment after the termination of that award.

(3) The disregard of £20 specified in sub-paragraph (2) applies so long as there is no break, other than a break which does not exceed 8 weeks, in a person's--

(a) entitlement to housing benefit; or

(b) receipt of a reduction under a council tax reduction scheme; or

(c) employment,

following the first day in respect of which that benefit is awarded under this scheme.

(4) £20 is the maximum amount which may be disregarded under this paragraph, notwithstanding that, where the applicant has a partner, both the applicant and his partner satisfy the requirements of this paragraph.

6

(1) Where--

(a) the applicant (or if the applicant is a member of a couple, at least one member of that couple) is a person to whom sub-paragraph (5) applies;

(b) the Secretary of State is satisfied that that person is undertaking exempt work as defined in sub-paragraph (6); and

(c) paragraph 35 (applicant in receipt of guarantee credit: pensioners) does not apply,

the amount specified in sub-paragraph (7) ("the specified amount").

(2) Where this paragraph applies, paragraphs 1 to 5 and 8 do not apply; but in any case where the applicant is a lone parent, and the specified amount would be less than the amount specified in paragraph 2, then paragraph 2 applies instead of this paragraph.

(3) Notwithstanding paragraph 33 (calculation of income and capital of members applicant's family and of a polygamous marriage), if sub-paragraph (1) applies to one member of a couple ("A") it does not apply to the other member of that couple ("B") except to the extent provided in sub-paragraph (4).

(4) Where A's earnings are less than the specified amount, there is also to be disregarded so much of B's earnings as would not when aggregated with A's earnings exceed the specified amount; but the amount of B's earnings which may be disregarded under this sub-paragraph is limited to a maximum of £20 unless the Secretary of State is satisfied that B is also undertaking exempt work.

(5) This sub-paragraph applies to a person who is--

- (a) in receipt of a contributory employment and support allowance;
- (b) in receipt of incapacity benefit;
- (c) in receipt of severe disablement allowance;
- (d) being credited with earnings on the grounds of incapacity for work or limited capability for work under regulation 8B of the Social Security (Credits) Regulations 1975.

(6) "Exempt work" means work of the kind described in--

- (a) regulation 45(2), (3) or (4) of the Employment and Support Allowance Regulations 2008 or Regulation 39(1)(a), (b) or (c) of the Employment and Support Allowance Regulations 2013; or (as the case may be); or
- (b) regulation 17(2), (3) or (4) of the Social Security (Incapacity for Work) (General) Regulations 1995,

and, in determining for the purposes of this paragraph whether an applicant or a member of a couple is undertaking any type of exempt work, it is immaterial whether that person or their partner is also undertaking other work.

(7) The specified amount is the amount of money from time to time mentioned in any provision referred to in sub-paragraph (6) by virtue of which the work referred to in sub-paragraph (1) is exempt (or, where more than one such provision is relevant and those provisions mention different amounts of money, the highest of those amounts).

7

Any amount or the balance of any amount which would fall to be disregarded under paragraph 18 or 19 of Schedule 6 had the applicant's income which does not consist of earnings been sufficient to entitle him to the full amount disregarded thereunder.

8

Except where the applicant or his partner qualifies for a £20 disregard under the preceding provisions of this Schedule--

- (a) £5 is to be disregarded if an applicant who has no partner has earnings;
- (b) £10 is to be disregarded if an applicant who has a partner has earnings.

9

Any earnings, other than earnings referred to in paragraph 40(9)(b), derived from employment which ended before the day in respect of which the applicant first satisfies the conditions for entitlement to a reduction under this scheme.

10

- (1) In a case where the applicant is a person who satisfies at least one of the conditions set out in sub-paragraph (2), and his net earnings equal or exceed the total of the amounts set out in sub-paragraph (3), the amount of his earnings that falls to be disregarded under this Schedule is to be increased by £17.10.
- (2) The conditions of this sub-paragraph are that--
- (a) the applicant, or if he has a partner, either the applicant or his partner, is a person to whom regulation 20(1)(c) of the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002 applies; or
 - (b) the applicant--
 - (i) is, or any partner of his is, aged at least 25 and is engaged in remunerative work for on average not less than 30 hours per week; or
 - (ii) if he is a member of a couple--
 - (aa) at least one member of that couple is engaged in remunerative work for on average not less than 16 hours per week; and
 - (bb) his family includes at least one child or young person; or
 - (iii) is a lone parent who is engaged in remunerative work for on average not less than 16 hours per week; or
 - (iv) is, or if he has a partner, one of them is, engaged in remunerative work for on average not less than 16 hours per week and paragraph 5(1) above is satisfied in respect of that person.
- (3) The following are the amounts referred to in sub-paragraph (1)--
- (a) any amount disregarded under this Schedule;
 - (b) the amount of child care charges calculated as deductible under paragraph 57(1)(c) (deductions from income of certain child care charges); and
 - (c) £17.10.
- (4) The provisions of paragraph 10 (remunerative work) apply in determining whether or not a person works for on average not less than 30 hours per week, but as if the reference to 16 hours in sub-paragraph (1) of that paragraph was a reference to 30 hours.

11

Where a payment of earnings is made in a currency other than Sterling, any banking charge or commission payable in converting to that payment into Sterling.

SCHEDULE 6

AMOUNTS TO BE DISREGARDED IN THE CALCULATION OF INCOME OTHER THAN EARNINGS: PENSIONERS

Paragraph 40

A1

The whole of any amount of the following--

- (a) a war disablement pension;
- (b) a war widow's pension or war widower's pension.

1

In addition to any sum which falls to be disregarded in accordance with paragraphs 2 to 6, £10 of any of the following--

- (a) a pension payable to a person as a widow, widower or surviving civil partner under any power of Her Majesty otherwise than under an enactment to make provision about pensions for or in respect of persons who have been disabled or have died in consequence of service as members of the armed forces of the Crown;
- (b) a guaranteed income payment and, if the amount of that payment has been abated to less than £10 by a pension or payment falling within article 39(1)(a) or (b) of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011, so much of that pension or payment as would not, in aggregate with the amount of any guaranteed income payment disregarded, exceed £10;
- (c) a payment made to compensate for the non-payment of such a pension or payment as is mentioned in any of the preceding sub-paragraphs;
- (d) a pension paid by the government of a country outside Great Britain which is analogous to any of the pensions or payments mentioned in sub-paragraphs (a) to (d) above;
- (e) a pension paid by a government to victims of National Socialist persecution

2

The whole of any amount included in a pension to which paragraph 1 relates in respect of--

- (a) the applicant's need for constant attendance;
- (b) the applicant's exceptionally severe disablement.

3

Any mobility supplement under article 20 of the Naval, Military and Air Forces Etc (Disablement and Death) Service Pensions Order 2006 (including such a supplement by virtue of any other scheme or order) or under article 25A of the Personal Injuries (Civilians) Scheme 1983 or any payment intended to compensate for the non-payment of such a supplement.

4

Any supplementary pension under article 23(2) of the Naval, Military and Air Forces Etc (Disablement and Death) Service Pensions Order 2006 (pensions to surviving spouses and surviving civil partners) and any analogous payment made by the Secretary of State for Defence to any person who is not a person entitled under that Order.

5

In the case of a pension awarded at the supplementary rate under article 27(3) of the Personal Injuries (Civilians) Scheme 1983 (pensions to widows, widowers or surviving civil partners), the sum specified in paragraph 1(c) of Schedule 4 to that Scheme.

6

(1) Any payment which is--

- (a) made under any of the Dispensing Instruments to a widow, widower or surviving civil partner of a person--

- (i) whose death was attributable to service in a capacity analogous to service as a member of the armed forces of the Crown; and
- (ii) whose service in such capacity terminated before 31st March 1973; and

(b) equal to the amount specified in article 23(2) of the Naval, Military and Air Forces Etc (Disablement and Death) Service Pensions Order 2006.

(2) In this paragraph "the Dispensing Instruments" means the Order in Council of 19th December 1881, the Royal Warrant of 27th October 1884 and the Order by His Majesty of 14th January 1922 (exceptional grants of pay, non-effective pay and allowances).

7

£15 of any widowed parent's allowance to which the applicant is entitled under section 39A of the SSCBA.

8

£15 of any widowed mother's allowance to which the applicant is entitled under section 37 of the SSCBA.

9

Where the applicant occupies a dwelling as his home and he provides in that dwelling board and lodging accommodation, an amount, in respect of each person for whom such accommodation is provided for the whole or any part of a week, equal to--

- (a) where the aggregate of any payments made in respect of any one week in respect of such accommodation provided to such person does not exceed £20, 100 per cent. of such payments; or
- (b) where the aggregate of any such payments exceeds £20, £20 and 50 per cent. of the excess over £20.

10

If the applicant--

- (a) owns the freehold or leasehold interest in any property or is a tenant of any property; and
- (b) occupies a part of that property; and
- (c) has an agreement with another person allowing that person to occupy another part of that property on payment of rent and--
 - (i) the amount paid by that person is less than £20 per week, the whole of that amount; or
 - (ii) the amount paid is £20 or more per week, £20.

11

Where an applicant receives income under an annuity purchased with a loan, which satisfies the following conditions--

- (a) that the loan was made as part of a scheme under which not less than 90 per cent. of the proceeds of the loan were applied to the purchase by the person to whom it was made of an annuity

ending with his life or with the life of the survivor of two or more persons (in this paragraph referred to as "the annuitants") who include the person to whom the loan was made;

- (b) that at the time the loan was made the person to whom it was made or each of the annuitants had attained the age of 65, or, if it was higher at the time, pensionable age;
- (c) that the loan was secured on a dwelling in Great Britain and the person to whom the loan was made or one of the annuitants owns an estate or interest in that dwelling;
- (d) that the person to whom the loan was made or one of the annuitants occupies the dwelling on which it was secured as his home at the time the interest is paid; and
- (e) that the interest payable on the loan is paid by the person to whom the loan was made or by one of the annuitants,

the amount, calculated on a weekly basis, equal to--

- (i) where, or insofar as, section 369 of the Income and Corporation Taxes Act 1988 (mortgage interest payable under deduction of tax) applies to the payments of interest on the loan, the interest which is payable after deduction of a sum equal to income tax on such payments at the applicable percentage of income tax within the meaning of section 369(1A) of that Act;
- (ii) in any other case, the interest which is payable on the loan without deduction of such a sum.

12

(1) Any payment, other than a payment to which sub-paragraph (2) applies, made to the applicant by Trustees in exercise of a discretion exercisable by them.

(2) This sub-paragraph applies to payments made to the applicant by Trustees in exercise of a discretion exercisable by them for the purpose of--

- (a) obtaining food, ordinary clothing or footwear or household fuel;
- (b) the payment of rent, council tax or water charges for which that applicant or his partner is liable;
- (c) meeting housing costs of a kind specified in Schedule 2 to the State Pension Credit Regulations 2002.

(3) In a case to which sub-paragraph (2) applies, £20 or--

- (a) if the payment is less than £20, the whole payment;
- (b) if, in the applicant's case, £10 is disregarded in accordance with paragraph 1(a) to (g), £10 or the whole payment if it is less than £10; or
- (c) if, in the applicant's case, £15 is disregarded under paragraph 7 or paragraph 8 and--
 - (i) he has no disregard under paragraph 1(a) to (g), £5 or the whole payment if it is less than £5;
 - (ii) he has a disregard under paragraph 1(a) to (g), nil.

(4) For the purposes of this paragraph, "ordinary clothing or footwear" means clothing or footwear for normal daily use, but does not include school uniforms, or clothing and footwear used solely for sporting activities.

13

Any increase in pension or allowance under Part 2 or 3 of the Naval, Military and Air Forces Etc (Disablement and Death) Service Pensions Order 2006 paid in respect of a dependent other than the pensioner's partner.

14

Any payment ordered by a court to be made to the applicant or the applicant's partner in consequence of any accident, injury or disease suffered by the person or a child of the person to or in respect of whom the payments are made.

15

Periodic payments made to the applicant or the applicant's partner under an agreement entered into in settlement of a claim made by the applicant or, as the case may be, the applicant's partner for an injury suffered by him.

16

Any income which is payable outside the United Kingdom for such period during which there is a prohibition against the transfer to the United Kingdom of that income.

17

Any banking charges or commission payable in converting to Sterling payments of income made in a currency other than Sterling.

18

Where the applicant makes a parental contribution in respect of a student attending a course at an establishment in the United Kingdom or undergoing education in the United Kingdom, which contribution has been assessed for the purposes of calculating--

- (a) under, or pursuant to regulations made under powers conferred by, section 22 of the Teaching and Higher Education Act 1998, that student's award;
- (b) under regulations made in exercise of the powers conferred by section 49 of the Education (Scotland) Act 1980, that student's bursary, scholarship, or other allowance under that section or under regulations made in exercise of the powers conferred by section 73 of that Act of 1980, any payment to that student under that section; or
- (c) the student's student loan,

an amount equal to the weekly amount of that parental contribution, but only in respect of the period for which that contribution is assessed as being payable.

19

- (1) Where the applicant is the parent of a student aged under 25 in advanced education who either--
 - (a) is not in receipt of any award, grant or student loan in respect of that education; or

(b) is in receipt of an award bestowed by virtue of the Teaching and Higher Education Act 1998, or regulations made thereunder, or a bursary, scholarship or other allowance under section 49(1) of the Education (Scotland) Act 1980, or a payment under section 73 of that Act of 1980,

and the applicant makes payments by way of a contribution towards the student's maintenance, other than a parental contribution falling within paragraph 18, an amount specified in sub-paragraph (2) in respect of each week during the student's term.

(2) For the purposes of sub-paragraph (1), the amount is to be equal to--

(a) the weekly amount of the payments; or

(b) £57.90 less the weekly amount of any award, bursary, scholarship, allowance or payment referred to in sub-paragraph (1)(b),

whichever is less.

20

(1) Where an applicant's family includes at least one child or young person, £15 of any payment of maintenance, whether under a court order or not, which is made or due to be made by the applicant's spouse, civil partner, former spouse or former civil partner or the applicant's partner's spouse, civil partner, former spouse, or former civil partner.

(2) For the purposes of sub-paragraph (1), where more than one maintenance payment falls to be taken into account in any week, all such payments must be aggregated and treated as if they were a single payment.

21

Except in a case which falls under paragraph 10 of Schedule 5, where the applicant is a person who satisfies any of the conditions of sub-paragraph (2) of that paragraph, any amount of working tax credit up to £17.10.

22

Where the total value of any capital specified in Part 2 (capital disregarded only for the purposes of determining deemed income) of Schedule 9 does not exceed £10,000, any income actually derived from such capital.

23

Except in the case of income from capital specified in Part 2 of Schedule 9, any actual income from capital.

24

Where the applicant, or the person who was the partner of the applicant on 31st March 2003, was entitled on that date to income support or an income-based jobseeker's allowance but ceased to be so entitled on or before 5th April 2003 by virtue only of regulation 13 of the Housing Benefit (General) Amendment (No 3) Regulations 1999 as in force at that date, the whole of his income.

SCHEDULE 7

SUMS DISREGARDED IN THE CALCULATION OF EARNINGS: PERSONS WHO ARE NOT PENSIONERS

1

In the case of an applicant who has been engaged in remunerative work as an employed earner or, had the employment been in Great Britain, would have been so engaged--

(a) where--

- (i) the employment has been terminated because of retirement; and
- (ii) on retirement he is entitled to a retirement pension under the Act or a state pension under Part 1 of the Pensions Act 2014, or is not so entitled solely because of his failure to satisfy the contribution conditions or to have the minimum number of qualifying years,

any earnings paid or due to be paid in respect of that employment, but only for a period commencing on the day immediately after the date on which the employment was terminated;

(b) where before the first day of entitlement to a reduction under this scheme the employment has been terminated otherwise than because of retirement, any earnings paid or due to be paid in respect of that employment except--

(i) any payment of the nature described in--

- (aa) paragraph 51(1)(e) (retainer), or
- (bb) section 28, 64 or 68 of the Employment Rights Act 1996 (guarantee payments, suspension from work on medical or maternity grounds); and

(ii) any award, sum or payment of the nature described in--

- (aa) paragraph 51(1)(g) or (i) (compensation etc relating to employment), or
- (bb) section 34 or 70 of the Employment Rights Act 1996 (guarantee payments and suspension from work: complaints to employment tribunals),

including any payment made following the settlement of a complaint to an employment tribunal or of court proceedings;

(c) where before the first day of entitlement to a reduction under this scheme--

- (i) the employment has not been terminated, but
- (ii) the applicant is not engaged in remunerative work,

any earnings paid or due to be paid in respect of that employment except any payment or remuneration of the nature described in paragraph (b)(i) or (ii)(bb) or paragraph 51(1)(j) (statutory sick pay etc).

2

In the case of an applicant who, before the first day of entitlement to a reduction under this scheme--

- (a) has been engaged in part-time employment as an employed earner or, where the employment has been outside Great Britain, would have been so engaged had the employment been in Great Britain; and

(b) has ceased to be engaged in that employment, whether or not that employment has been terminated,

any earnings paid or due to be paid in respect of that employment except--

- (i) where that employment has been terminated, any payment of the nature described in paragraph 1(b)(i) or (ii)(bb);
- (ii) where that employment has not been terminated, any payment or remuneration of the nature described in paragraph 1(b)(i) or (ii)(bb) or paragraph 51(1)(j) (statutory sick pay etc).

3

In the case of an applicant who has been engaged in remunerative work or part-time employment as a self-employed earner or, had the employment been in Great Britain, would have been so engaged and who has ceased to be so employed, from the date of the cessation of his employment, any earnings derived from that employment except earnings to which paragraph 53(3) and (4) (earnings of self-employed earners) apply.

4

(1) In a case to which this paragraph applies and paragraph 5 does not apply, £20; but notwithstanding paragraph 33 (calculation of income and capital of members of an applicant's family and of a polygamous marriage) if this paragraph applies to an applicant it does not apply to his partner except where, and to the extent that, the earnings of the applicant which are to be disregarded under this paragraph are less than £20.

(2) This paragraph applies where the applicant's applicable amount includes an amount by way of the disability premium, severe disability premium, ~~work-related activity component~~ or support component under Schedule 3 (applicable amounts: persons who are not pensioners) or where the applicant or the applicant's partner is a member of the work-related activity group.

(3) This paragraph applies where--

- (a) the applicant is a member of a couple and his applicable amount includes an amount by way of the disability premium under Schedule 3; and
- (b) he or his partner has not attained the qualifying age for state pension credit and at least one is engaged in employment.

5

In a case where the applicant is a lone parent, £25.

6

(1) In a case to which neither paragraph 4 nor paragraph 5 applies to the applicant and, subject to sub-paragraph (2), where the applicant's applicable amount includes an amount by way of the carer premium under Schedule 3 (applicable amounts: persons who are not pensioners), £20 of the earnings of the person who is, or at any time in the preceding eight weeks was, in receipt of carer's allowance or treated in accordance with paragraph 14(2) of that Schedule as being in receipt of carer's allowance.

(2) Where the carer premium is awarded in respect of the applicant and of any partner of his, their earnings must for the purposes of this paragraph be aggregated, but the amount to be disregarded in accordance with sub-paragraph (1) must not exceed £20 of the aggregated amount.

7

Where the carer premium is awarded in respect of an applicant who is a member of a couple and whose earnings are less than £20, but is not awarded in respect of the other member of the couple, and that other member is engaged in an employment--

- (a) specified in paragraph 9(1), so much of the other member's earnings as would not when aggregated with the amount disregarded under paragraph 6 exceed £20;
- (b) other than one specified in paragraph 9(1), so much of the other member's earnings from such other employment up to £10 as would not when aggregated with the amount disregarded under paragraph 5 exceed £20.

8

In a case where paragraphs 4, 6, 7 and 9 do not apply to the applicant and he is one of a couple and a member of that couple is in employment, £10; but, notwithstanding paragraph 33 (calculation of income and capital of members of applicant's family and of a polygamous marriage), if this paragraph applies to an applicant it must not apply to his partner except where, and to the extent that, the earnings of the applicant which are to be disregarded under this paragraph are less than £10.

9

(1) In a case where paragraphs 4, 6, 7 and 9 do not apply to the applicant, £20 of earnings derived from one or more employments as--

- (a) a part-time fire-fighter employed by a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies;
- (b) a part-time fire-fighter employed by a fire and rescue authority (as defined in section 1 of the Fire (Scotland) Act 2005) or a joint fire and rescue board constituted by an amalgamation scheme made under section 2(1) of that Act;
- (c) an auxiliary coastguard in respect of coast rescue activities;
- (d) a person engaged part-time in the manning or launching of a life boat;
- (e) a member of any territorial or reserve force prescribed in Part I of Schedule 6 to the Social Security (Contributions) Regulations 2001;

but, notwithstanding paragraph 33 (calculation of income and capital of members of applicant's family and of a polygamous marriage), if this paragraph applies to an applicant it must not apply to his partner except to the extent specified in sub-paragraph (2).

(2) If the applicant's partner is engaged in employment--

- (a) specified in sub-paragraph (1), so much of his earnings as would not in aggregate with the amount of the applicant's earnings disregarded under this paragraph exceed £20;
- (b) other than one specified in sub-paragraph (1), so much of his earnings from that employment up to £10 as would not in aggregate with the applicant's earnings disregarded under this paragraph exceed £20.

10

Where the applicant is engaged in one or more employments specified in paragraph 9(1), but his earnings derived from such employments are less than £20 in any week and he is also engaged in any

other employment, so much of his earnings from that other employment, up to £5 if he is a single applicant, or up to £10 if he has a partner, as would not in aggregate with the amount of his earnings disregarded under paragraph 9 exceed £20.

11

In a case to which none of the paragraphs 4 to 10 applies, £5.

12

(1) Where--

- (a) the applicant (or if the applicant is a member of a couple, at least one member of that couple) is a person to whom sub-paragraph (5) applies;
- (b) the Secretary of State is satisfied that that person is undertaking exempt work as defined in sub-paragraph (6); and
- (c) paragraph 14 does not apply,

the amount specified in sub-paragraph (7) ("the specified amount").

(2) Where this paragraph applies, paragraphs 4 to 11 do not apply; but in any case where the applicant is a lone parent, and the specified amount would be less than the amount specified in paragraph 5, then paragraph 5 applies instead of this paragraph.

(3) Notwithstanding paragraph 33 (calculation of income and capital of members of applicant's family and of a polygamous marriage), if sub-paragraph (1) applies to one member of a couple ("A") it does not apply to the other member of that couple ("B") except to the extent provided in sub-paragraph (4).

(4) Where A's earnings are less than the specified amount, there must also be disregarded so much of B's earnings as would not when aggregated with A's earnings exceed the specified amount; but the amount of B's earnings which may be disregarded under this sub-paragraph is limited to a maximum of £20 unless the Secretary of State is satisfied that B is also undertaking exempt work.

(5) This sub-paragraph applies to a person who is--

- (a) in receipt of a contributory employment and support allowance;
- (b) in receipt of incapacity benefit;
- (c) in receipt of severe disablement allowance; or
- (d) being credited with earnings on the grounds of incapacity for work or limited capability for work under regulation 8B of the Social Security (Credits) Regulations 1975.

(6) "Exempt work" means work of the kind described in--

- (a) regulation 45(2), (3) or (4) of the Employment and Support Allowance Regulations 2008; or (as the case may be)
- (b) regulation 17(2), (3) or (4) of the Social Security (Incapacity for Work) (General) Regulations 1995,

and, in determining for the purposes of this paragraph whether an applicant or a member of a couple is undertaking any type of exempt work, it is immaterial whether that person or their partner is also undertaking other work.

(7) The specified amount is the amount of money from time to time mentioned in any provision referred to in sub-paragraph (6) by virtue of which the work referred to in sub-paragraph (1) is exempt

(or, where more than one such provision is relevant and those provisions mention different amounts of money, the highest of those amounts).

13

Any amount or the balance of any amount which would fall to be disregarded under paragraph 23 or 24 of Schedule 8 had the applicant's income which does not consist of earnings been sufficient to entitle him to the full disregard thereunder.

14

Where an applicant is on income support, an income-based jobseeker's allowance or an income-related employment and support allowance, his earnings.

15

Any earnings derived from employment which are payable in a country outside the United Kingdom for such period during which there is a prohibition against the transfer to the United Kingdom of those earnings.

16

Where a payment of earnings is made in a currency other than Sterling, any banking charge or commission payable in converting that payment into Sterling.

17

Any earnings of a child or young person.

18

(1) In a case where the applicant is a person who satisfies at least one of the conditions set out in sub-paragraph (2), and his net earnings equal or exceed the total of the amounts set out in sub-paragraph (3), the amount of his earnings that falls to be disregarded under paragraphs 4 to 12 must be increased by £17.10.

(2) The conditions of this sub-paragraph are that--

(a) the applicant, or if he is a member of a couple, either the applicant or his partner, is a person to whom regulation 20(1)(c) of the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002 applies; or

(b) the applicant--

(i) is, or if he is a member of a couple, at least one member of that couple is aged at least 25 and is engaged in remunerative work for on average not less than 30 hours per week; or

(ii) is a member of a couple and--

(aa) at least one member of that couple, is engaged in remunerative work for on average not less than 16 hours per week; and

(bb) his applicable amount includes a family premium under paragraph 4 of Schedule 3; or

(iii) is a lone parent who is engaged in remunerative work for on average not less than 16 hours per week; or

(iv) is, or if he is a member of a couple, at least one member of that couple is engaged in remunerative work for on average not less than 16 hours per week; and--

(aa) the applicant's applicable amount includes a disability premium under paragraph 9, ~~the work-related activity component under paragraph 21 or the support component under paragraph 22 of Schedule 3 respectively;~~

(bb) where he is a member of a couple, at least one member of that couple satisfies the qualifying conditions for the disability premium or the support component ~~either of the components referred to in paragraph (aa) above and is engaged in remunerative work for on average not less than 16 hours per week;~~

(cc) is a member of the work-related activity group; or

(c) the applicant is, or if he has a partner, one of them is, a person to whom regulation 18(3) of the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002 (eligibility for 50 plus element) applies, or would apply if an application for working tax credit were to be made in his case.

(3) The following are the amounts referred to in sub-paragraph (1)--

(a) the amount calculated as disregardable from the applicant's earnings under paragraphs 4 to 12;

(b) the amount of child care charges calculated as deductible under paragraph 57(1)(c); and

(c) £17.10.

(4) The provisions of paragraph 10 (remunerative work) apply in determining whether or not a person works for on average not less than 30 hours per week, but as if the reference to 16 hours in sub-paragraph (1) of that paragraph were a reference to 30 hours.

19

In this Schedule "part-time employment" means employment in which the person is engaged on average for less than 16 hours a week.

SCHEDULE 8

SUMS DISREGARDED IN THE CALCULATION OF INCOME OTHER THAN EARNINGS: PERSONS WHO ARE NOT PENSIONERS

Paragraph 54

1

Any payment made to the applicant in respect of any child care, travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Work for Your Benefit Pilot Scheme.

2

Any payment made to the applicant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Mandatory Work Activity Scheme.

3

Any payment made to the applicant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Employment, Skills and Enterprise Scheme.

4

Any amount paid by way of tax on income which is to be taken into account under regulation 30 (calculation of income other than earnings).

5

Any payment in respect of any expenses incurred or to be incurred by an applicant who is--

- (a) engaged by a charitable or voluntary organisation, or
- (b) a volunteer,

if he otherwise derives no remuneration or profit from the employment and is not to be treated as possessing any earnings under paragraph 56(5) (notional income: persons who are not pensioners).

6

Any payment in respect of expenses arising out of the applicant's participation in a service user group.

7

In the case of employment as an employed earner, any payment in respect of expenses wholly, exclusively and necessarily incurred in the performance of the duties of the employment.

8

Where an applicant is on income support, an income-based jobseeker's allowance or an income-related employment and support allowance, the whole of his income.

9

Where the applicant is a member of a joint-claim couple for the purposes of the Jobseekers Act and his partner is on an income-based jobseeker's allowance, the whole of the applicant's income.

10

Where the applicant, or the person who was the partner of the applicant on 31st March 2003, was entitled on that date to income support or an income-based jobseeker's allowance but ceased to be so entitled on or before 5th April 2003 by virtue only of regulation 13 of the Housing Benefit (General) Amendment (No 3) Regulations 1999 as in force at that date, the whole of his income.

11

Any disability living allowance, personal independence payment or an AFIP.

12

Any concessionary payment made to compensate for the non-payment of--

- (a) any payment specified in paragraph 11 or 14;
- (b) income support;
- (c) an income-based jobseeker's allowance;
- (d) an income-related employment and support allowance.

13

Any mobility supplement under article 20 of the Naval, Military and Air Forces Etc (Disablement and Death) Service Pensions Order 2006 (including such a supplement by virtue of any other scheme or order) or under article 25A of the Personal Injuries (Civilians) Scheme 1983 or any payment intended to compensate for the non-payment of such a supplement.

14

Any attendance allowance.

15

Any payment to the applicant as holder of the Victoria Cross or of the George Cross or any analogous payment.

16

(1) Any payment--

- (a) by way of an education maintenance allowance made pursuant to--
 - (i) regulations made under section 518 of the Education Act 1996 (payment of school expenses; grant of scholarships etc);
 - (ii) regulations made under section 49 or 73(f) of the Education (Scotland) Act 1980 (power to assist persons to take advantage of educational facilities);
 - (iii) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992;
- (b) corresponding to such an education maintenance allowance, made pursuant to--
 - (i) section 14 or section 181 of the Education Act 2002 (power of Secretary of State and the Welsh Ministers to give financial assistance for purposes related to education or childcare, and allowances in respect of education or training); or
 - (ii) regulations made under section 181 of that Act; or
- (c) in England, by way of financial assistance made pursuant to section 14 of the Education Act 2002.

(2) Any payment, other than a payment to which sub-paragraph (1) applies, made pursuant to--

- (a) regulations made under section 518 of the Education Act 1996;
- (b) regulations made under section 49 of the Education (Scotland) Act 1980; or
- (c) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992,

in respect of a course of study attended by a child or a young person or a person who is in receipt of an education maintenance allowance or other payment made pursuant to any provision specified in sub-paragraph (1).

17

Any payment made to the applicant by way of a repayment under regulation 11(2) of the Education (Teacher Student Loans) (Repayment etc) Regulations 2002.

18

(1) Any payment made pursuant to section 2 of the 1973 Act or section 2 of the Enterprise and New Towns (Scotland) Act 1990 except a payment--

- (a) made as a substitute for income support, a jobseeker's allowance, incapacity benefit, severe disablement allowance or an employment and support allowance;
- (b) of an allowance referred to in section 2(3) of the Employment and Training Act 1973 or section 2(5) of the Enterprise and New Towns (Scotland) Act 1990; or
- (c) intended to meet the cost of living expenses which relate to any one or more of the items specified in sub-paragraph (2) whilst an applicant is participating in an education, training or other scheme to help him enhance his employment prospects unless the payment is a Career Development Loan paid pursuant to section 2 of the 1973 Act and the period of education or training or the scheme, which is supported by that loan, has been completed.

(2) The items specified in this sub-paragraph for the purposes of sub-paragraph (1)(c) are food, ordinary clothing or footwear, household fuel or rent of the applicant or, where the applicant is a member of a family, any other member of his family, or any council tax or water charges for which that applicant or member is liable.

19

(1) Subject to sub-paragraph (2), any of the following payments--

- (a) a charitable payment;
- (b) a voluntary payment;
- (c) a payment (not falling within paragraph (a) or (b) above) from a trust whose funds are derived from a payment made in consequence of any personal injury to the applicant;
- (d) a payment under an annuity purchased--
 - (i) pursuant to any agreement or court order to make payments to the applicant; or
 - (ii) from funds derived from a payment made,

in consequence of any personal injury to the applicant; or

- (e) a payment (not falling within paragraphs (a) to (d)) received by virtue of any agreement or court order to make payments to the applicant in consequence of any personal injury to the applicant.

(2) Sub-paragraph (1) does not apply to a payment which is made or due to be made by--

- (a) a former partner of the applicant, or a former partner of any member of the applicant's family;
or
- (b) the parent of a child or young person where that child or young person is a member of the applicant's family.

19A

The whole of any amount of the following--

- (a) a war disablement pension;
- (b) a war widow's pension or war widower's pension.

20

Subject to paragraph 40, £10 of any of the following, namely--

- (a) a pension payable to a person as a widow, widower or surviving civil partner under any power of Her Majesty otherwise than under an enactment to make provision about pensions for or in respect of persons who have been disabled or have died in consequence of service as members of the armed forces of the Crown;
- (b) a guaranteed income payment and, if the amount of that payment has been abated to less than £10 by a pension or payment falling within article 31(1)(a) or (b) of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2005, so much of that pension or payment as would not, in aggregate with the amount of any guaranteed income payment disregarded, exceed £10;
- (c) a payment made to compensate for the non-payment of such a pension or payment as is mentioned in any of the preceding sub-paragraphs;
- (d) a pension paid by the government of a country outside Great Britain which is analogous to any of the pensions or payments mentioned in paragraphs (a) to (d) above;
- (e) pension paid to victims of National Socialist persecution under any special provision made by the law of the Federal Republic of Germany, or any part of it, or of the Republic of Austria.

21

Subject to paragraph 40, £15 of any--

- (a) widowed mother's allowance paid pursuant to section 37 of the SSCBA;
- (b) widowed parent's allowance paid pursuant to section 39A of the SSCBA.

22

(1) Any income derived from capital to which the applicant is or is treated under paragraph 70 (capital jointly held) as beneficially entitled but, subject to sub-paragraph (2), not income derived from capital disregarded under paragraphs 4, 5, 7, 11, 17 or 30 to 33 of Schedule 10.

(2) Income derived from capital disregarded under paragraphs 5, 7 or 30 to 33 of Schedule 10 but only to the extent of--

- (a) any mortgage repayments made in respect of the dwelling or premises in the period during which that income accrued; or
- (b) any council tax or water charges which the applicant is liable to pay in respect of the dwelling or premises and which are paid in the period during which that income accrued.

(3) The definition of "water charges" in paragraph 2(1) (interpretation) applies to sub-paragraph (2) of this paragraph with the omission of the words "in so far as such charges are in respect of the dwelling which a person occupies as his home".

23

Where the applicant makes a parental contribution in respect of a student attending a course at an establishment in the United Kingdom or undergoing education in the United Kingdom, which contribution has been assessed for the purposes of calculating--

- (a) under, or pursuant to regulations made under powers conferred by, section 22 of the Teaching and Higher Education Act 1998, that student's award;
- (b) under regulations made in exercise of the powers conferred by section 49 of the Education (Scotland) Act 1980, that student's bursary, scholarship, or other allowance under that section or under regulations made in exercise of the powers conferred by section 73 of that Act of 1980, any payment to that student under that section; or
- (c) the student's student loan,

an amount equal to the weekly amount of that parental contribution, but only in respect of the period for which that contribution is assessed as being payable.

24

(1) Where the applicant is the parent of a student aged under 25 in advanced education who either--

- (a) is not in receipt of any award, grant or student loan in respect of that education; or
- (b) is in receipt of an award bestowed by virtue of the Teaching and Higher Education Act 1998, or regulations made thereunder, or a bursary, scholarship or other allowance under section 49(1) of the Education (Scotland) Act 1980, or a payment under section 73 of that Act of 1980,

and the applicant makes payments by way of a contribution towards the student's maintenance, other than a parental contribution falling within paragraph 23, an amount specified in sub-paragraph (2) in respect of each week during the student's term.

(2) For the purposes of sub-paragraph (1), the amount must be equal to--

- (a) the weekly amount of the payments; or
- (b) the amount by way of a personal allowance for a single applicant under 25 less the weekly amount of any award, bursary, scholarship, allowance or payment referred to in sub-paragraph (1)(b),

whichever is less.

25

Any payment made to the applicant by a child or young person or a non-dependant.

26

Where the applicant occupies a dwelling as his home and the dwelling is also occupied by a person other than one to whom paragraph 25 or 27 refers and there is a contractual liability to make payments to the applicant in respect of the occupation of the dwelling by that person or a member of his family--

- (a) where the aggregate of any payments made in respect of any one week in respect of the occupation of the dwelling by that person or a member of his family, or by that person and a member of his family, is less than £20, the whole of that amount; or
- (b) where the aggregate of any such payments is £20 or more per week, £20.

27

Where the applicant occupies a dwelling as his home and he provides in that dwelling board and lodging accommodation, an amount, in respect of each person for which such accommodation is provided for the whole or any part of a week, equal to--

- (a) where the aggregate of any payments made in respect of any one week in respect of such accommodation provided to such person does not exceed £20, 100 per cent of such payments;
- (b) where the aggregate of any such payments exceeds £20, £20 and 50 per cent of the excess over £20.

28

(1) Any income in kind, except where paragraph 54(10)(b) (provision of support under section 95 or 98 of the Immigration and Asylum Act 1999 in the calculation of income other than earnings) applies.

(2) The reference in sub-paragraph (1) to "income in kind" does not include a payment to a third party made in respect of the applicant which is used by the third party to provide benefits in kind to the applicant.

29

Any income which is payable in a country outside the United Kingdom for such period during which there is a prohibition against the transfer to the United Kingdom of that income.

30

(1) Any payment made to the applicant in respect of a person who is a member of his family--

(a) pursuant to regulations under section 2(6)(b), 3 or 4 of the Adoption and Children Act 2002 or in accordance or with a scheme approved by the Scottish Ministers under section 51A of the Adoption (Scotland) Act 1978 (schemes for payments of allowances to adopters) or in accordance with an adoption allowance scheme made under section 71 of the Adoption and Children (Scotland) Act 2007 (adoption allowances schemes);

(b) which is a payment made by a local authority in pursuance of section 15(1) of, and paragraph 15 of Schedule 1 to, the Children Act 1989 (local authority contribution to a child's maintenance where the child is living with a person as a result of a residence order) or in Scotland section 50 of the Children Act 1975 (payments towards maintenance of children);

(c) which is a payment made by an authority, as defined in Article 2 of the Children (Northern Ireland) Order 1995, in pursuance of Article 15 of, and paragraph 17 of Schedule 1 to, that Order (contribution by an authority to child's maintenance);

(d) in accordance with regulations made pursuant to section 14F of the Children Act 1989 (special guardianship support services);

(2) Any payment, other than a payment to which sub-paragraph (1)(a) applies, made to the applicant pursuant to regulations under section 2(6)(b), 3 or 4 of the Adoption and Children Act 2002.

31

Any payment made to the applicant with whom a person is accommodated by virtue of arrangements made--

- (a) by a local authority under--
 - (i) section 23(2)(a) of the Children Act 1989 (provision of accommodation and maintenance for a child whom they are looking after),
 - (ii) section 26 of the Children (Scotland) Act 1995 (manner of provision of accommodation to child looked after by local authority), or
 - (iii) regulations 33 or 51 of the Looked After Children (Scotland) Regulations 2009 (fostering and kinship care allowances and fostering allowances); or
- (b) by a voluntary organisation under section 59(1)(a) of the Children Act 1989 (provision of accommodation by voluntary organisations).

32

Any payment made to the applicant or his partner for a person ("the person concerned"), who is not normally a member of the applicant's household but is temporarily in his care, by--

- (a) a health authority;
- (b) a local authority but excluding payments of housing benefit made in respect of the person concerned;
- (c) a voluntary organisation;
- (d) the person concerned pursuant to section 26(3A) of the National Assistance Act 1948;
- (e) a primary care trust established under section 16A of the National Health Service Act 1977 or established by an order made under section 18(2)(c) of the National Health Service Act 2006; or
- (f) a Local Health Board established under section 11 of the National Health Service (Wales) Act 2006.

33

Any payment made by a local authority in accordance with section 17, 23B, 23C or 24A of the Children Act 1989 or, as the case may be, section 12 of the Social Work (Scotland) Act 1968 or section 22, 29 or 30 of the Children (Scotland) Act 1995 (provision of services for children and their families and advice and assistance to certain children).

34

(1) Subject to sub-paragraph (2), any payment (or part of a payment) made by a local authority in accordance with section 23C of the Children Act 1989 or section 29 of the Children (Scotland) Act 1995 (local authorities' duty to promote welfare of children and powers to grant financial assistance to persons in, or formerly in, their care) to a person ("A") which A passes on to the applicant.

(2) Sub-paragraph (1) applies only where A--

- (a) was formerly in the applicant's care, and

- (b) is aged 18 or over, and
- (c) continues to live with the applicant.

35

(1) Subject to sub-paragraph (2), any payment received under an insurance policy taken out to insure against the risk of being unable to maintain repayments--

- (a) on a loan which is secured on the dwelling which the applicant occupies as his home; or
- (b) under a regulated agreement as defined for the purposes of the Consumer Credit Act 1974 or under a hire-purchase agreement or a conditional sale agreement as defined for the purposes of Part 3 of the Hire-Purchase Act 1964.

(2) A payment referred to in sub-paragraph (1) is only to be disregarded to the extent that the payment received under that policy does not exceed the amounts, calculated on a weekly basis, which are used to--

- (a) maintain the repayments referred to in sub-paragraph (1)(a) or, as the case may be, (1)(b); and
- (b) meet any amount due by way of premiums on--
 - (i) that policy; or
 - (ii) in a case to which sub-paragraph (1)(a) applies, an insurance policy taken out to insure against loss or damage to any building or part of a building which is occupied by the applicant as his home and which is required as a condition of the loan referred to in sub-paragraph (1)(a).

36

Any payment of income which by virtue of paragraph 64 (income treated as capital: persons who are not pensioners) is to be treated as capital.

37

Any--

- (a) social fund payment made pursuant to Part 8 of the SSCBA (the social fund); or
- (b) occasional assistance.

38

Any payment under Part 10 of the SSCBA (Christmas bonus for pensioners).

39

Where a payment of income is made in a currency other than sterling, any banking charge or commission payable in converting that payment into sterling.

40

The total of an applicant's income or, if he is a member of a family, the family's income and the income of any person which he is treated as possessing under paragraph 33(3) (calculation of income and

capital of members of applicant's family and of a polygamous marriage) to be disregarded under paragraph 77(2)(b) and paragraph 78(1)(d) (calculation of covenant income where a contribution assessed, covenant income where no grant income or no contribution is assessed), paragraph 81(2) (treatment of student loans), paragraph 82(3) (treatment of payments from access funds) and paragraphs 20 and 21 must in no case exceed £20 per week.

41

(1) Any payment made under or by any of the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006).

(2) Any payment by or on behalf of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person, which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of--

(a) that person's partner or former partner from whom he is not, or where that person has died was not, estranged or divorced or with whom he has formed a civil partnership that has not been dissolved or, where that person has died, had not been dissolved at the time of that person's death;

(b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or

(c) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.

(3) Any payment by or on behalf of the partner or former partner of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person provided that the partner or former partner and that person are not, or if either of them has died were not, estranged or divorced or, where the partner or former partner and that person have formed a civil partnership, the civil partnership has not been dissolved or, if either of them has died, had not been dissolved at the time of the death, which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of--

(a) the person who is suffering from haemophilia or who is a qualifying person;

(b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or

(c) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.

(4) Any payment by a person who is suffering from haemophilia or who is a qualifying person, which derives from a payment under or by any of the Trusts to which sub-paragraph (1) refers, where--

(a) that person has no partner or former partner from whom he is not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who is or had been a member of that person's family; and

(b) the payment is made either--

(i) to that person's parent or step-parent, or

(ii) where that person at the date of the payment is a child, a young person or a student who has not completed his education and has no parent or step-parent, to his guardian,

but only for a period from the date of the payment until the end of two years from that person's death.

(5) Any payment out of the estate of a person who suffered from haemophilia or who was a qualifying person, which derives from a payment under or by any of the Trusts to which sub-paragraph (1) refers, where--

- (a) that person at the date of his death (the relevant date) had no partner or former partner from whom he was not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who was or had been a member of his family; and
- (b) the payment is made either--
 - (i) to that person's parent or step-parent, or
 - (ii) where that person at the relevant date was a child, a young person or a student who had not completed his full-time education and had no parent or step-parent, to his guardian,

but only for a period of two years from the relevant date.

(6) In the case of a person to whom or for whose benefit a payment referred to in this paragraph is made, any income which derives from any payment of income or capital made under or deriving from any of the Trusts.

(7) For the purposes of sub-paragraphs (2) to (6), any reference to the Trusts is to be construed as including a reference to the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation and the London Bombings Relief Charitable Fund.

42

Any housing benefit.

43

Any payment made by the Secretary of State to compensate for the loss (in whole or in part) of entitlement to housing benefit.

44

Any payment to a juror or witness in respect of attendance at a court other than compensation for loss of earnings or for the loss of a benefit payable under the benefit Acts.

45

Any payment in consequence of a reduction of council tax under section 13 of the 1992 Act (reduction of liability for council tax).

46

(1) Any payment or repayment made--

- (a) as respects England, under regulation 5, 6 or 12 of the National Health Service (Travel Expenses and Remission of Charges) Regulations 2003 (travelling expenses and health service supplies);
- (b) as respects Wales, under regulation 5, 6 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Wales) Regulations 2007 (travelling expenses and health service supplies);
- (c) as respects Scotland, under regulation 3, 5 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No 2) Regulations 2003 (travelling expenses and health service supplies).

(2) Any payment or repayment made by the Secretary of State for Health, the Scottish Ministers or the Welsh Ministers which is analogous to a payment or repayment mentioned in sub-paragraph (1).

47

Any payment made to such persons entitled to receive benefits as may be determined by or under a scheme made pursuant to section 13 of the Social Security Act 1988 in lieu of vouchers or similar arrangements in connection with the provision of those benefits (including payments made in place of healthy start vouchers, milk tokens or the supply of vitamins).

48

Any payment made by either the Secretary of State for Justice or by the Scottish Ministers under a scheme established to assist relatives and other persons to visit persons in custody.

49

(1) Where an applicant's applicable amount includes an amount by way of family premium, £15 of any payment of maintenance, other than child maintenance, whether under a court order or not, which is made or due to be made by the applicant's former partner, or the applicant's partner's former partner.

(2) For the purpose of sub-paragraph (1) where more than one maintenance payment falls to be taken into account in any week, all such payments must be aggregated and treated as if they were a single payment.

(3) A payment made by the Secretary of State in lieu of maintenance must, for the purpose of sub-paragraph (1), be treated as a payment of maintenance made by a person specified in sub-paragraph (1).

50

(1) Any payment of child maintenance made or derived from a liable relative where the child or young person in respect of whom the payment is made is a member of the applicant's family, except where the person making the payment is the applicant or the applicant's partner.

(2) In sub-paragraph (1)--

"child maintenance" means any payment towards the maintenance of a child or young person, including any payment made voluntarily and payments made under--

- (a) the Child Support Act 1991;
- (b) the Child Support (Northern Ireland) Order 1991;
- (c) a court order;
- (d) a consent order;
- (e) a maintenance agreement registered for execution in the Books of Council and Session or the sheriff court books;

"liable relative" means a person listed in regulation 54 (interpretation) of the Income Support (General) Regulations 1987, other than a person falling within sub-paragraph (d) of that definition.

51

Any payment (other than a training allowance) made, whether by the Secretary of State or any other person, under the Disabled Persons (Employment) Act 1944 to assist disabled persons to obtain or retain employment despite their disability.

52

Any guardian's allowance.

53

(1) If the applicant is in receipt of any benefit under Part 2, 3 or 5 of the SSCBA, any increase in the rate of that benefit arising under Part 4 (increases for dependants) or section 106(a) (unemployability supplement) of that Act, where the dependant in respect of whom the increase is paid is not a member of the applicant's family.

(2) If the applicant is in receipt of any pension or allowance under Part 2 or 3 of the Naval, Military and Air Forces Etc (Disablement and Death) Service Pensions Order 2006, any increase in the rate of that pension or allowance under that Order, where the dependant in respect of whom the increase is paid is not a member of the applicant's family.

54

Any supplementary pension under article 23(2) of the Naval, Military and Air Forces Etc (Disablement and Death) Service Pensions Order 2006 (pensions to surviving spouses and surviving civil partners) and any analogous payment made by the Secretary of State for Defence to any person who is not a person entitled under that Order.

55

In the case of a pension awarded at the supplementary rate under article 27(3) of the Personal Injuries (Civilians) Scheme 1983 (pensions to widows, widowers or surviving civil partners), the sum specified in paragraph 1(c) of Schedule 4 to that Scheme.

56

(1) Any payment which is--

(a) made under any of the Dispensing Instruments to a widow, widower or surviving civil partner of a person--

(i) whose death was attributable to service in a capacity analogous to service as a member of the armed forces of the Crown; and

(ii) whose service in such capacity terminated before 31st March 1973; and

(b) equal to the amount specified in article 23(2) of the Naval, Military and Air Forces Etc (Disablement and Death) Service Pensions Order 2006.

(2) In this paragraph "the Dispensing Instruments" means the Order in Council of 19th December 1881, the Royal Warrant of 27th October 1884 and the Order by His Majesty of 14th January 1922 (exceptional grants of pay, non-effective pay and allowances).

57

Any council tax benefit to which the applicant is entitled.

58

Except in a case which falls under sub-paragraph (1) of paragraph 18 of Schedule 7, where the applicant is a person who satisfies any of the conditions of sub-paragraph (2) of that paragraph, any amount of working tax credit up to £17.10.

59

Any payment made under section 12B of the Social Work (Scotland) Act 1968, or under sections 12A to 12D of the National Health Service Act 2006 (direct payments for health care) or under regulations made under section 57 of the Health and Social Care Act 2001 (direct payments).

60

(1) Subject to sub-paragraph (2), in respect of a person who is receiving, or who has received, assistance under the self-employment route, any payment to that person--

- (a) to meet expenses wholly and necessarily incurred whilst carrying on the commercial activity;
- (b) which is used or intended to be used to maintain repayments on a loan taken out by that person for the purpose of establishing or carrying on the commercial activity,

in respect of which such assistance is or was received.

(2) Sub-paragraph (1) applies only in respect of payments which are paid to that person from the special account.

61

(1) Any payment of a sports award except to the extent that it has been made in respect of any one or more of the items specified in sub-paragraph (2).

(2) The items specified for the purposes of sub-paragraph (1) are food, ordinary clothing or footwear, household fuel or rent of the applicant or where the applicant is a member of a family, any other member of his family, or any council tax or water charges for which that applicant or member is liable.

(3) For the purposes of sub-paragraph (2) "food" does not include vitamins, minerals or other special dietary supplements intended to enhance the performance of the person in the sport in respect of which the award was made.

62

Where the amount of subsistence allowance paid to a person in a reduction week exceeds the amount of income-based jobseeker's allowance that person would have received in that reduction week had it been payable to him, less 50p, that excess amount.

63

In the case of an applicant participating in an employment zone programme, any discretionary payment made by an employment zone contractor to the applicant, being a fee, grant, loan or otherwise.

64

Any discretionary housing payment paid pursuant to regulation 2(1) of the Discretionary Financial Assistance Regulations 2001.

65

(1) Any payment made by a local authority or by the Welsh Ministers, to or on behalf of the applicant or his partner relating to a service which is provided to develop or sustain the capacity of the applicant or his partner to live independently in his accommodation.

(2) For the purposes of sub-paragraph (1) "local authority" includes, in England, a county council.

66

Any payment of child benefit.

SCHEDULE 9
CAPITAL DISREGARDS: PENSIONERS

Paragraph 63

Part 1
Capital to be Disregarded

1

Any premises acquired for occupation by the applicant which he intends to occupy as his home within 26 weeks of the date of acquisition or such longer period as is reasonable in the circumstances to enable the applicant to obtain possession and commence occupation of the premises.

2

Any premises which the applicant intends to occupy as his home, and in respect of which he is taking steps to obtain possession and has sought legal advice, or has commenced legal proceedings, with a view to obtaining possession, for a period of 26 weeks from the date on which he first sought such advice or first commenced such proceedings whichever is the earlier, or such longer period as is reasonable in the circumstances to enable him to obtain possession and commence occupation of those premises.

3

Any premises which the applicant intends to occupy as his home to which essential repairs or alterations are required in order to render them fit for such occupation, for a period of 26 weeks from the date on which the applicant first takes steps to effect those repairs or alterations, or such longer period as is necessary to enable those repairs or alterations to be carried out.

4

Any premises occupied in whole or in part--

- (a) by a person who is a relative of the applicant or his partner as his home where that person has attained the qualifying age for state pension credit or is incapacitated;

(b) by the former partner of the applicant as his home; but this provision does not apply where the former partner is a person from whom the applicant is estranged or divorced or with whom he had formed a civil partnership that has been dissolved.

5

Any future interest in property of any kind, other than land or premises in respect of which the applicant has granted a subsisting lease or tenancy, including sub-leases or sub-tenancies.

6

Where an applicant has ceased to occupy what was formerly the dwelling occupied as the home following his estrangement or divorce from his former partner or the dissolution of a civil partnership with his former partner, that dwelling for a period of 26 weeks from the date on which he ceased to occupy that dwelling or, where the dwelling is occupied as the home by the former partner who is a lone parent, for so long as it is so occupied.

7

Any premises where the applicant is taking reasonable steps to dispose of the whole of his interest in those premises, for a period of 26 weeks from the date on which he first took such steps, or such longer period as is reasonable in the circumstances to enable him to dispose of those premises.

8

All personal possessions.

9

The assets of any business owned in whole or in part by the applicant and for the purposes of which he is engaged as a self-employed earner or, if he has ceased to be so engaged, for such period as may be reasonable in the circumstances to allow for disposal of those assets.

10

The assets of any business owned in whole or in part by the applicant if--

- (a) he is not engaged as a self-employed earner in that business by reason of some disease or bodily or mental disablement; but
- (b) he intends to become engaged (or, as the case may be, re-engaged) as a self-employed earner in that business as soon as he recovers or is able to become engaged, or re-engaged, in that business,

for a period of 26 weeks from the date on which the application for a reduction under this scheme is made or, if it is unreasonable to expect him to become engaged or re-engaged in that business within that period, for such longer period as is reasonable in the circumstances to enable him to become so engaged or re-engaged.

11

The surrender value of any policy of life insurance.

12

The value of any funeral plan contract; and for this purpose, "funeral plan contract" means a contract under which--

- (a) the applicant makes one or more payments to another person ("the provider");
- (b) the provider undertakes to provide, or secure the provision of, a funeral in the United Kingdom for the applicant on his death; and
- (c) the sole purpose of the plan is to provide or secure the provision of a funeral for the applicant on his death.

13

Where an ex-gratia payment has been made by the Secretary of State on or after 1st February 2001 in consequence of the imprisonment or internment of--

- (a) the applicant;
- (b) the applicant's partner;
- (c) the applicant's deceased spouse or deceased civil partner; or
- (d) the applicant's partner's deceased spouse or deceased civil partner,

by the Japanese during the Second World War, an amount equal to that payment.

14

(1) Subject to sub-paragraph (2), the amount of any trust payment made to an applicant or an applicant's partner who is--

- (a) a diagnosed person;
- (b) a diagnosed person's partner or was a diagnosed person's partner at the time of the diagnosed person's death; or
- (c) a parent of a diagnosed person, a person acting in place of the diagnosed person's parents or a person who was so acting at the date of the diagnosed person's death.

(2) Where a trust payment is made to--

- (a) a person referred to in sub-paragraph (1)(a) or (b), that sub-paragraph applies for the period beginning on the date on which the trust payment is made and ending on the date on which that person dies;
- (b) a person referred to in sub-paragraph (1)(c), that sub-paragraph applies for the period beginning on the date on which the trust payment is made and ending two years after that date.

(3) Subject to sub-paragraph (4), the amount of any payment by a person to whom a trust payment has been made or of any payment out of the estate of a person to whom a trust payment has been made, which is made to an applicant or an applicant's partner who is--

- (a) the diagnosed person;
- (b) a diagnosed person's partner or was a diagnosed person's partner at the date of the diagnosed person's death; or

(c) a parent of a diagnosed person, a person acting in place of the diagnosed person's parents or a person who was so acting at the date of the diagnosed person's death.

(4) Where a payment such as referred to in sub-paragraph (3) is made to--

(a) a person referred to in sub-paragraph (3)(a) or (b), that sub-paragraph applies for the period beginning on the date on which the payment is made and ending on the date on which that person dies;

(b) a person referred to in sub-paragraph (3)(c), that sub-paragraph applies for the period beginning on the date on which the payment is made and ending two years after that date.

(5) In this paragraph, a reference to a person--

(a) being the diagnosed person's partner;

(b) acting in place of the diagnosed person's parents,

at the date of the diagnosed person's death includes a person who would have been such a person or a person who would have been so acting, but for the diagnosed person residing in a care home or an independent hospital.

(6) In this paragraph--

"diagnosed person" means a person who has been diagnosed as suffering from, or who, after his death, has been diagnosed as having suffered from, variant Creutzfeldt-Jakob disease;

"relevant trust" means a trust established out of funds provided by the Secretary of State in respect of persons who suffered, or who are suffering, from variant Creutzfeldt-Jakob disease for the benefit of persons eligible for payments in accordance with its provisions;

"trust payment" means a payment under a relevant trust.

15

The amount of any payment, other than a war pension, to compensate for the fact that the applicant, the applicant's partner, the applicant's deceased spouse or civil partner or the applicant's partner's deceased spouse or civil partner--

(a) was a slave labourer or a forced labourer;

(b) had suffered property loss or had suffered personal injury; or

(c) was a parent of a child who had died,

during the Second World War.

16

(1) Any payment made under or by--

(a) the Macfarlane Trust, the Macfarlane (Special Payments) Trust, the Macfarlane (Special Payments) (No 2) Trust, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, the Scottish Infected Blood Support Scheme, an approved blood scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund, or the London Bombings Relief Charitable Fund (collectively referred to in this paragraph as "the Trusts"); or

(b) the Independent Living Fund (2006).

(2) Any payment by or on behalf of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person, which derives from a payment made under or by any of the Trusts and which is made to or for the benefit of that person's partner or former partner--

- (a) from whom he is not, or where that person has died was not, estranged or divorced, or
- (b) with whom he has formed a civil partnership that has not been dissolved or, where that person has died, had not been dissolved at the time of that person's death.

(3) Any payment by or on behalf of the partner or former partner of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person which derives from a payment made under or by any of the Trusts and which is made to or for the benefit of the person who is suffering from haemophilia or who is a qualifying person.

(4) Sub-paragraph (3) does not apply if--

- (a) the partner or former partner and that person are not, or if either of them has died were not, estranged or divorced, or
- (b) where the partner or former partner and that person have formed a civil partnership, the civil partnership has not been dissolved or, if either of them has died, had not been dissolved at the time of the death.

(5) Any payment by a person who is suffering from haemophilia or who is a qualifying person, which derives from a payment under or by any of the Trusts, where--

- (a) that person has no partner or former partner from whom he is not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child who is or had been a member of that person's household; and
- (b) the payment is made either--
 - (i) to that person's parent or step-parent; or
 - (ii) where that person at the date of the payment is a child or a student who has not completed his full-time education and has no parent or step-parent, to any person standing in the place of his parent,

but only for a period from the date of the payment until the end of two years from that person's death.

(6) Any payment out of the estate of a person who suffered from haemophilia or who was a qualifying person, which derives from a payment under or by any of the Trusts, where--

- (a) that person at the date of his death ("the relevant date") had no partner or former partner from whom he was not estranged or divorced or with whom he had formed a civil partnership that had not been dissolved, nor any child who was or had been a member of his household; and
- (b) the payment is made either--
 - (i) to that person's parent or step-parent; or
 - (ii) where that person at the relevant date was a child or a student who had not completed his full-time education and had no parent or step-parent, to any person standing in place of his parent,

but only for a period of two years from the relevant date.

(7) In the case of a person to whom or for whose benefit a payment referred to in this paragraph is made, any capital resource which derives from any payment of income or capital made under or deriving from any of the Trusts.

16A

Any payment made under, or by, a trust which is approved by the Secretary of State and which is established for the purpose of giving relief and assistance to a disabled person whose disabilities were caused by their mother having taken a preparation containing the drug known as Thalidomide during her pregnancy.

17

(1) An amount equal to the amount of any payment made in consequence of any personal injury to the applicant or, if the applicant has a partner, to the partner.

(2) Where the whole or part of the payment is administered--

- (a) by the High Court or the County Court under Rule 21.11(1) of the Civil Procedure Rules 1998, or the Court of Protection, or on behalf of a person where the payment can only be disposed of by order or direction of any such court;
- (b) in accordance with an order made under Rule 36.14 of the Ordinary Cause Rules 1993 or under Rule 128 of those Rules; or
- (c) in accordance with the terms of a trust established for the benefit of the applicant or his partner,

the whole of the amount so administered.

18

Any amount specified in paragraph 19, 20, 21 or 25 for a period of one year beginning with the date of receipt.

19

Amounts paid under a policy of insurance in connection with the loss of or damage to the property occupied by the applicant as his home and to his personal possessions.

20

So much of any amounts paid to the applicant or deposited in the applicant's name for the sole purpose of--

- (a) purchasing premises which the applicant intends to occupy as his home; or
- (b) effecting essential repairs or alterations to the premises occupied or intended to be occupied by the applicant as his home.

21

(1) Subject to paragraph 22 any amount paid--

- (a) by way of arrears of benefit;

- (b) by way of compensation for the late payment of benefit;
- (c) in lieu of the payment of benefit;
- (d) to rectify, or compensate for, an official error, as defined for the purposes of paragraph 22, being an amount to which that paragraph does not apply;
- (e) by a local authority out of funds provided under either section 93 of the Local Government Act 2000 under a scheme known as "Supporting People" or section 91 of the Housing (Scotland) Act 2001;
- (f) by way of occasional assistance including arrears and payments in lieu of occasional assistance (and in this paragraph "occasional assistance" has the same meaning as in paragraph 16 of Schedule 1).

(2) In sub-paragraph (1), "benefit" means--

- (a) attendance allowance under section 64 of the Act;
- (b) disability living allowance;
- (c) personal independence payment;
- (d) an AFIP;
- (e) income support;
- (f) income-based jobseeker's allowance;
- (g) state pension credit;
- (h) housing benefit;
- (i) council tax benefit;
- (j) child tax credit;
- (k) an increase of a disablement pension under section 104 of the SSCBA (increase where constant attendance is needed), and any further increase of such a pension under section 105 of the Act (increase for exceptionally severe disablement);
- (l) any amount included on account of the applicant's exceptionally severe disablement or need for constant attendance in a war disablement pension or a war widow's or widower's pension;
- (m) any discretionary housing payment paid pursuant to regulation 2(1) of the Discretionary Financial Assistance Regulations 2001;
- (n) working tax credit;
- (o) income-related employment and support allowance;
- (p) social fund payments under Part 8 of the SSCBA; or
- (q) universal credit.

22

- (1) Subject to sub-paragraph (3), any payment of £5,000 or more which has been made to rectify, or to compensate for, an official error relating to a relevant benefit and which has been received by the applicant in full on or after the day on which he became entitled to a reduction under this scheme.
- (2) Subject to sub-paragraph (3), the total amount of any payments disregarded under--
 - (a) paragraph 7(2) of Schedule 10 to the Income Support (General) Regulations 1987;
 - (b) paragraph 12(2) of Schedule 8 to the Jobseeker's Allowance Regulations 1996;

- (c) paragraph 9(2) of Schedule 5 to the Council Tax Benefit Regulations 2006;
- (d) paragraph 20A of Schedule 5 to the State Pension Credit Regulations 2002,
- (e) paragraph 11(2) of Schedule 9 to the Employment and Support Allowance Regulations 2008,
- (f) paragraph 18 of Schedule 10 to the Universal Credit Regulations 2013;

where the award in respect of which the payments last fell to be disregarded under those Regulations either terminated immediately before the relevant date or is still in existence at that date.

(3) Any disregard which applies under sub-paragraph (1) or (2) has effect until the award comes to an end.

(4) In this paragraph--

"the award", except in sub-paragraph (2), means--

- (a) the award of a reduction under the authority's scheme during which the relevant sum or, where it is paid in more than one instalment, the first instalment of that sum is received; and
- (b) where that award is followed by one or more further awards which, or each of which, begins immediately after the previous award ends, such further awards until the end of the last such award, provided that, for such further awards, the applicant--
 - (i) is the person who received the relevant sum;
 - (ii) is the partner of that person; or
 - (iii) was the partner of that person at the date of his death;

"official error"--

- (a) where the error relates to housing benefit, or council tax benefit (in respect of any period before 1st April 2013), has the meaning given by regulation 1(2) of the Housing Benefit and Council Tax Benefit (Decisions and Appeals) Regulations 2001; and
- (b) where the error relates to any other relevant benefit, has the meaning given by regulation 1(3) of the Social Security and Child Support (Decisions and Appeals) Regulations 1999;

"the relevant date" means the date on which the application for a reduction under this scheme was made;

"relevant benefit" means any benefit specified in paragraph 21(2); and

"the relevant sum" means the total amount referred to in sub-paragraph (1).

23

Where a capital asset is held in a currency other than Sterling, any banking charge or commission payable in converting that capital into Sterling.

24

The value of the right to receive income from an occupational pension scheme or a personal pension scheme.

25

Any arrears of supplementary pension which is disregarded under paragraph 4 of Schedule 6 (amounts to be disregarded in the calculation of income other than earnings) or of any amount which is disregarded under paragraph 5 or 6 of that Schedule.

26

The dwelling occupied as the home; but only one dwelling is to be disregarded under this paragraph.

27

(1) Subject to sub-paragraph (2), where an applicant falls within class C (alternative maximum council tax reduction: pensioners), the whole of his capital.

(2) Sub-paragraph (1) does not apply where an applicant falls within class B and class C.

28

Where a person elects to be entitled to a lump sum under Schedule 5 or 5A to SSCBA or under Schedule 1 to the Social Security (Graduated Retirement Benefit) Regulations 2005, or is treated as having made such an election, and a payment has been made pursuant to that election, an amount equal to--

- (a) except where sub-paragraph (b) applies, the amount of any payment or payments made on account of that lump sum;
- (b) the amount of that lump sum,

but only for so long as that person does not change that election in favour of an increase of pension or benefit.

28A

Where a person chooses a lump sum under section 8(2) of the Pensions Act 2014 or in accordance with Regulations made under section 10 of that Act which include provision corresponding or similar to section 8(2) of that Act, or fails to make a choice, and a lump sum payment has been made, an amount equal to—

- (a) except where sub-paragraph (b) applies, the amount of any payment or payments made on account of that lump sum; or
- (b) the amount of that lump sum,

but only for so long as that person does not alter that choice in favour of an increase of pension.

29

Any payments made --

- (a) by virtue of regulations made under section 57 of the Health and Social Care Act 2001 (direct payments);
- (b) ...
- (c) by virtue of regulations made under sections 12A to 12C of the National Health Service Act 2006 (direct payments for health care);
- (d) by virtue of regulations made under Article 15 of the Health and Personal Social Services (Northern Ireland) Order 1972 (general social welfare); or

- (e) by virtue of regulations made under section 8 of the Carers and Direct Payments Act (Northern Ireland) 2002 (direct payments);
- (f) under sections 31 to 33 of the Care Act 2014 (direct payments); or
- (g) by virtue of regulations made under section 50 or 52 of the Social Services and Well-being (Wales) Act 2014 (direct payments).

29A

A payment made under the Age-Related Payments Regulations 2013.

29B

Any payments to an applicant made under section 49 of the Children and Families Act 2014 (personal budgets and direct payments).

29C

- (1) Any payment made by a local authority in accordance with section 26A of the Children (Scotland) Act 1995 (duty to provide continuing care).
- (2) Any payment or part of a payment made by a local authority in accordance with that section to a person ("A") which A passes on to the applicant where A—
 - (a) was formerly in the applicant's care;
 - (b) is aged 16 or over; and
 - (c) continues to live with the applicant.

Part 2

Capital Disregarded Only for the Purposes of Determining Deemed Income

30

The value of the right to receive any income under a life interest or from a life rent.

31

The value of the right to receive any rent except where the applicant has a reversionary interest in the property in respect of which rent is due.

32

The value of the right to receive any income under an annuity or the surrender value (if any) of such an annuity.

33

Where property is held under a trust, other than--

- (a) a charitable trust within the meaning of the Charities Act 1993; or

(b) a trust set up with any payment to which paragraph 16 applies,

and under the terms of the trust, payments fall to be made, or the trustees have a discretion to make payments, to or for the benefit of the applicant or the applicant's partner, or both, that property.

SCHEDULE 10
CAPITAL DISREGARDS: PERSONS WHO ARE NOT PENSIONERS

Paragraph 63

1

Any payment made to the applicant in respect of any child care, travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Work for Your Benefit Scheme but only for 52 weeks beginning with the date of receipt of the payment.

2

Any payment made to the applicant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Mandatory Work Activity Scheme but only for 52 weeks beginning with the date of receipt of the payment.

3

Any payment made to the applicant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Employment, Skills and Enterprise Scheme but only for 52 weeks beginning with the date of receipt of the payment.

4

The dwelling together with any garage, garden and outbuildings, normally occupied by the applicant as his home including any premises not so occupied which it is impracticable or unreasonable to sell separately, but, notwithstanding paragraph 33 (calculation of income and capital of members of applicant's family and of a polygamous marriage), only one dwelling is to be disregarded under this paragraph.

5

Any premises acquired for occupation by the applicant which he intends to occupy as his home within 26 weeks of the date of acquisition or such longer period as is reasonable in the circumstances to enable the applicant to obtain possession and commence occupation of the premises.

6

Any sum directly attributable to the proceeds of sale of any premises formerly occupied by the applicant as his home which is to be used for the purchase of other premises intended for such occupation within 26 weeks of the date of sale or such longer period as is reasonable in the circumstances to enable the applicant to complete the purchase.

7

Any premises occupied in whole or in part--

- (a) by a partner or relative of a single applicant or any member of the family as his home where that person has attained the qualifying age for state pension credit or is incapacitated;
- (b) by the former partner of the applicant as his home; but this provision does not apply where the former partner is a person from whom the applicant is estranged or divorced or with whom he had formed a civil partnership that has been dissolved.

8

Where an applicant is on income support, an income-based jobseeker's allowance or an income-related employment and support allowance, the whole of his capital.

9

Where the applicant is a member of a joint-claim couple for the purposes of the Jobseekers Act 1995 and his partner is on income-based jobseeker's allowance, the whole of the applicant's capital.

10

Any future interest in property of any kind, other than land or premises in respect of which the applicant has granted a subsisting lease or tenancy, including sub-leases or sub-tenancies.

11

- (1) The assets of any business owned in whole or in part by the applicant and for the purposes of which he is engaged as a self-employed earner, or if he has ceased to be so engaged, for such period as may be reasonable in the circumstances to allow for disposal of any such asset.
- (2) The assets of any business owned in whole or in part by the applicant where--
 - (a) he is not engaged as a self-employed earner in that business by reason of some disease or bodily or mental disablement; but
 - (b) he intends to become engaged or, as the case may be, re-engaged as a self-employed earner in that business as soon as he recovers or is able to become engaged or re-engaged in that business,

for a period of 26 weeks from the date on which the application for a reduction under this scheme is made, or is treated as made, or, if it is unreasonable to expect him to become engaged or re-engaged in that business within that period, for such longer period as is reasonable in the circumstances to enable him to become so engaged or re-engaged.

- (3) In the case of a person who is receiving assistance under the self-employment route, the assets acquired by that person for the purpose of establishing or carrying on the commercial activity in respect of which such assistance is being received.
- (4) In the case of a person who has ceased carrying on the commercial activity in respect of which assistance was received as specified in sub-paragraph (3), the assets relating to that activity for such period as may be reasonable in the circumstances to allow for disposal of any such asset.

12

- (1) Subject to sub-paragraph (2), any arrears of, or any concessionary payment made to compensate for arrears due to the non-payment of--
 - (a) any payment specified in paragraphs 11, 13 or 14 of Schedule 8;

- (b) an income-related benefit under Part 7 of the SSCBA;
- (c) an income-based jobseeker's allowance;
- (d) any discretionary housing payment paid pursuant to regulation 2(1) of the Discretionary Financial Assistance Regulations 2001;
- (e) working tax credit and child tax credit;
- (f) an income-related employment and support allowance,

but only for a period of 52 weeks from the date of the receipt of arrears or of the concessionary payment.

(2) In a case where the total of any arrears and, if appropriate, any concessionary payment referred to in sub-paragraph (1) relating to one of the specified payments, benefits or allowances amounts to £5,000 or more (referred to in this sub-paragraph and in sub-paragraph (3) as "the relevant sum") and is--

- (a) paid in order to rectify or to compensate for, an official error as defined in regulation 1(2) of the Housing Benefit and Council Tax Benefit (Decisions and Appeals) Regulations 2001; and
- (b) received by the applicant in full on or after 14th October 2001,

sub-paragraph (1) has effect in relation to such arrears or concessionary payment either for a period of 52 weeks from the date of receipt, or, if the relevant sum is received in its entirety during the period of an award of a reduction under this scheme, for the remainder of that period if that is a longer period.

(3) For the purposes of sub-paragraph (2), "the period of an award of a reduction under this scheme" means--

- (a) the award in which the relevant sum is first received (or the first part thereof where it is paid in more than one instalment); and
- (b) where that award is followed by one or more further awards which, or each of which, begins immediately after the end of the previous award, such further award provided that for that further award the applicant--
 - (i) is the person who received the relevant sum; or
 - (ii) is the partner of the person who received the relevant sum, or was that person's partner at the date of his death.

13

Any sum--

- (a) paid to the applicant in consequence of damage to, or loss of the home or any personal possession and intended for its repair or replacement; or
- (b) acquired by the applicant (whether as a loan or otherwise) on the express condition that it is to be used for effecting essential repairs or improvement to the home,

which is to be used for the intended purpose, for a period of 26 weeks from the date on which it was so paid or acquired or such longer period as is reasonable in the circumstances to effect the repairs, replacement or improvement.

14

Any sum--

- (a) deposited with a housing association as defined in section 1(1) of the Housing Associations Act 1985 as a condition of occupying the home;
- (b) which was so deposited and which is to be used for the purchase of another home,

for the period of 26 weeks or such longer period as may be reasonable in the circumstances to enable the applicant to complete the purchase.

15

Any personal possessions except those which have been acquired by the applicant with the intention of reducing his capital in order to secure entitlement to a reduction under this scheme or to increase the amount of that reduction.

16

The value of the right to receive any income under an annuity or the surrender value (if any) of such an annuity.

17

Where the funds of a trust are derived from a payment made in consequence of any personal injury to the applicant or applicant's partner, the value of the trust fund and the value of the right to receive any payment under that trust.

18

- (1) Any payment made to the applicant or the applicant's partner in consequence of any personal injury to the applicant or, as the case may be, the applicant's partner.
- (2) But sub-paragraph (1)--
 - (a) applies only for the period of 52 weeks beginning with the day on which the applicant first receives any payment in consequence of that personal injury;
 - (b) does not apply to any subsequent payment made to him in consequence of that injury (whether it is made by the same person or another);
 - (c) ceases to apply to the payment or any part of the payment from the day on which the applicant no longer possesses it;
 - (d) does not apply to any payment from a trust where the funds of the trust are derived from a payment made in consequence of any personal injury to the applicant.
- (3) For the purposes of sub-paragraph (2)(c), the circumstances in which an applicant no longer possesses a payment or a part of it include where the applicant has used a payment or part of it to purchase an asset.
- (4) References in sub-paragraphs (2) and (3) to the applicant are to be construed as including references to his partner (where applicable).

19

The value of the right to receive any income under a life interest or from a life rent.

20

The value of the right to receive any income which is disregarded under paragraph 15 of Schedule 7 or paragraph 29 of Schedule 8.

21

The surrender value of any policy of life insurance.

22

Where any payment of capital falls to be made by instalments, the value of the right to receive any outstanding instalments.

23

Any payment made by a local authority in accordance with section 17, 23B, 23C or 24A of the Children Act 1989 or, as the case may be, section 12 of the Social Work (Scotland) Act 1968 or sections 22, 29 or 30 of the Children (Scotland) Act 1995 (provision of services for children and their families and advice and assistance to certain children).

24

(1) Subject to sub-paragraph (2), any payment (or part of a payment) made by a local authority in accordance with section 23C of the Children Act 1989 or section 29 of the Children (Scotland) Act 1995 (local authorities' duty to promote welfare of children and powers to grant financial assistance to persons in, or formerly in, their care) to a person ("A") which A passes on to the applicant.

(2) Sub-paragraph (1) applies only where A--

- (a) was formerly in the applicant's care, and
- (b) is aged 18 or over, and
- (c) continues to live with the applicant.

25

Any--

- (a) social fund payment made pursuant to Part 8 of the SSCBA (the social fund); or
- (b) occasional assistance.

26

Any refund of tax which falls to be deducted under section 369 of the Income and Corporation Taxes Act 1988 (deduction of tax from certain loan interest) on a payment of relevant loan interest for the purpose of acquiring an interest in the home or carrying out repairs or improvements to the home.

27

Any capital which by virtue of paragraph 55 or 81 (capital treated as income: persons who are not pensioners, treatment of student loans) is to be treated as income.

28

Where any payment of capital is made in a currency other than sterling, any banking charge or commission payable in converting that payment into sterling.

29

(1) Any payment made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Independent Living Fund (2006), the Skipton Fund, the Caxton Foundation or the London Bombings Relief Charitable Fund.

(2) Any payment by or on behalf of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person, which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of--

- (a) that person's partner or former partner from whom he is not, or where that person has died was not, estranged or divorced or with whom he has formed a civil partnership that has not been dissolved or, where that person has died, had not been dissolved at the time of that person's death;
- (b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or
- (c) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.

(3) Any payment by or on behalf of the partner or former partner of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of--

- (a) the person who is suffering from haemophilia or who is a qualifying person;
- (b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or
- (c) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.

(4) Sub-paragraph (3) does not apply if--

- (a) the partner or former partner and that person are not, or if either of them has died were not, estranged or divorced, or
- (b) where the partner or former partner and that person have formed a civil partnership, the civil partnership has not been dissolved or, if either of them has died, had not been dissolved at the time of the death.

(5) Any payment by a person who is suffering from haemophilia or who is a qualifying person, which derives from a payment under or by any of the Trusts to which sub-paragraph (1) refers, where--

- (a) that person has no partner or former partner from whom he is not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who is or had been a member of that person's family; and
- (b) the payment is made either--
 - (i) to that person's parent or step-parent; or
 - (ii) where that person at the date of the payment is a child, a young person or a student who has not completed his full-time education and has no parent or step-parent, to his guardian,

but only for a period from the date of the payment until the end of two years from that person's death.

(6) Any payment out of the estate of a person who suffered from haemophilia or who was a qualifying person, which derives from a payment under or by any of the Trusts to which sub-paragraph (1) refers, where--

(a) that person at the date of his death (the relevant date) had no partner or former partner from whom he was not estranged or divorced or with whom he had formed a civil partnership that had not been dissolved, nor any child or young person who was or had been a member of his family; and

(b) the payment is made either--

(i) to that person's parent or step-parent; or

(ii) where that person at the relevant date was a child, a young person or a student who had not completed his full-time education and had no parent or step-parent, to his guardian,

but only for a period of two years from the relevant date.

(7) In the case of a person to whom or for whose benefit a payment referred to in this paragraph is made, any capital resource which derives from any payment of income or capital made under or deriving from any of the Trusts.

(8) For the purposes of sub-paragraphs (2) to (6), any reference to the Trusts is to be construed as including a reference to the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, and the London Bombings Relief Charitable Fund.

30

(1) Where an applicant has ceased to occupy what was formerly the dwelling occupied as the home following his estrangement or divorce from, or dissolution of his civil partnership with, his former partner, that dwelling for a period of 26 weeks from the date on which he ceased to occupy that dwelling or, where the dwelling is occupied as the home by the former partner who is a lone parent, for so long as it is so occupied.

(2) In this paragraph "dwelling" includes any garage, garden and outbuildings, which were formerly occupied by the applicant as his home and any premises not so occupied which it is impracticable or unreasonable to sell separately, in particular, in Scotland, any croft land on which the dwelling is situated.

31

Any premises where the applicant is taking reasonable steps to dispose of those premises, for a period of 26 weeks from the date on which he first took such steps, or such longer period as is reasonable in the circumstances to enable him to dispose of those premises.

32

Any premises which the applicant intends to occupy as his home, and in respect of which he is taking steps to obtain possession and has sought legal advice, or has commenced legal proceedings, with a view to obtaining possession, for a period of 26 weeks from the date on which he first sought such ad-

vice or first commenced such proceedings whichever is the earlier, or such longer period as is reasonable in the circumstances to enable him to obtain possession and commence occupation of those premises.

33

Any premises which the applicant intends to occupy as his home to which essential repairs or alterations are required in order to render them fit for such occupation, for a period of 26 weeks from the date on which the applicant first takes steps to effect those repairs or alterations, or such longer period as is necessary to enable those repairs or alterations to be carried out.

34

Any payment made by the Secretary of State to compensate for the loss (in whole or in part) of entitlement to housing benefit.

35

The value of the right to receive an occupational or personal pension.

36

The value of any funds held under a personal pension scheme.

37

The value of the right to receive any rent except where the applicant has a reversionary interest in the property in respect of which rent is due.

38

Any payment in kind made by a charity or under or by the Trusts, the Fund, MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006).

39

Any payment made pursuant to section 2 of the Employment and Training Act 1973 or section 2 of the Enterprise and New Towns (Scotland) Act 1990, but only for the period of 52 weeks beginning on the date of receipt of the payment.

40

Any payment in consequence of a reduction of council tax under section 13 of the 1992 Act (reduction of liability for council tax), but only for a period of 52 weeks from the date of the receipt of the payment.

41

Any grant made in accordance with a scheme made under section 129 of the Housing Act 1988 or section 66 of the Housing (Scotland) Act 1988 (schemes for payments to assist local housing authority and local authority tenants to obtain other accommodation) which is to be used--

- (a) to purchase premises intended for occupation as his home; or

- (b) to carry out repairs or alterations which are required to render premises fit for occupation as his home,

for a period of 26 weeks from the date on which he received such a grant or such longer period as is reasonable in the circumstances to enable the purchase, repairs or alterations to be completed and the applicant to commence occupation of those premises as his home.

42

Any arrears of supplementary pension which is disregarded under paragraph 54 of Schedule 8 (sums to be disregarded in the calculation of income other than earnings) or of any amount which is disregarded under paragraph 55 or 56 of that Schedule, but only for a period of 52 weeks from the date of receipt of the arrears.

43

(1) Any payment or repayment made--

- (a) as respects England, under regulation 5, 6 or 12 of the National Health Service (Travel Expenses and Remission of Charges) Regulations 2003 (travelling expenses and health service supplies);
- (b) as respects Wales, under regulation 5, 6 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Wales) Regulations 2007 (travelling expenses and health service supplies);
- (c) as respects Scotland, under regulation 3, 5 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No 2) Regulations 2003 (travelling expenses and health service supplies),

but only for a period of 52 weeks from the date of receipt of the payment or repayment.

(2) Any payment or repayment made by the Secretary of State for Health, the Scottish Ministers or the Welsh Ministers which is analogous to a payment or repayment mentioned in sub-paragraph (1), but only for a period of 52 weeks from the date of receipt of the payment or repayment.

44

Any payment made to such persons entitled to receive benefits as may be determined by or under a scheme made pursuant to section 13 of the Social Security Act 1988 in lieu of vouchers or similar arrangements in connection with the provision of those benefits (including payments made in place of healthy start vouchers, milk tokens or the supply of vitamins), but only for a period of 52 weeks from the date of receipt of the payment.

45

Any payment made under Part 8A of the SSCBA (entitlement to health in pregnancy grant).

46

Any payment made either by the Secretary of State for Justice or by Scottish Ministers under a scheme established to assist relatives and other persons to visit persons in custody, but only for a period of 52 weeks from the date of the receipt of the payment.

47

Any payment (other than a training allowance) made, whether by the Secretary of State or any other person, under the Disabled Persons (Employment) Act 1944 to assist disabled persons to obtain or retain employment despite their disability.

48

Any payment made by a local authority under section 3 of the Disabled Persons (Employment) Act 1958 to homeworkers assisted under the Blind Homeworkers' Scheme.

49

- (1) Subject to sub-paragraph (2), where an applicant falls within class F (alternative maximum council reduction: persons who are not pensioners), the whole of his capital.
- (2) Sub-paragraph (1) does not apply where an applicant falls within class E and class F.

50

- (1) Any sum of capital to which sub-paragraph (2) applies and--
 - (a) which is administered on behalf of a person by the High Court or the County Court under Rule 21.11(1) of the Civil Procedure Rules 1998 or by the Court of Protection;
 - (b) which can only be disposed of by order or direction of any such court; or
 - (c) where the person concerned is under the age of 18, which can only be disposed of by order or direction prior to that person attaining age 18.
- (2) This sub-paragraph applies to a sum of capital which is derived from--
 - (a) an award of damages for a personal injury to that person; or
 - (b) compensation for the death of one or both parents where the person concerned is under the age of 18.

51

Any sum of capital administered on behalf of a person in accordance with an order made under section 13 of the Children (Scotland) Act 1995, or under Rule 36.14 of the Ordinary Cause Rules 1993 or under Rule 128 of those Rules, where such sum derives from--

- (a) award of damages for a personal injury to that person; or
- (b) compensation for the death of one or both parents where the person concerned is under the age of 18.

52

Any payment to the applicant as holder of the Victoria Cross or George Cross.

53

In the case of a person who is receiving, or who has received, assistance under the self-employment route, any sum of capital which is acquired by that person for the purpose of establishing or carrying on

the commercial activity in respect of which such assistance is or was received but only for a period of 52 weeks from the date on which that sum was acquired.

54

- (1) Any payment of a sports award for a period of 26 weeks from the date of receipt of that payment except to the extent that it has been made in respect of any one or more of the items specified in sub-paragraph (2).
- (2) The items specified for the purposes of sub-paragraph (1) are food, ordinary clothing or footwear, household fuel or rent of the applicant or, where the applicant is a member of a family, any other member of his family, or any council tax or water charges for which that applicant or member is liable.
- (3) For the purposes of sub-paragraph (2) "food" does not include vitamins, minerals or other special dietary supplements intended to enhance the performance of the person in the sport in respect of which the award was made.

55

- (1) Any payment--
 - (a) by way of an education maintenance allowance made pursuant to--
 - (i) regulations made under section 518 of the Education Act 1996;
 - (ii) regulations made under section 49 or 73(f) of the Education (Scotland) Act 1980;
 - (iii) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992;
 - (b) corresponding to such an education maintenance allowance, made pursuant to--
 - (i) section 14 or section 181 of the Education Act 2002 (power of Secretary of State and the Welsh Ministers to give financial assistance for purposes related to education or childcare, and allowances in respect of education or training); or
 - (ii) regulations made under section 181 of that Act; or
 - (c) in England, by way of financial assistance made pursuant to section 14 of the Education Act 2002.
- (2) Any payment, other than a payment to which sub-paragraph (1) applies, made pursuant to--
 - (a) regulations made under section 518 of the Education Act 1996;
 - (b) regulations made under section 49 of the Education (Scotland) Act 1980; or
 - (c) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992,

in respect of a course of study attended by a child or a young person or a person who is in receipt of an education maintenance allowance or other payment made pursuant to any provision specified in sub-paragraph (1).

56

In the case of an applicant participating in an employment zone programme, any discretionary payment made by an employment zone contractor to the applicant, being a fee, grant, loan or otherwise, but only for the period of 52 weeks from the date of receipt of the payment.

57

Any arrears of subsistence allowance paid as a lump sum but only for the period of 52 weeks from the date of receipt of the payment.

58

Where an ex-gratia payment of £10,000 has been made by the Secretary of State on or after 1st February 2001 in consequence of the imprisonment or internment of--

- (a) the applicant;
- (b) the applicant's partner;
- (c) the applicant's deceased spouse or deceased civil partner; or
- (d) the applicant's partner's deceased spouse or deceased civil partner,

by the Japanese during the Second World War, £10,000.

59

(1) Subject to sub-paragraph (2), the amount of any trust payment made to an applicant or a member of an applicant's family who is--

- (a) a diagnosed person;
- (b) the diagnosed person's partner or the person who was the diagnosed person's partner at the date of the diagnosed person's death;
- (c) a parent of a diagnosed person, a person acting in place of the diagnosed person's parents or a person who was so acting at the date of the diagnosed person's death; or
- (d) a member of the diagnosed person's family (other than his partner) or a person who was a member of the diagnosed person's family (other than his partner) at the date of the diagnosed person's death.

(2) Where a trust payment is made to--

- (a) a person referred to in sub-paragraph (1)(a) or (b), that sub-paragraph applies for the period beginning on the date on which the trust payment is made and ending on the date on which that person dies;
- (b) a person referred to in sub-paragraph (1)(c), that sub-paragraph applies for the period beginning on the date on which the trust payment is made and ending two years after that date;
- (c) a person referred to in sub-paragraph (1)(d), that sub-paragraph applies for the period beginning on the date on which the trust payment is made and ending--
 - (i) two years after that date; or
 - (ii) on the day before the day on which that person--
 - (aa) ceases receiving full-time education; or
 - (bb) attains the age of 20,

whichever is the latest.

(3) Subject to sub-paragraph (4), the amount of any payment by a person to whom a trust payment has been made or of any payment out of the estate of a person to whom a trust payment has been made, which is made to an applicant or a member of an applicant's family who is--

- (a) the diagnosed person's partner or the person who was the diagnosed person's partner at the date of the diagnosed person's death;
- (b) a parent of a diagnosed person, a person acting in place of the diagnosed person's parents or a person who was so acting at the date of the diagnosed person's death; or
- (c) a member of the diagnosed person's family (other than his partner) or a person who was a member of the diagnosed person's family (other than his partner) at the date of the diagnosed person's death,

but only to the extent that such payments do not exceed the total amount of any trust payments made to that person.

(4) Where a payment as referred to in sub-paragraph (3) is made to--

- (a) a person referred to in sub-paragraph (3)(a), that sub-paragraph applies for the period beginning on the date on which that payment is made and ending on the date on which that person dies;
- (b) a person referred to in sub-paragraph (3)(b), that sub-paragraph applies for the period beginning on the date on which that payment is made and ending two years after that date; or
- (c) person referred to in sub-paragraph (3)(c), that sub-paragraph applies for the period beginning on the date on which that payment is made and ending--
 - (i) two years after that date; or
 - (ii) on the day before the day on which that person--
 - (aa) ceases receiving full-time education; or
 - (bb) attains the age of 20,

whichever is the latest.

(5) In this paragraph, a reference to a person--

- (a) being the diagnosed person's partner;
- (b) being a member of a diagnosed person's family;
- (c) acting in place of the diagnosed person's parents,

at the date of the diagnosed person's death includes a person who would have been such a person or a person who would have been so acting, but for the diagnosed person residing in a care home, an Abbeyfield Home or an independent hospital on that date.

(6) In this paragraph--

"diagnosed person" means a person who has been diagnosed as suffering from, or who, after his death, has been diagnosed as having suffered from, variant Creutzfeld-Jakob disease;

"relevant trust" means a trust established out of funds provided by the Secretary of State in respect of persons who suffered, or who are suffering, from variant Creutzfeld-Jakob disease for the benefit of persons eligible for payments in accordance with its provisions;

"trust payment" means a payment under a relevant trust.

60

The amount of any payment, other than a war pension, to compensate for the fact that the applicant, the applicant's partner, the applicant's deceased spouse or deceased civil partner or the applicant's partner's deceased spouse or deceased civil partner--

- (a) was a slave labourer or a forced labourer;
- (b) had suffered property loss or had suffered personal injury; or
- (c) was a parent of a child who had died,

during the Second World War.

61

(1) Any payment made by a local authority, or by the Welsh Ministers, to or on behalf of the applicant or his partner relating to a service which is provided to develop or sustain the capacity of the applicant or his partner to live independently in his accommodation.

(2) For the purposes of sub-paragraph (1) "local authority" includes in England a county council.

62

Any payment made under regulations made under section 57 of the Health and Social Care Act 2001 or under section 12B of the Social Work (Scotland) Act 1968, or under sections 12A to 12D of the National Health Service Act 2006 (direct payments for health care).

63

Any payment made to the applicant pursuant to regulations under section 2(6)(b), 3 or 4 of the Adoption and Children Act 2002.

64

Any payment made to the applicant in accordance with regulations made pursuant to section 14F of the Children Act 1989 (special guardianship support services).

EXPLANATORY NOTE

(This note is not part of the Scheme)

Section 13A of the Local Government Finance Act 1992 ("the 1992 Act"), substituted by section 10 of the Local Government Finance Act 2012 ("the 2012 Act"), requires each billing authority in England to make a scheme specifying the reductions which are to apply to amounts of council tax payable by persons, or classes of person, whom the authority considers are in financial need.

Haringey Council's Scheme as set out above was approved by the authority on [INSERT DATE]. It is based upon the default scheme prescribed by the Secretary of State, with local amendment.

The Scheme

Parts 1 and 2 contain introductory provisions and definitions of key words and phrases. Part 3 and Schedule 1 contains the procedure for reduction applications and appeals. Parts 4 and 5 specify the classes of person entitled and not entitled to a reduction under the scheme, respectively. At Part 4 a minimum weekly Council Tax Support award of £1 has been introduced.

Parts 6 to 9 and Schedules 2 to 4 set out matters relevant to determining eligibility for a reduction and the amount of reduction under the scheme. Part 7 provides for applicants of working-age to have their Council Tax support assessed against 80.2% of their council tax liability, save for those in receipt of defined disability benefits or responsible for a child in the same household.

Part 10 and Schedules 5 to 10 set out how income and capital of the applicant and others is treated in calculating eligibility for a reduction, including in cases where an applicant or partner has an award of universal credit. Schedules 6 and 8 provide for war pensions to be fully disregarded for the purposes of calculating income for all claimants. Part 11 provides for the application of the scheme to students. Part 12 provides for extended reductions in certain circumstances and Part 13 sets out when entitlement begins and how a change in circumstances affects any reduction.

Part 14 of the scheme provides for the making of an application for a reduction. Part 15 sets out the time within which an authority must make its decision on the application and provides for notification of the decision. Part 16 makes provisions about the payment of a reduction in certain circumstances.

This page is intentionally left blank

GREATER LONDON AUTHORITY
RESOURCES GROUP FINANCE

City Hall
The Queen's Walk
More London
London SE1 2AA
Switchboard: 020 7983 4000
Minicom: 020 7983 4458
Web: www.london.gov.uk

Jon Warlow
Director of Finance (Interim)
CTRS Consultation
London Borough of Haringey
5th Floor, River Park House
225 High Road
London
N22 8HQ

Our ref: CTS
Your ref:
Date: 9 November 2018

Dear Jon

LONDON BOROUGH OF HARINGEY COUNCIL TAX SUPPORT SCHEME 2019-20
CONSULTATION RESPONSE BY GREATER LONDON AUTHORITY

Thank you for the letter of 23 August informing the GLA about the Council's consultation on proposals for the draft council tax support (CTS) scheme for 2019-20. The draft scheme options consulted on are summarised in this letter. This letter sets out the GLA's response to the consultation.

Introduction

As in previous years, the GLA recognises that the determination of council tax support schemes under the provisions of the Local Government Finance Act 2012 are a local matter for each London borough. Individual schemes need to be developed which have regard to specific local circumstances, both in respect of the potential impact of any scheme on working age claimants (particularly vulnerable groups) and, more generally, the financial impact on the council and local council tax payers – and therefore the final policies adopted may, for legitimate reasons, differ across the capital's 33 billing authorities.

This fact notwithstanding the GLA also shares in the risks and potential shortfalls arising from the impact of council tax benefit localisation in proportion to its share of the council tax in each London billing authority. It is therefore important that we are engaged in the scheme development process and have an understanding of both the factors which have been taken into account by boroughs in framing their proposals, as well as the data and underlying assumptions used to determine any forecast shortfalls which will inform the final scheme design.

Framing Proposals

As part of the introduction of council tax support in 2013-14, the Government set out its expectation that, in developing their scheme proposals, billing authorities should ensure that:

- Pensioners see no change in their current level of awards whether they are existing or new claimants;
- They consider extending support or protection to other vulnerable groups; and

- Local schemes should support work incentives and, in particular, avoid disincentives to move into work.

The GLA concurs with those general broad principles and encourages all billing authorities in London to have regard to them in framing their schemes. We note similar principles are enshrined in Haringey's scheme.

Proposed Changes to the 2019-20 Scheme

The Council is consulting on alternative options for changes to its CTS scheme for 2019-20. The Council sets out a preferred option of a combination of changes to prioritise additional support for households with children. This option (Option A) would increase the maximum level of CTS from 80.2% to 100% for working age residents with children, as well as updating the scheme to align with some national welfare changes. Under the Council's proposals, the definition of children includes a 'child' (i.e. a person under the age of sixteen) and a 'young person' (i.e. a person aged between sixteen and nineteen) for whom child benefit is payable.

The scheme's existing means-test for working-age claimants is based on national welfare entitlements in 2013-14. This would be updated to reflect some of the changes to national welfare benefits made by central government since 2013. A summary of these changes to the proposed scheme is outlined below:

- Updating applicable amounts for personal allowances and premiums to reflect increase in the cost of living since 2013
- Updating income brackets used for the second adult rebate
- Updating deduction rates and income bands for non-dependants
- Updating some terminology in the scheme, to reflect changes to the welfare system

The consultation also sets out the alternative options considered, but not proposed, by the Council, as follows:

- No change to the existing CTS scheme (Option B)
- Increase the maximum level of CTS from 80.2% to 100% for all working age claimants (Option C)
- Limit the amount of CTS received in higher value properties to the amount provided in a designated band (Option D)
- Alter the capital savings limit (Option E)

The consultation does not propose adopting any of these options and therefore the GLA's comments below are focussed on the Council's preferred option.

The Council states in its consultation that some residents have increasingly struggled to pay contributions towards their council tax since the introduction of the local CTS scheme in 2013-14. According to the Council, providing additional financial support to residents who have children balances affordability with the need to provide more financial assistance to those in most need. Raising the maximum level of support to 100% for households with families would bring entitlements for these families into line with working age residents in receipt of disability-related benefits.

The GLA notes that as funding for council tax support has been reduced by Government, many schemes across London – although not exclusively – have become less generous in the support they offer to claimants. In contrast, Haringey proposes to increase the level of support offered

for households with children. As such, the scheme would provide a greater level of support to CTS claimants identified by the council as being amongst those in most need.

Given the focus on protecting vulnerable residents, in accordance with the second of the Government's principles outlined above, the GLA is content to support the Councils' broad proposals of Option A. This change would bring the scheme into line with a number of other London boroughs, which provide 100% support to the most vulnerable residents.

The updating of the scheme, to bring it into line with some of the welfare changes implemented by central government since 2013, will, for a small number of claimants, reduce their overall entitlement to support. However, the council states the changes would mean most working age people without children would also receive additional financial support, compared to the current scheme.

In total, the Council estimates the changes would increase the ongoing cost of the scheme, estimated at an additional £1.6 million in 2019-20. All costs would be shared by the GLA, in terms of income foregone, in proportion to the GLA's share of the overall council tax charge for Haringey (in 2018-19 the GLA precept accounts for 18.6% of the borough's overall council tax charge).

For those households entitled to additional support under the new scheme, the 100% level of support would avoid the challenges associated with collecting relatively small sums of money from claimants on low incomes, who may not be in a position to pay by direct debit or other automatic payment mechanisms.

It is however the GLA's view that the proposed changes should be considered in the whole. If one proposed change results in greater savings for the Council that could be used to reduce the need to apply other proposals, then we would encourage the Council to consider doing this as it would help to reduce the financial burden on individuals and families in Haringey who see their CTS entitlement reduced.

Financial Implications of the Proposed 2019-20 Scheme

It would be helpful for the GLA's planning purposes if Haringey could provide us with a forecast total cost for the proposed scheme in 2019-20, based on the forecast 2018-19 caseload, taking into account any developments since the public consultation was launched – ideally apportioning all elements between the GLA and the council having regard to 2018-19 council tax shares. This would also allow the GLA to calculate its share of the cost of the scheme proposed by Haringey.

Technical Reforms to Council Tax

The GLA considers that in formulating its council tax support scheme each billing authority should both consider and address the impact of the additional revenue it is expecting to raise from the technical reforms to council tax introduced in the Local Government Finance Act 2012, which provide greater flexibility in relation to discounts, exemptions and premiums for second and empty homes. The additional revenues from the technical reforms could be used to reduce any shortfalls and thus the sums which need to be recovered from working age claimants via any changes to council tax support.

The GLA understands that in 2018-19 Haringey has the following policies in place:

- For properties requiring or undergoing major repairs or structural alterations (former class A): a 50% discount for a maximum of 12 months

- For properties unoccupied and substantially unfurnished (former class C): a 100% discount for a maximum of 1 month.
- Second homes: a 0% discount
- Long-term empty properties: a 50% premium on properties that have been unoccupied and substantially unfurnished for a continuous period of two years, meaning the full charge of 150% is payable in such cases.

We would encourage the Council to inform us as soon as possible of any changes to its discount policies, in order to assist us in assessing the potential impact on the Mayor's funding and tax base for 2019-20 and future years.

The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act, which received Royal Assent in November 2018, enables councils from April 2019 to charge 100% premiums on properties which have been empty for more than two years. The legislation also gives councils the ability to charge higher premiums in subsequent years for properties which have been empty for longer periods of time. The GLA would encourage councils to take into account potential additional revenues from these reforms when considering the detail of council tax support schemes.

Again, we would encourage the Council to inform us as soon as possible if any changes are proposed to its policies as a result of this new flexibility, in order to assist us in assessing the potential impact on the Mayor's funding and tax base for 2019-20 and future years.

Council Tax Protocol

In recent years the issue of council tax collection practices has become more high profile. The GLA, of course, recognises the importance of ensuring council tax arrears are collected wherever possible. However, in some instances poor collection practices can worsen debt problems for vulnerable residents.

Citizens Advice, in partnership with the Local Government Association, has developed a council tax protocol¹, which outlines a number of practical steps for early intervention to support people struggling with payments. In summary, the Protocol asks that councils:

- work with enforcement and advice agencies to help people pay their council tax bills while accessing debt advice;
- ensure all communication with residents about council tax is clear;
- use the Standard Financial Statement when calculating repayment plans;
- offer flexible payment arrangements to residents;
- do not use enforcement agents where a resident receives council tax support;
- publish their policy on residents in vulnerable circumstances

In London, eight boroughs have now signed up to the protocol and the GLA would encourage all boroughs to consider adopting the protocol.

Providing Information on Schemes

Whilst we recognise that the detailed rules on council tax support schemes are inevitably complex, the GLA would encourage all boroughs to make every effort to set out information on their schemes as clearly as possible. Information that may help potential claimants could include an

¹<https://www.citizensadvice.org.uk/Global/CitizensAdvice/campaigns/Council%20Tax/Citizens%20Advice%20Council%20Tax%20Protocol%202017.pdf>

online calculator, to identify whether potential claimants are likely to be entitled to support, as well as 'Frequently Asked Questions' and a summary document outlining concise details of the scheme. In addition, for existing claimants, we would encourage boroughs to consider how the process for reporting changes in circumstances can be made as straightforward as possible.

Setting the Council Tax Base for 2019-20 and Assumptions in Relation to Collection Rates

The Council will be required to set a council tax base for 2019-20 taking into account the potential impact of the discounts the Council may introduce in respect of council tax support and any potential changes the Council may implement regarding the changes to the treatment of second and empty homes.

The Council will need to make a judgement as to the forecast collection rates from those claimants and council taxpayers affected by any changes to council tax support, taking into account the experience in the first six years of the council tax support arrangements.

The GLA would encourage the Council to provide it with an indicative council tax base forecast as soon as options are presented to members for approval, in order that it can assess the potential implications for the Mayor's budget for police, fire and other services for 2019-20. This should ideally be accompanied by supporting calculations disclosing any assumptions around collection rates and discounts granted having regard to the final council tax support scheme design.

Collection Fund and Precept Payments

By 23 January 2019 the Council is required to notify the GLA of its forecast collection fund surplus or deficit for 2018-19, which will reflect the cumulative impact of the first six years of the localisation of council tax support. The GLA would encourage the council to provide it with this information as soon as it is available.

I would like to thank you again for consulting the GLA on your proposed council tax support options for 2019-20.

Yours sincerely



Martin Mitchell
Finance Manager

Strategic Finance

Jon Warlow Director of Finance



c/o Martin Mitchell
GLA Group Finance Manager,
Resources Directorate
Greater London Authority
City Hall
The Queen's Walk
London SE1 2AA

Date: 29 November 2018

Your ref:

Our ref:

Dear Martin,

Thank you for your submission, dated 9 November 2018, to the Council's consultation on proposed changes to the 2019/20 Council Tax Reduction Scheme.

We welcome your indication of support for the first element of the preferred option, which would extend the maximum level of Council Tax Reduction from 80.2% to 100% for working age residents with children. Your submission recognises that the Council is focused on protecting vulnerable residents and that one of the Government's principles requires billing authorities to consider extending support or protection to other vulnerable groups.

You also make reference to the second element of the Council's preferred option, which would update the scheme to align with some national welfare changes.

Your submission assesses that, taking the two elements of the Council's preferred option together, the GLA is supportive of the proposals as they seek to reduce the financial burden on vulnerable residents.

In relation to the requests for additional financial and policy information, the Council will respond in accordance with the usual timeline for reporting to the GLA. In relation to the Council Tax Protocol, the Council is looking to further develop its approach to ethical practices.

Once again I would like to take this opportunity to thank you for submission to the consultation. We will notify you of the outcome of the final decision, which takes place on 31 January 2019.

Yours sincerely,

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke, representing Jon Warlow.

Jon Warlow

CTRS Consultation

5th floor, River Park House
225 High Road, Wood Green
London N22 8HQ

T 020 8489 2686

E jon.warlow@haringey.gov.uk

www.haringey.gov.uk

This page is intentionally left blank

Report for: Full Council, 31 January 2019

Title: Changes to Council Tax Discounts for Unoccupied and Unfurnished Properties and Vacant Properties requiring or undergoing Major Repair or Structural Alteration

Report authorised by : Jon Warlow, Director of Finance

Lead Officer: Jon Warlow, Director of Finance

Ward(s) affected: All wards

1. Describe the issue under consideration

The report summarises the proposed cessation of two of the Council's discretionary Council Tax discounts related to (i) unoccupied and unfurnished properties, and (ii) vacant properties requiring or undergoing major repair or structural alteration. On 14 August 2018, the Cabinet recommended that Full Council adopts the proposal on 31 January 2019.

2. Cabinet Member Introduction – Cllr Berryman, Cabinet Member for Finance

- 2.1 Our manifesto was clear that we are committed to redistributing the burden of Council Tax, ensuring the greatest weight is placed on the broadest shoulders. This includes exploring and evaluating the scope of the existing discretionary reliefs we provide in the borough to ensure that we are targeting support at those residents in particular need.
- 2.2 We have had to raise more money and spend more efficiently just to stand still. In Haringey, we have maintained a balanced budget despite significant cuts to our funding. However, until there is a change in government, we will face further restrictions on our ability to support residents in acute need.
- 2.3 In this financial context, we believe it is right to cease providing two of the Council's discretionary Council Tax discounts. Since 2013, a number of our neighbouring boroughs have ceased the discounts.
- 2.4 The proposal will create significant savings for the Council and contribute to the delivery of vital services and support for the most vulnerable residents.

3. Recommendations

- 3.1 That the Full Council follows the recommendation of the Cabinet on 14 August 2018 to cease two of the Council's discretionary Council Tax discounts from 1 April 2019, namely for:

- Unoccupied and substantially unfurnished properties; and
- Vacant properties that either require or are undergoing major repair work to render them habitable; that have undergone such work in the past six months; or that are undergoing structural alteration.

4. Reasons for decision

- 4.1 The two Council Tax discounts are at the Council's discretion. The administration has indicated a desire to appraise the existing fleet of discretionary powers given the continuing need to make savings to the wider budget.
- 4.2 Abolishing the two Council Tax discounts would generate an estimated saving of £462,800 per year, which would support the Council's Medium Term Financial Strategy and help mitigate its funding pressures.
- 4.3 Under the current arrangements, an unoccupied and furnished property receives no Council Tax discount, while an unoccupied and unfurnished property receives the discount. The Council seeks to address the imbalance and bring the arrangements in line with those for unoccupied and furnished properties.
- 4.4 Some of the Council's neighbouring boroughs, such as LB Enfield, LB Islington and LB Barnet have abolished both Council Tax discounts. Therefore, the proposal would bring Haringey in line with its neighbouring boroughs.
- 4.5 It is recognised that Council Tax payers who currently claim these discounts are unlikely to be making full use of Council services whilst the property is unoccupied. However, Council Tax is not charged on the basis that every payer will use every service and Council services do not stop or reduce in cost when a property becomes empty.
- 4.6 There are a number of means of reducing or eliminating Council Tax liability available and that would not be affected by the recommendation. For example, the exemption following the death of the occupant, the single person discount and disregards for students or those detained in hospital.

5. Alternative options considered

No Change

- 5.1 The Council could choose not to abolish its Council Tax discount for either (i) unoccupied and unfurnished properties, or (ii) vacant properties requiring or undergoing major repair or structural alteration.
- 5.2 This is not proposed because the Council is under significant financial pressure to deliver a sustainable Medium Term Financial Strategy. Abolishing the Council Tax discounts would generate substantial savings to the Council.

Remove only one of the discounts

- 5.3 Removing only the discount for unoccupied and unfurnished properties would generate an estimated saving of £341,300 per year. Removing only the discount for vacant properties requiring or undergoing major repair or structural alteration would generate an estimated saving of £121,500 per year.
- 5.4 This is not proposed because the Council is under significant financial pressure to deliver a sustainable Medium Term Financial Strategy. Abolishing both Council Tax discounts would generate substantial savings to the Council.

Extend the scope of the Discounts

- 5.5 This is not proposed as it would increase the level of funding pressures already upon the Council and would not be consistent with its policy objectives.

6. Background information

- 6.1 In 2013, Councils were given the power to set their own Council Tax discounts for (i) unoccupied and unfurnished properties and (ii) vacant properties requiring or undergoing major repair or structural alteration.

Unoccupied and unfurnished properties

- 6.2 Under the current Haringey Council Tax Discount arrangements, Council Tax payers can receive 100% Council Tax reduction for a maximum period of one month if their unoccupied property is unfurnished. If the property remains unoccupied and unfurnished after one month then the full Council Tax charge is due.
- 6.3 In the event that the property remains unoccupied and unfurnished for a period of two years, a premium becomes due and the Council Tax will increase.
- 6.4 In contrast, properties that are unoccupied and furnished do not receive a reduction in Council Tax.

Table 1.1 – Unoccupied and unfurnished properties discount – uptake and cost (2015/16-2017/18)

Year	Number of transactions	Total value of CT discount transactions granted (£)
2015/16	6,308	339,000
2016/17	5,227	308,400
2017/18	5,552	338,000

Vacant properties requiring or undergoing major repair or structural alteration

- 6.5 As with the unoccupied and unfurnished discount currently offered, in April 2013 the Council introduced a new local discount for vacant properties that require or are undergoing major repair and or structural alterations.

- 6.6 Council Tax payers can receive a 50% Council Tax reduction for a maximum period of 12 months.

Table 1.2 – Vacant properties requiring or undergoing major repair or structural alteration – uptake and cost (2015/16-2017/18)

Year	Number of transactions	Total value of CT discounts granted (£)
2015/16	1,111	135,400
2016/17	951	109,400
2017/18	859	121,200

7. Contribution to strategic outcomes

- 7.1 The proposal contributes to the Council's Medium Term Financial Strategy as it provides significant savings, which can be used to support the delivery of future services.

8. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

8.1 Finance

- 8.1.1 Abolishing the two Council Tax discounts would generate an estimated saving, including administration savings, of £462,800 which would support the Council's Medium Term Financial Strategy and help mitigate its funding pressures.

8.2 Procurement

- 8.2.1 Strategic Procurement notes the contents of this report; however there are no procurement implications.

8.3 Legal

- 8.3.1 The Assistant Director of Corporate Governance has been consulted on this report.
- 8.3.2 Section 11A(4A) of the Local Government Finance Act 1992 gives the Council the power to determine council tax discounts for prescribed classes of dwellings, which may be set anywhere between 0% and 100% based on local circumstances. The Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 provide that a Class C dwelling is one that is unoccupied and substantially unfurnished. A Class D dwelling is one that is vacant and either requires or is undergoing major repair work to render it habitable; has undergone such work in the past six months; or is undergoing structural alteration.
- 8.3.3 This report recommends using that power to remove two discretionary discounts. Any such determination will be made by Full Council.

8.3.4 There is no statutory requirement for consultation. However, section 11A(6) of the Local Government Finance Act 1992 requires that the determination be published in a local newspaper within 21 days of the determination.

8.3.5 The Council must ensure that it has due regard to its Public Sector Equality Duty (PSED) under the Equality Act 2010 in considering whether to maintain, change or remove the discounts.

8.4 Equality

8.4.1 The Council has a public sector equality duty under the Equality Act 2010 to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and other conduct prohibited by or under the Equality Act, of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
- advance equality of opportunity between people who share those protected characteristics and people who do not;
- foster good relations between people who share those characteristics and people who do not.

8.4.2 The decision relates to two discretionary Council Tax discounts. For the people who currently benefit from those discounts, the Council has records only of their names and the nature of the property they are inhabiting. Therefore, the protected characteristics of those individuals receiving the discounts are currently unknown. This is because the discounts relate to the circumstances of properties in a specific time period, rather than to the circumstances of the people.

8.4.3 In relation to the nature of the property, the Council can break down current properties receiving the discounts as:

- Haringey-owned vacant properties;
- Housing Association properties;
- Private individual-owned properties; or
- Company-owned properties

8.4.4 The Council holds data on individuals and groups who share protected characteristics for the borough as a whole. This information is available publicly on the Council's website (https://www.haringey.gov.uk/sites/haringeygovuk/files/equalities_profile_of_haringey.pdf). However, a comparatively small number of individuals currently receive the discounts. Therefore, it is not considered possible to state with any reasonable degree of certainty whether or not the people currently benefitting from the discounts reflect the population as a whole.

8.4.5 It is considered reasonable to suggest that:

- a) It is unlikely that there would be many recipients under the age of eighteen who have unoccupied properties and currently benefit from the discount, therefore children are unlikely to be disproportionately impacted by the decision; and
- b) There is no reason to think that any other group who share a particular protected characteristic would be overrepresented in the cohort of recipients of the two Council Tax discounts or disproportionately impacted by their removal.

8.4.6 When administering Council Tax, the Council seeks to identify vulnerabilities and respond appropriately. The Council will continue to monitor the impact of the proposed changes.

8.4.3 As part of the Council's procedures to respond appropriately to identified vulnerabilities, it promotes and implements a range of discounts, disregards and exemptions, which seek to support residents who cannot pay the full Council Tax liability. The Council will continue to promote these relief options to maximise uptake and help residents who need additional financial support.

9. Use of Appendices
N/A

10. Local Government (Access to Information) Act 1985

Background Documents:

Report for Cabinet, 14 August 2018

Report for: Full Council, 31 January 2019

Title: Changes to Council Tax Premium for Long-Term Empty Dwellings

Report

authorised by : Mark Rudd, Assistant Director, Corporate Resources

Lead Officer: Carla Segel, Head of Service Delivery

Ward(s) affected: All wards

Report for Key/

Non Key Decision: Full Council

1. Describe the Issue under Consideration

- 1.1 This report summarises the proposed increase to the Council Tax premium currently charged on long-term empty dwellings. It is proposed that the premium would be increased from 50% to 100% from 1 April 2019.

2. Cabinet member Introduction

- 2.1 Our manifesto was clear that we are committed to redistributing the burden of Council Tax, ensuring the greatest weight is placed on the broadest shoulders. This includes exploring and evaluating the scope of the existing discretionary reliefs we provide in the borough to ensure that we are targeting support at those residents in particular need.
- 2.2 We have had to raise more money and spend more efficiently just to stand still. In Haringey, we have maintained a balanced budget despite significant cuts to our funding. However, until there is a change in government, we will face further restrictions on our ability to support residents in acute need.
- 2.3 In this financial context, we believe it is right to increase the premium payable on long-term empty properties.
- 2.4 The proposal will create additional income for the Council and contribute to the delivery of vital services and support for the most vulnerable residents.

3. Recommendations

- 3.1 To increase the premium charged on long-term empty dwellings from 50% to 100% from 1 April 2019.

4. Reasons for Decision

- 4.1 Since 2013, councils have been given the discretionary power to charge a premium on dwellings deemed to be 'long-term empty', i.e. properties which have been unoccupied and substantially unfurnished for at least two years. At present, the amount of Council Tax payable for such properties can be increased by 50%, so that the payer is liable to pay a total of 150% Council Tax.
- 4.2 The legislation has recently been changed to give councils the power to increase the premium from 50% to 100% from 01 April 2019. This means that the total amount of Council Tax payable for such properties could be increased from 150% to 200%.
- 4.3 Increasing the premium to 100% has the potential to bring in additional income which would support the Council's Medium Term Financial Strategy and help mitigate its funding pressures.
- 4.4 Some of the Council's neighbouring boroughs, such as LB Enfield, LB Islington and LB Barnet currently charge the maximum existing premium of 50% and are also considering increasing this to a 100% premium following the change in legislation. Therefore, the proposal is likely to mean Haringey is acting in line with its neighbouring boroughs.
- 4.5 It is recognised that Council Tax payers who are liable to pay the premium are unlikely to be making full use of Council services whilst the property is long-term empty. However, Council Tax is not charged on the basis that every payer will use every service and Council services do not stop or reduce in cost when a property becomes long-term empty.
- 4.6 In addition, an increased premium may encourage residents to bring long-term empty properties back into use. There is shortage of housing in the area and so there is potential for long-term empty dwellings to be put to better use if used to increase the available housing. This would in turn reduce the pressure on housing stock.
- 4.7 Some properties are exempt from the premium by statute and this will not change:
- A property which would be the sole/main residence of a person but which is empty while that person resides in accommodation provided by the Ministry of Defence by reason of their employment (e.g. service personnel posted away from home).
 - A dwelling forming part of a single property, where other parts of the property are used as a sole or main residence.
- 4.8 The Council will continue to have the means to reduce or eliminate Council Tax liability, for example to cater for cases of exceptional hardship.

5. Alternative Options Considered

No change or increasing the premium to less than 100%

- 5.1 The Council could choose not to extend the premium and leave it at 50%, or to increase the premium to more than 50% but less than 100%.
- 5.2 This is not proposed because the Council is under significant financial pressure to deliver a sustainable Medium Term Financial Strategy. Increasing the Council Tax premium to 100% would generate additional income for the Council.
- 5.3 In addition, increasing the premium to the maximum 100% may encourage residents to bring long-term empty properties back into use which could in turn lead to an increase in available housing.

Removing or reducing the existing premium

- 5.4 The Council could choose to remove or reduce the existing premium.
- 5.5 This is not proposed because the Council is under significant financial pressure to deliver a sustainable Medium Term Financial Strategy. Removing or reducing the Council Tax premium would reduce the Council's income.
- 5.6 In addition, removing or reducing the premium may reduce the incentive for residents to bring long-term empty properties back into use.

6. Background Information

- 6.1 Since April 2013, Councils have had the power to charge a premium on long-term empty properties. This meant that such Council Tax payers could be charged a maximum of 150% Council Tax. The Council adopted this change and since April 2013 has charged 150% council tax on long-term empty properties.
- 6.2 From 01 April 2019, Councils will have the power to increase the premium from 50% to 100%, and thereby increase the total Council Tax payable on long-term empty dwellings from 150% to 200%. Time prior to 01 April 2019 will count towards the 2-year period for determining that a property is long term empty.
- 6.3 The following table shows the number of long-term empty properties and the resulting 50% premium that has been collected on them.

Year	Number of Long-Term Empty Properties	Amount collected from the additional 50% premium (£)
2015/16	288	69,837
2016/17	499	81,277
2017/18	504	92,900

- 6.4 Increasing the 50% premium to 100% has the potential to double the amount collected. However it should be noted that this sum reflects the total collection for the year on this transient group and it is to be expected that property statuses will change over the course of a year. Therefore, although an increase in the amount collected would be expected, it cannot be guaranteed that the amount collected would double.
- 6.5 Information about long-term empty properties is mainly received via Change of Address forms. An assumption is made that rented properties are empty when a tenant vacates and the system is updated with this data. Monthly reviews of properties marked as long-term empty are conducted and when a property hits the 2-year period a revised bill is sent out.

7. Contribution to Strategic Outcomes

- 7.1 The proposal contributes to the Council's Medium Term Financial Strategy as it provides a potential income stream, which can be used to support the delivery of future services.

8. Statutory Officers Comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

Finance

- 8.1 In 2017/18, the Council received £92,900 from the long-term empty property premium, therefore it is expected that an increase to this as a result of the proposed change would generate further income which would support the Council's Medium Term Financial Strategy and help mitigate its funding pressures. However, it is not possible to say that the income from the premium would double.

Procurement

- 8.2 Strategic Procurement notes the contents of this report; however there are no procurement implications.

Legal

- 8.3 The Assistant Director of Corporate Governance has been consulted on this report.

- 8.4 Section 11B of the Local Government Finance Act 1992 will give the Council the power to increase the amount of Council Tax payable in respect of long-term empty dwellings by up to 100% from 1 April 2019. A long-term empty dwelling is one that has been unoccupied and substantially unfurnished for at least two years.
- 8.5 This report recommends using that power to increase the amount of Council Tax by 100%. Any such determination must be made by Full Council.
- 8.6 There is no statutory requirement for consultation. However, section 11B(6) of the Local Government Finance Act 1992 requires that the determination be published in a local newspaper within 21 days of the determination.
- 8.7 The Council must ensure that it has due regard to its Public Sector Equality Duty (PSED) under the Equality Act 2010 in considering whether to maintain, change or remove the discounts.
- 8.8 Under regulation 16 of the Council Tax (Administration and Enforcement) Regulations 1992, residents have a duty to inform the Council within 21 days if they have been informed that an assumption has been made about the applicability of a discount or premium, and they have reason to believe that has changed.

Equality

- 8.9 The Council has a public sector equality duty under the Equality Act 2010 to have due regard to the need to:
- Eliminate discrimination, harassment, victimisation and other conduct prohibited by or under the Equality Act, of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
 - Advance equality of opportunity between people who share those protected characteristics and people who do not;
 - Foster good relations between people who share those characteristics and people who do not.
- 8.10 The decision relates to the increase of an existing Council Tax premium on long-term empty properties. For the people who currently pay the 150% premium, the Council has records only of their names and the nature of the property they are inhabiting. Therefore, the protected characteristics of those individuals are currently unknown. This is because the premium relates to the circumstances of properties in a specific time period, rather than to the circumstances of the people.
- 8.11 In relation to the nature of the property, the Council can break down current properties as:
- Haringey-owned vacant properties
 - Housing Association properties
 - Private individual-owned properties
 - Company-owned properties

- 8.12 The Council holds data on individuals and groups who share protected characteristics for the borough as a whole. This information is available publicly on the Council's website:

(https://www.haringey.gov.uk/sites/haringeygovuk/files/equalities_profile_of_haringey.pdf). However, a comparatively small number of individuals currently pay a long-term empty property premium, therefore, it is not considered possible to state with any reasonable degree of certainty whether or not the people currently paying the existing 150% premium reflect the population as a whole.

- 8.13 It is considered reasonable to suggest that:

- It is unlikely that there would be many residents under the age of eighteen who have long-term empty properties, therefore children are unlikely to be disproportionately impacted by the decision
- There is no reason to think that any other group who share a particular protected characteristic would be overrepresented in the cohort of residents who will be impacted by this change.

- 8.14 When administering Council Tax, the Council seeks to identify vulnerabilities and respond appropriately. The Council will continue to monitor the impact of the proposed changes.

- 8.15 As part of the Council's procedures to respond appropriately to identified vulnerabilities, it promotes and implements a range of discounts, disregards and exemptions, which seek to support residents who cannot pay the full Council Tax liability. The Council will continue to promote these relief options to maximise uptake and help residents who need additional financial support.

9. Use of Appendices

- 9.1 N/A

10. Local Government (Access to Information) Act 1985

- 10.1 Background Documents:
Report for Cabinet, 22 January 2019