

GREATER LONDON AUTHORITY
Development, Enterprise and Environment

Jamie Blake

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Our ref: blake0709

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By email: Jamie.blake@barnet.gov.uk

Dear Jamie

I am writing in response to the correspondence received from your Leader's office on 8th and 9th August, and 3rd September. I am responding principally to set out some clarification of the matters raised in your technical letter of 9th August and that you are again raising with members of the committee in your papers for their next meeting on the 13th September.

Firstly, I would make a general point. In the letter sent by the Mayor on 27th June, the Mayor made it clear that he wished to be furnished with the full range of information that had been utilised by officers and Environment Committee members to allow them to make the decision to withdraw the food waste collection service. Given that request, we worked on the assumption that what you provided was the totality of the information used to make the decision.

A subsequent offer was made by you to host a visit to demonstrate how the existing services are structured. This was in response to a number of follow up clarifications from GLA officers. Given the short timescales and need to act with speed, this offer was not taken up and the basic information sought by GLA officers was sourced from other, publicly available information. For the avoidance of doubt, such a visit would not have impacted in any material way the information requests made and the issue of the sufficiency of the decision-making process itself.

Following the confirmation in your 3rd September letter that this matter is to be put before the Environment Committee at a meeting on September 13th, I would be grateful if this letter and the attached response to the technical issues raised is copied to the Chair and members of the Environment Committee before the meeting.

I would also be grateful if you would emphasise to Members that the Mayor too has had Leading Counsel's advice since we became aware of Barnet's intentions and is confident of the legal basis of the Mayor's powers of intervention in these particular circumstances. Proposal 7.2.1(a) is not aspirational but a key, clear and definite requirement of the London Environment Strategy. It sets a minimum level of service: that all properties with kerbside recycling collections are to receive a separate weekly food waste collection and that boroughs must demonstrate how they will meet that level of service by 2020 at the latest. Boroughs are required to demonstrate how they will comply with this minimum service level in their Reduction and Recycling Action Plans, required by Proposal 7.2.1(b). Ending the food waste collection service without thoroughly looking at alternatives is not compatible

with that aspect of the Strategy, which not only contributes to Policy 7.2.1 by increasing recycling rates but is also a requirement in its own right. Requiring compliance will not prejudice or conflict with any other part of the Strategy and will not be more onerous than any of its policies and proposals. Instead expecting compliance corresponds exactly to the minimum service level set by of the Strategy.

We have also been advised there is no legal basis for your demand for compensation for keeping the service going from 5th June 2018.

In addition, you have now confirmed that the Environment Committee is reconsidering its decision at its next meeting. The Mayor requests confirmation as soon as possible after the meeting and by no later than 5pm Friday, 14th September of the Committee's exact decision including the details of any other information and advice (written or oral) considered by the Committee members in arriving at its decision.

I once again advise you, as indicated in the Mayor's letter of 27th June (and the terms of the draft Direction you have been consulted on) that in the event the Mayor decides to direct, the terms of the Direction will require that any intervening withdrawal of the service is reversed for 4 months while a food recycling collection service review takes place. Again, I would re-iterate the purpose of the offer of a fully funded independent review is to find a means by which your residents can recycle their food waste in an efficient, effective and economic manner and meet the relevant service level requirements of the Strategy. To be clear, maintaining the collection is for a limited period while the study is carried out. The Mayor is still open to Barnet coming forward with constructive suggestions on reviewing the food waste collection service to consider whether a more economical way of separate food waste collection can be found in the longer term without resorting to the use of his statutory powers.

The responses to your various technical points you raised in your letter of the 9th August are provided overleaf as an appendix to this letter.

Yours sincerely



Lucy Owen
Interim Executive Director – Development Enterprise & Environment