



## Policy and Resources Committee

9<sup>th</sup> February 2022

<b>Title</b>	<b>North London Waste Plan (Adoption)</b>
<b>Report of</b>	Chairman of the Policy and Resources Committee
<b>Wards</b>	All Wards
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Key</b>	Yes
<b>Enclosures</b>	Appendix A: Inspector's Report Appendix B: North London Waste Plan
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### Summary

Seven North London Boroughs have prepared the North London Waste Plan (NLWP). The NLWP has two main purposes: ensuring adequate provision of suitable land to accommodate appropriate waste management facilities up to 2035; and to provide policies against which planning applications for waste development will be assessed. The NLWP aims to achieve net self-sufficiency in waste and to maximise recycling to achieve the recycling targets set out in the London Plan. Progressing the NLWP is necessary to protect Barnet from potentially unsuitable waste development proposals which would be difficult to

resist without an adopted Plan.

In December 2018 the Council approved to publish the draft North London Waste Plan for public consultation and submission to the Government for Examination. In October 2020 the Council agreed to further modifications to the NLWP as a result of issues raised at the Examination held in November 2019.

The Inspector's Report (attached as Appendix A to this report) confirms that the Plan has passed the Examination and it can now, with recommended modifications, proceed to adoption by the Council.

## **Officers Recommendations**

**That the Policy and Resources Committee:**

- 1. Note the content of this report and the Inspector's Report on the North London Waste Plan (set out in Appendix A);**
- 2. Agree to refer the North London Waste Plan (at Appendix B) to the Council meeting of 1<sup>st</sup> March 2022 for adoption.**

### **1. WHY THIS REPORT IS NEEDED**

#### **What is the North London Waste Plan?**

- 1.1 As a waste planning authority (WPA), the Council is responsible for producing waste local plans that cover the land use planning aspect of waste management for its area line with the Waste Management Plan for England.
- 1.2 To ensure that the Council meets this requirement and has up-to-date planning policies for waste, 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 ('NLWP'). The NLWP covers the period 2021 to 2036 and, once adopted, it will form part of the statutory Development Plan for these areas.
- 1.3 The purpose of the NLWP is firstly to ensure to ensure that new waste facilities are directed towards the most suitable areas in North London, to protect the environment and the amenity of local residents, and that the Boroughs' identified waste management needs are met; and secondly to provide policies against which planning applications for waste development will be assessed, alongside other relevant planning policies/guidance.

#### **Consultation on the NLWP**

- 1.4 In April-June 2013, the North London Boroughs invited representations about what the NLWP ought to contain, and a series of Focus Group events were held in 2014 to further develop the Draft NLWP.

- 1.5 The Draft NLWP consultation took place over a nine-week period between July and September 2015. The Draft NLWP 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.
- 1.6 The Boroughs consulted on the Proposed Submission NLWP in Spring 2019. The Proposed Submission NLWP took account of comments made on the Draft Plan as well as an updated Data Study and changes to national, regional and local policies.
- 1.7 Following approval of the Submission NLWP by the Policy and Resources Committee on 11<sup>th</sup> December 2018, the NLWP was submitted to the Secretary of State for Examination by a Planning Inspector in August 2018. Public hearings of the Examination took place in November 2019.
- 1.8 In response to the issues raised in the Examination, the North London Boroughs prepared a Schedule of Proposed Modifications to the NLWP. These were published for consultation between October and December 2020. The Boroughs provided the Inspector with responses to representations on Main Modifications. These helped to inform the recommendations in Inspector's Report.
- 1.9 The Inspector's Report was issued on October 30<sup>th</sup> 2021 (attached as Appendix A) and it confirms that the NLWP has passed the examination and it can now, with recommended modifications, proceed to adoption by the Council.
- 1.10 This report therefore seeks adoption of the NLWP (incorporating the main modifications recommended by the Inspector), as set out in Appendix B to this report. Following Local Plan adoption, the map changes associated with the NLWP will be captured.

### **What is in the NLWP?**

- 1.11 The chosen approach to future waste management in North London is to meet the area's waste management needs by identifying existing capacity and land for new 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.

#### *Spatial principles*

- 1.12 The NLWP is underpinned by the following spatial principles:
  - a) Make use of existing sites
  - b) Seek a better 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

- 1.13 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 Priority Areas.
- 1.14 In addition, the London Plan sets recycling and recovery targets which have been built into the NLWP as follows:

Waste stream	Target	2016 baseline
LACW	Contributing towards 65% recycling of municipal waste by 2030	27%
C&I	Contributing towards 65% recycling of municipal waste by 2030	44%
C&D	95% reuse/recycling/recovery	93%
Excavation	95% beneficial use	Not known
Biodegradable or recyclable waste	Zero biodegradable or recyclable waste to landfill by 2026	Not known

- 1.15 The capacity gap is the difference between projected waste arisings and existing/ pipeline capacity. There is not enough waste management capacity in North London to deal with the amount of LACW, C&I and hazardous waste projected. There is sufficient capacity to meet the projected amount of C&D waste arisings over the plan period. The capacity gaps / surplus over the plan period for each main waste stream is summarised in the table below.

Waste Stream	Capacity	2020	2025	2030	2035
LACW/C&I	Capacity gap	-101,218	-78,013	-125,058	-174,579
C&D	Capacity surplus	+175,640	+156,690	+136,956	+116,404
Hazardous	Capacity gap	-49,169	-49,169	-49,169	-49,169

- 1.16 To meet the capacity gaps, the North London Boroughs will seek opportunities for new capacity through intensification of existing sites and/or new facilities. The capacity gaps represent approximately 6.4 hectares of land, but the amount of land required depends on the type of facility and the technology being used. New technologies may come forward during the plan period which require less land. The NLWP policies will help maximising the capacity of a site while mitigating any environmental impacts. The land required is indicative only and new capacity will be monitored rather than land. To meet higher recycling targets, there is a need for additional recycling capacity for both LACW and C&I waste streams throughout the plan period.

### *Existing sites*

- 1.17 The plan safeguards the waste management capacity of existing waste sites and permits expansion or intensification of operations at existing waste sites where the proposal is in line with the relevant aims and policies. Existing waste sites are safeguarded for waste use in the London Plan and also through the NLWP.
- 1.18 Most Local Authority Collected Waste is managed at the Edmonton EcoPark facility. The existing Edmonton facility is scheduled to be replaced in 2025. The North London Waste Authority (NLWA) has received a Development Consent Order (DCO) 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. It should be noted that there have been public concerns and protests expressed about the proposed new Energy from Waste (EfW) facility in Edmonton. However, the existing Edmonton facility is outdated, and there is currently no cheaper or more suitable alternative to EfW for managing residual waste. The NLWP is not reliant on the new EfW to meet its objectives. The NLWP takes into account the North London Waste Authority (NLWA) plans for the EfW but does not proscribe what technology should be used. If the EfW does not proceed, the site at Edmonton will remain available for an alternative waste management facility. Scaling back the planned EfW would cause significant delays as remodelling work would need to be undertaken and a new DCO would need to be submitted. Any change to the NLWA strategy would be taken into account in the next iteration of the NLWP.

### *Priority Areas for new waste facilities*

- 1.19 The NLWP takes an area-based approach to waste planning with no individual sites allocated for new waste facilities. An area-based approach is to one which identifies areas which comprise 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 uses. The NLWP directs new waste facilities towards locations assessed and selected as the most suitable in North London which are identified as "Priority Areas".
- 1.20 The identification of 'Priority Areas' allows for flexibility in bringing forward a range of locations across North London, allowing for a better geographic spread of opportunities for future waste development that is consistent with the spatial principles of the plan to meet North London's requirement.
- 1.21 In order to deliver the strategic objective of a better geographical spread of facilities, each Borough's current contribution to waste management capacity in North London was calculated. In order to address concerns that there is an over-concentration of waste facilities in Enfield and promote a better geographic spread of waste facilities in North London, the number of Priority Areas within Enfield has been limited.

1.22 The following Priority Areas for new waste management facilities are identified in the NLWP:

Area ref	Area Name	Size (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/ Pinkham Way	5.95	Haringey	X	X			X
A24-WF	Argall Avenue	26.91	Waltham Forest	X	X			X

1.23 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 MoU that the boroughs have agreed with the LLDC, three areas have been identified as potentially suitable for waste use.

Area ref	Area Name	Size (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

## *Policies*

- 1.24 There are eight development management policies which cover the following areas:
1. Existing waste management sites
  2. Priority Areas 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. Inert waste

## *Monitoring*

- 1.25 The Boroughs have agreed to monitor the NLWP annually through a lead borough agreement. Monitoring indicators include waste arisings, management capacity, location of new facilities and imports/exports.

## **Duty to Co-operate**

- 1.26 The North London Boroughs have prepared Statements of Common Ground with each Waste Planning Authority who receive strategic amounts of North London's waste. The Statements of Common Ground are the culmination of six years of duty to co-operate engagement and they set out the waste planning situation as it currently stands. The boroughs will continue to monitor waste exports from North London, through the AMR, and engage with waste planning authorities when and if there are any substantial changes which may affect waste planning in their area.

## **Timetable**

- 1.27 The NLWP is going to boroughs for adoption between January and March 2022.

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 Failing to adopt an up-to-date waste plan as part of the Local Plan will delay the delivery of sustainable development and infrastructure, while reducing the Council's power to protect and enhance the Borough.

## **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 In line with the NPPF the Sustainability Appraisal Report tests a range of options to demonstrate that the boroughs have considered reasonable alternatives and that the NLWP follows the most appropriate strategy.
- 3.2 The Council has formally agreed participation in the NWLP through the 2015 Memorandum of Understanding. This ensures Barnet's involvement until the NLWP adoption and would impose financial penalties if the Council withdrew. Furthermore, the Council would still need to address waste issues and safeguard waste management sites in the Local Plan, while the Duty to Cooperate would still require LB Barnet to engage with the other North London Boroughs on waste management issues.

#### 4. POST DECISION IMPLEMENTATION

4.1 The plan will go to Full Council for approval and once adopted by Barnet and the other six NLWP planning authorities the NLWP will come into effect.

#### 5. IMPLICATIONS OF DECISION

##### 5.1 Corporate Priorities and Performance

5.1.1 The NLWP will help to meet Barnet's Corporate Plan 2021-25 four priorities:

- **Clean, safe and well-run** - the NLWP will ensure the delivery of appropriate waste management sites in terms of function and location which will improve service delivery and deliver an improved environment.
- **Family Friendly** – the safe and effective handling of waste through suitably-located facilities will help to underpin a sustainable family friendly community.
- **Healthy** – the NLWP will ensure appropriate planning of waste management facilities, thereby minimising any potential impact on human health.
- **Thriving** – the NLWP will ensure land is available for the necessary waste management facilities which allow North London to manage its own waste, involving people and business in recycling and responsible waste disposal, while supporting the business opportunities available from waste management.

5.1.2 On 9<sup>th</sup> December 2021 the Policy and Resources Committee approved the **Sustainability Strategy Framework**. The NLWP will support the Sustainability Strategy through enabling implementation of waste policies for maximising waste prevention and recycling.

##### 5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

5.2.1 Under the NLWP MoU the boroughs have agreed to share the costs equally. The costs to be shared include the cost of the consultants, the two members of staff employed by Camden as lead borough for the various consultations and of the examination. The cost over the expected 7 years is expected to be £235,000 per borough or an average of £33,000 per year. Barnet has made financial provision for this expenditure.

##### 5.3 Social Value

5.3.1 The Public Services (Social Value) Act 2012 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits.

5.3.2 The NLWP will secure social benefits through supporting an agreed network of waste sites across North London to share the responsibility for the safe and effective treatment of waste, and through this minimising the environmental impact for the local population while ensuring the boroughs meet targets for recycling and responsible waste disposal.



## **5.4 Legal and Constitutional References**

- 5.4.1 Barnet agreed a revised Memorandum of Understanding (MoU) about joint working on the NLWP in 2015. This has been agreed and signed by all the other boroughs. The MoU sets out how the boroughs will cooperate to carry out the work, makes Camden the lead borough and deals with financial matters and dispute resolution.
- 5.4.2 The boroughs consulted on the proposed submission NLWP under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 5.4.3 The independent Planning Inspector appointed by the Secretary of State found that with the main modifications, the NLWP meets the criteria for soundness and complies with all the legal requirements set out in section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended) (the '2004 Act'). The Inspector also found that the NLWP is in general conformity with the London Plan.
- 5.4.4 Under the Council's Constitution, Article 7 - Item 7.5 (Responsibility for Functions) sets out that the Policy and Resources Committee is responsible for the overall strategic direction of the Council including responsibility for Local Plans.
- 5.4.5 Article 4 – Item 4.1 sets out that the Full Council is responsible for approving and adopting the policy framework. Item 4.2 explains that the policy framework includes Development Plan Documents comprising the Local Plan.

## **5.5 Risk Management**

- 5.5.1 The Council has responsibility as a waste planning authority to deliver a waste management plan which identifies adequate land for waste use.
- 5.5.2 Following the exit of the UK from the EU it is the requirement of central government to make adequate provision for waste. The UK government has incorporated all EU directives/legislation at the time of leaving the EU into UK law as part of the Brexit process.
- 5.5.3 Failing to adopt an up-to-date waste plan as part of the Local Plan will delay the delivery of sustainable development and infrastructure, while reducing the Council's power to protect and enhance the Borough.
- 5.5.5 The NLWP must be shown to meet the legal requirements of the Duty to Co-operate, which is an issue for the movement of waste beyond the NLWP Boroughs, both within and outside London. The seven boroughs have engaged in discussions and sought agreements with local authority areas receiving waste.

## **5.6 Equalities and Diversity**

- 5.6.1 An Equality Impact Assessment has been carried out on the NLWP. An Equality Impact Assessment (EqIA) assesses whether a policy, strategy or approach affects any groups, in respect of the protected characteristics defined by the Equality Act 2010, and whether there is a significant positive, negative or neutral impact on groups before a policy is formally introduced. The protected characteristics are - age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or

belief, sex and sexual orientation.

## 5.7 **Corporate Parenting**

5.7.1 N/A

## 5.8 **Consultation and Engagement**

5.8.1 The section above (paragraphs 1.4 – 1.10) sets out the extensive consultation and engagement undertaken during preparation of the NLWP.

## 5.9 **Insight**

5.9.1 N/A

## **BACKGROUND PAPERS**

- Proposed Submission North London Waste Plan (Regulation 19) (approved by Policy and Resources Committee 11<sup>th</sup> December 2018)  
<https://barnet.moderngov.co.uk/documents/s49827/Proposed%20Submission%20North%20London%20Waste%20Plan%20Regulation%2019.pdf>