

Report for: Cabinet – 13 November 2018

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

Report authorised by : Helen Fisher

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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 to be confirmed

3 Recommendations

- 3.1 Cabinet is asked to:
 1. Recommend approval of the NLWP (set out in Annex 1) for publication, consultation and subsequent submission to the government;
 2. Agree that the Director of Regeneration and Planning in consultation when appropriate with the Member for Planning, and in conjunction with the other north London boroughs, are authorized 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;
 3. Refer this matter and report to the meeting of the Council in November 2018 for consideration.

4 Reasons for decision

- 4.1 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.

5 Background

- 5.1 In July 2015 Haringey council agreed that the draft NLWP should be published for consultation.
- 5.2 The draft NLWP (“the Draft Plan”) consultation 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.
- 5.3 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.
- 5.4 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.
- 5.5 A total of 213 representations were received. An interim report on the draft NLWP consultation was published on the NLWP website.

Results of consultation

- 5.6 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.
- 5.7 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.
- 5.8 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.

- 5.9 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.
- 5.10 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?

- 5.11 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.
- 5.12 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.
- 5.13 The revised approach to new land is to focus on existing, well-established industrial land, and areas which performed well against the assessment criteria, while achieving a better geographical spread. 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.
- 5.14 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.

5.15 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

5.16 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.

5.17 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.

5.18 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?

5.19 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

5.20 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

5.21 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

5.22 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

5.23 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(1)

¹ The existing Edmonton EfW only accepts LACW, however the replacement facility may be able to take C&I. Should this be the case, the Edmonton facility would assist in meeting Recovery requirements during the plan

Recycling (C&I)	1(1)	1(1)		1	3(2)
Recycling (C&D)	0	2	3		5
Recycling (Hazardous)	2				2
Treatment HIC, CDE	1				1
TOTAL land required in North London	7 (2)	6 (0)	5 (0)	3 (0)	12 (3)

5.24 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.

5.25 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.

5.26 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.

5.27 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.

5.28 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 is 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

5.29 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.

5.30 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

period. Although a short term need is identified, it is unlikely this would be built within a time frame that would meet this need.

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.

5.31 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	5.8	Haringey
Friern Barnet Sewage Works/ Pinkham Way	15.32	Haringey
Argall Avenue	26.41	Waltham Forest

5.32 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

Policies

5.33 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

- 5.34 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.

6 Alternative options considered

- 6.1 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.
- 6.2 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, the option not to continue and to commence with a Haringey only Waste Local Plan has therefore been dismissed.

7 Contribution to strategic outcomes

- 7.1 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.

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

Finance

- 7.2 The North London Boroughs Memorandum of Understanding (MoU) sets out the cost of North London Waste Plan, and how it is shared equally among the seven boroughs who have all been involved in drawing up the budget.
- 7.3 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.
- 7.4 The estimated cost to each member borough is as shown in the table below:

	2018/19	2019/20	2020/21
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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

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.

A specific budget for this will need to be set in the subsequent years.

Procurement

7.5 There are no procurement implications.

Legal [Ben Burgerman, Planning and Regeneration Specialist Lawyer]

7.6 The Assistant Director of Corporate Governance had reviewed and noted this report.

7.7 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 will be carried out, makes Camden the lead borough and deals with financial matters and dispute resolution.

7.8 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).

7.9 As a development plan document full Council has the power to approve the Draft Plan prior to submission to the Secretary of State of for the public examination.

Equality

7.10 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.

7.11 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.

7.12 The Council has consulted with residents on the designation of the boundary and forum and the outcome of the consultation is summarised in this report. Some respondents to the consultation note that were a neighbourhood forum designated and a neighbourhood plan brought forward, there is potential to bring about positive impacts on local environmental quality and health and wellbeing outcomes for residents.

7.13 An Equality Impact Assessment has been carried out on the NLWP and is publically available at www.nlwp.net

8 Use of Appendices

- Appendix 1: North London Waste Plan Pre-Submission Document

9 Local Government (Access to Information) Act 1985

None