

LONDON BOROUGH OF CAMDEN	WARDS: All wards
REPORT TITLE North London Waste Plan Adoption (SC/2022/09)	
REPORT OF Cabinet Member for New Homes, Jobs and Community Investment	
FOR SUBMISSION TO Cabinet Council	DATE 22 June 2022 4 July 2022
STRATEGIC CONTEXT We Make Camden is our joint vision for the borough, developed in partnership with our community. The Way We Work is the Council’s response to We Make Camden. The North London Waste Plan will contribute to meeting the objectives of We Make Camden and the Way We Work and in particular the We Make Camden ambition that Camden should be a green, clean, vibrant, accessible, and sustainable place with everyone empowered to contribute to tackling the climate emergency. It also contributes to one of our six challenges: that Camden’s local economy tackles the climate emergency – a core part of this is supporting the transition to a more circular economy. The North London Waste Plan seeks to meet the waste management needs of the North London boroughs, helping to provide the necessary infrastructure for people and businesses to reduce their waste, and recycle the waste they do produce. It promotes sustainability and the shift to a circular economy, and supports sustainable travel, encouraging co-location of waste facilities to reduce journeys. The Plan seeks to protect the environment and the amenity of local residents where waste facilities are provided and secure opportunities for decentralised heat and energy networks.	
SUMMARY OF REPORT This report seeks adoption of the North London Waste Plan following the Plan passing public examination. The Council has worked with six partner boroughs to produce the Plan, which sets out sites for the management of north London’s waste, and policies for determining planning applications for waste facilities. On adoption by the Council, North London Waste Plan will form part of Camden’s statutory development plan and the basis (with other statutory development plan documents) for the Council’s planning decisions relating to waste facilities. The report is coming to the Cabinet because the Council’s Constitution requires all strategic planning policy documents to be agreed by Cabinet. Cabinet is asked to refer the adoption of the North London Waste Plan to the meeting of the Council on 4 July 2022. Legislation requires local plans to be adopted by full Council. Local Government Act 1972 – Access to Information No documents that require listing were used in the preparation of this report.	

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RECOMMENDATIONS**Cabinet**

Having considered the results of the equalities impact assessment set out in Appendices C and D and having due regard to the obligations set out in section 149 of the Equality Act 2022, Cabinet is asked to:

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 this report and the appended documents to full Council with the recommendation to adopt the North London Waste Plan (set out in Appendix B), which incorporates the amendments recommended by the Planning Inspector who carried out the public examination of the Plan.

Council

Having considered the results of the equalities impact set out in Appendices C and D and having due regard to the obligations set out in section 149 of the Equality Act 2022, the Council is asked to adopt the North London Waste Plan, as set out in Appendix B to this report, which incorporates the amendments recommended by the Planning Inspector who carried out the public examination of the Plan.

Signed:



David Burns
Director of Economy, Regeneration and Investment

Date: 8th June 2022

1. CONTEXT AND BACKGROUND

- 1.1 This report seeks adoption of the North London Waste Plan, as set out in Appendix B to this report. The adoption version incorporates the amendments recommended by the Inspector who held the public examination of the Plan (see paragraphs 3.1 and 5.5 below).
- 1.2 The seven North London boroughs of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest have jointly prepared a North London Waste Plan (“the Plan”) to provide the planning framework for decisions on the management of waste in north London up to 2035.
- 1.3 Following approval of the Draft North London Waste Plan by the seven boroughs and its publication for comment, the Plan was submitted to the Secretary of State for public examination by a Planning Inspector in August 2018. The Inspector’s Report has now been received (attached as Appendix A to this report) and it confirms that the Plan has passed the examination and can, with recommended modifications, proceed to adoption by the seven boroughs.
- 1.4 On adoption, the Plan becomes part of the statutory development plan for each of the boroughs and will therefore be the starting point for planning decisions relating to waste management facilities in Camden and the other North London boroughs.
- 1.5 To date, the North London Waste Plan has been adopted by Hackney (January 2022), Barnet, Islington, and Waltham Forest (all March 2022). The Plan is currently due to be adopted by Enfield and Haringey in July 2022.
- 1.6 The North London Waste Plan has been prepared by the boroughs in their capacity as waste planning authorities. This is separate to their duties relating to waste collection and disposal. The North London Waste Authority (NLWA) is the statutory waste disposal authority for the seven North London boroughs, and is responsible for managing the household waste collected in the area.

2. PROPOSALS AND REASONS

- 2.1 As waste planning authorities, councils are responsible for producing waste local plans that cover the land use planning aspect of waste management for their areas in line with the Waste Management Plan for England. To ensure that the Council meets this requirement and has up-to-date planning policies for waste, Camden has worked with the other North London boroughs to produce the North London Waste Plan.
- 2.2 The purpose of the Plan is to:
 - ensure that new waste facilities are directed towards the most suitable areas in North London
 - protect the environment and the amenity of local residents
 - meet the boroughs’ identified waste management needs
 - provide policies against which planning applications for waste development will be assessed, alongside other relevant planning policies/guidance.

- 2.3 The North London Waste Plan 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
- 2.4 The Plan's approach 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), and 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 Plan seeks 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.
- 2.5 The London Plan projects how much Local Authority Collected and Commercial and Industrial waste is likely to be generated in the capital over the next 20 years. It apportions an amount of these two waste streams to each borough to identify sites, areas and facilities for its management. The North London boroughs have pooled their apportionments and will meet this collectively through facilities on existing waste sites and Priority Areas identified in the North London Waste Plan. The recycling and recovery targets set by the London Plan have been built into the Waste Plan.
- 2.6 There is sufficient capacity in the area to meet the projected amount of Construction and Demolition waste arising over the plan period. There is not enough waste management capacity in North London to deal with the amount of LACW, C&I and hazardous waste projected (a "capacity gap"). To meet these capacity gaps, the Plan seeks opportunities for new capacity through intensification of existing waste 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. Also, new technologies may come forward during the plan period which require less land. The Plan's policies seek to maximise the capacity of a site while mitigating any environmental impacts. To meet higher recycling targets, there is an identified need for additional recycling capacity for both LACW and C&I waste streams throughout the plan period.
- 2.7 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 relevant aims and policies. Existing waste sites are safeguarded for waste use through the Plan and also in the London Plan. This includes the borough's Regis Road Recycling and Reuse Centre, which is also safeguarded in the Camden Local Plan.

- 2.8 Most Local Authority Collected Waste is managed at the Edmonton EcoPark facility. The existing facility is due to be replaced in 2025. The North London Waste Authority has received a Development Consent Order for a new Energy Recovery Facility to deal with all the residual waste under the control of the Authority from 2025 until at least 2050. This is taken account of in the Waste Plan.
- 2.9 The North London Waste Plan takes an area-based approach to waste planning with no specific sites allocated for new waste facilities. This involves identifying areas that 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 specifically safeguarded for waste uses. The Plan directs new waste facilities towards locations assessed and selected as the most suitable in North London, which are identified as 'Priority Areas'. The identification of Priority Areas allows for flexibility in bringing forward a range of locations across North London to meet the area's requirement, allowing for a better geographic spread of opportunities for future waste development consistent with the spatial principles of the Plan.
- 2.10 No new sites or areas in Camden are identified in the North London Waste Plan for waste management facilities. This means that no changes are required to be made to Camden's statutory Policies Map (which illustrates geographically where relevant policies in the development plan apply) as a result of the adoption of the Plan. (The Regis Road Recycling and Reuse Centre is already identified on the Policies Map as a safeguarded waste site.)
- 2.11 The boroughs have agreed to monitor the Plan annually. Monitoring indicators include waste arisings, management capacity, location of new facilities and waste imports/exports.
- 2.12 The Council's Constitution requires all of the Council's strategic planning policy documents to be agreed by Cabinet. Legislation requires the decision to adopt a development plan document, such as the North London Waste Plan, to be made by full Council.

3. OPTIONS APPRAISAL

- 3.1 The Inspector's Report on the public examination of the North London Waste Plan (Appendix A to this report) recommends amendments ('main modifications') considered necessary to make the Plan 'sound' in accordance with the test in the National Planning Policy Framework. The Council and other boroughs cannot adopt the Plan unless they make the modifications recommended by the Inspector. Therefore the options are:
- a) to adopt the North London Waste Plan incorporating the main modifications recommended by the Inspector (Appendix B to this report); or
 - b) not adopt the North London Waste Plan.
- 3.2 It is recommended that the Council adopts the North London Waste Plan for the reasons listed in this report.

- 3.3 As waste planning authorities, councils are responsible for producing waste local plans that cover the land use planning aspect of waste management for their areas in line with the Waste Management Plan for England. If the Council does not adopt the North London Waste Plan the need for Camden to produce a local plan covering waste planning matters will remain.
- 3.4 A series of options were considered when determining the approach that the Waste Plan would take to waste management in North London. Options were explored through consultation and engagement (see section 5 of this report below), evidence studies, and a sustainability appraisal (see paragraph 4.3).

4. WHAT ARE THE KEY IMPACTS / RISKS? HOW WILL THEY BE ADDRESSED?

- 4.1 Councils need to have usable and up-to-date waste planning policies to ensure that their planning decisions on waste are based on a locally-assessed approach focussed on delivering their priorities. Without the North London Waste Plan, policies contained in the more general National Planning Policy for Waste would be the basis for planning decisions in Camden and the other North London boroughs. The risk is that this would limit the councils' ability to manage the development of waste facilities in North London and achieve local priorities.
- 4.2 The Plan has been prepared in accordance with the relevant statutory process. The Plan preparation process was project-managed to ensure it fully took into account relevant regulations, national policy and guidance, and the boroughs' Statements of Community Involvement (SCI), which set out how they involve their communities in making planning decisions and policy.
- 4.3 The Plan was supported by a number of assessments including a Sustainability Appraisal (SA) (incorporating the requirements of the Strategic Environmental Assessment (SEA) Directive), a Habitats Regulation Assessment (HRA), and a Strategic Flood Risk Assessment (SFRA). These formed a key element in the preparation of the Plan and helped to ensure that its social, environmental and economic impacts were assessed and taken into account. An addendum to the Sustainability Appraisal was produced to assess the proposed main modifications to the Waste Plan. This found that the modifications do not significantly impact the conclusions of the initial Sustainability Appraisal and the changes are likely to have a slightly positive impact overall. Addendums to the HRA and SFRA were also produced to assess the main modifications. The Inspector's Report confirmed that he considered the assessments met the relevant legal requirements.
- 4.4 The North London Waste Plan has been prepared having due regard to the need to comply with the equality duty under the Equality Act 2010 and an equalities impact assessment (EqIA) has been undertaken. The EqIA (attached as Appendix C) considers that the impacts and the benefits of waste management facilities are felt on a local, geographical basis and therefore the analysis is mainly a spatial one, considering the geographical distribution of the equality groups in North London. The EqIA concludes that the Plan shall not prejudice the interests of persons sharing relevant protected characteristics with

regards to race, disability, gender including gender reassignment, sexual orientation, religion and belief, age, socio-economic, people who are pregnant or subject to maternity legislation, and people with dependents and caring responsibilities. Furthermore, the EqlA considers that local communities living within the seven North London Boroughs as producers of waste, including people with protected characteristics, will benefit from the Plan. An addendum report to the main EqlA was produced to assess the main modifications (attached as Appendix D to this report). The EqlA assessment has found that the North London Waste Plan to be adopted, as modified following the examination, does not have any disproportionate or differential negative impacts on any one group with protected characteristics

- 4.5 The North London boroughs have actively engaged on an ongoing basis with waste local authorities to whom the area's waste is exported and other relevant bodies to ensure that the statutory 'duty to co-operate' is met. The boroughs prepared Statements of Common Ground with each Waste Planning Authority who receive strategic amounts of North London's waste. The Statements of Common Ground were the culmination of six years of duty to co-operate engagement and set out the waste planning situation as it stood at the time of writing. The Inspector confirmed in his report that he was satisfied that the duty to cooperate had been met.

5. CONSULTATION / ENGAGEMENT

- 5.1 The preparation of the North London Waste Plan has involved consultation and engagement over a number of years. In April - June 2013, the boroughs invited representations on what the Plan ought to contain and a series of focus group events were held in 2014 to inform the preparation of the Draft North London Waste Plan.
- 5.2 Consultation on the Draft Waste Plan took place over in July - September 2015. This 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 Following formal approval of the Plan by each of the boroughs, consultation on the Proposed Submission version of the North London Waste Plan took place in March - April 2019. This took account of comments made on the Draft Plan as well as an updated Data Study and changes to national, regional and local policies.
- 5.4 The Plan was submitted to the government for public examination by a Planning Inspector in August 2019. Public hearing sessions involving objectors and other participants invited by the Inspector took place in November 2019.
- 5.5 In response to the issues raised in the public hearing sessions and representations received on the Plan, the boroughs prepared a schedule of proposed amendments to the Plan. These 'main modifications' were published for consultation in October - December 2020. The boroughs prepared responses to representations made on the modifications which were passed to the Inspector for him to consider in the final stages of the examination and

inform the recommendations in his report. The Inspector's Report (attached as Appendix A) takes into account all comments received on the Proposed Submission Draft Plan and on the main modifications.

6. LEGAL IMPLICATIONS

- 6.1 The North London Waste Plan has been prepared in accordance with the requirements of the Planning and Compulsory Purchase Act 2004 (PCPA 2004) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (the Regulations) while taking into account national planning and waste policy and guidance. Before a plan can be adopted it must be examined by an independent examiner (i.e. a planning Inspector) appointed by the Secretary of State who is required to determine, among other things, whether the plan has been prepared in accordance with the duty to co-operate, legal and procedural requirements and is 'sound' in accordance with the National Planning Policy Framework. In this case the Inspector's report has been received, and concludes that legal requirements have been met and hence the recommendation of the report is to ask the Council to adopt the Plan.
- 6.2 Members will be aware that in coming to any decision they must comply with their duties under the Equality Act 2010, in particular, the public sector equality duty under section 149 and the duty under section 29 not to discriminate when providing a public service and to make reasonable adjustments. In summary, section 149 of the 2010 Act requires the Council, when exercising its functions, to have 'due regard' to the need to:
1. Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act (which includes conduct prohibited under section 29);
 2. Advance equality of opportunity between people who share a relevant protected characteristic and those who do not share it;
 3. Foster good relations between people who share a relevant protected characteristic and those who do not (which involves having due regard, in particular, to the need to tackle prejudice and promote understanding).
- 6.3 Under the Duty the relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion, sex, and sexual orientation. In respect of the first aim only, i.e. eliminating discrimination etc., the protected characteristic of marriage and civil partnership is also relevant. Having due regard to the need to 'advance equality of opportunity' between those who share a protected characteristic and those who do not includes having due regard, in particular, to: the need to remove or minimize disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; the need to take steps to meet the needs of persons who share a protected characteristic where those needs are different from the needs of persons who do not share that characteristic, and encourage those who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low. Further, section 149 provides that the steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled and include, in particular, measures to take account of disabled persons' disabilities.

Compliance with the duties in section 149 may involve treating some persons more favourably than others, but that is not to be taken as permitting conduct that would otherwise be prohibited under the Act (which includes breach of an equality clause or rule, or of a non-discrimination rule).

7. RESOURCE IMPLICATIONS

- 7.1 This report seeks adoption of the North London Waste Plan following the Plan passing public examination.
- 7.2 There are no significant financial implications resulting from this report and costs associated with consultations and updating policy documents are managed within existing budgets.

8. ENVIRONMENTAL IMPLICATIONS

- 8.1 The North London Waste Plan has been subject to sustainability appraisal through its preparation. This assessed the environmental, social and economic effects of the Plan and identified ways it could be amended to reduce any negative effects and to increase positive outcomes. The Plan seeks to facilitate the provision of the necessary infrastructure for people and businesses to reduce their waste, and recycle the waste they do produce. It promotes sustainability and the shift to a circular economy, and supports sustainable travel, encouraging co-location of waste facilities to reduce journeys. The Plan seeks to protect the environment and the amenity of local residents where waste facilities are provided and secure opportunities for decentralised heat and energy networks.
- 8.2 A sustainability assessment of each of the main modifications to the Plan proposed during the Public Examination of the Plan indicated that the proposed changes were likely to have a slightly positive impact overall. Positive impacts of the modifications included a reduction in flood risk and a likely decrease in the length of waste-related car/lorry trips.
- 8.2 Habitats Regulations Assessments were carried on drafts of North London Waste Plan and the main modifications. These considered whether the Plan was likely to have significant effects on designated sites of European importance for habitats or species or have an adverse impact on the integrity of these sites. It was found that the Plan would not have any adverse effects on the special nature conservation interest of any designated sites provided that available safeguards and mitigation measures were effectively applied.
- 8.3 These assessments formed a key element of the preparation of the Plan and helped to ensure that its environmental impacts are assessed and taken into account in the decision making process.

9. TIMETABLE FOR IMPLEMENTATION

- 9.1 Following the publication of the Inspector's Report on the public examination of the North London Waste Plan the seven boroughs are now individually adopting

the Plan. As noted in paragraph 1.5 above, four boroughs have adopted the Plan to date.

- 9.2 In accordance with the relevant Regulations, as soon as reasonably practical after a plan is adopted, councils must publish the adopted plan together with:
- an adoption statement;
 - the sustainability appraisal report; and
 - details of where and when the plan can be viewed.
- 9.3 Councils must also send the adoption statement to anyone who has asked to be notified of the adoption and to the Secretary of State.
- 9.4 On adoption by the Council, the North London Waste Plan will become part of Camden's statutory development plan. Under planning legislation, decisions on planning applications should be taken in accordance with the development plan unless there are material considerations that indicate otherwise.

10. APPENDICES

Appendix A - Inspector's Report on the Examination of the North London Waste Plan

Appendix B - North London Waste Plan - adoption version

Appendix C - Equalities Impact Assessment

Appendix D - Equalities Impact Assessment Addendum Report

REPORT ENDS