

Meeting:	Cabinet
Date:	18 th December 2008
Subject:	Joint Waste Development Plan Document. Progress report
Key Decision:	No
Responsible Officer:	Andrew Trehern – Corporate Director Place Shaping
Portfolio Holder:	Councillor Marilyn Ashton - Portfolio Holder for Planning, Development and Enterprise
Exempt:	No (except for Part II Appendix – by virtue of paragraph 5 of Part I of Schedule 12A to the Local Government Act 1972 (as amended) in that it contains information in respect of which a claim to legal professional privilege could be maintained in legal proceedings)
Enclosures:	Appendix 1 - West London Waste Plan. Executive summary. Draft Issues and Options report. Appendix 2 - Legal Implications (Part II) Appendix 3 – Report considered by the Local Development Framework Panel on 27 November 2008 Appendix 4 – Recommendation from the Local Development Framework Panel on 27 November 2008

Section 1 – Summary and Recommendations

This report sets out the latest position on the preparation of the Joint Waste Development Plan Document (JWDPD) and arrangements for public consultation on an initial Issues and Options report.

Recommendation:

That the latest position on the preparation of the Joint Waste Development Plan Document be noted following the recommendation of the Local Development Framework Panel of 27th November 2008

Reason: (For recommendation)

To enable the Cabinet to note progress on the preparation of the Joint Waste Development Plan Document and arrangements for public consultation on an initial Issues and Options report.

Section 2 – Report

Introduction

The Local Development Framework Panel considered a report on 27th November setting out progress on the preparation of the Joint Waste Development Plan (JWDPD) for West London, which is being prepared in conjunction with the London Boroughs of Brent, Ealing, Hillingdon, Hounslow and Richmond.

The Panel was requested to recommend that Cabinet note progress on the preparation of the JWDPD and arrangements for public consultation on an initial Issues and Options report.

The JWDPD will help the Council to deliver its draft Corporate Priorities for 2009/10 under the banner of “Better Streets”.

A copy of the Panel report and recommendation is attached as Appendix 3 and 4 respectively.

Background

In April 2007, following a recommendation from Cabinet, the Council agreed to participate in the preparation of Joint Waste Development Plan Document for West London. Detailed working arrangements were set out in a “Memorandum of Understanding”, the most significant of which were that:

- the London Borough of Hillingdon would act a lead Authority with responsibility for coordination of a Steering Group, the procurement and day to day supervision of consultants and the appointment of a Project Manager
- the Steering Group would act as a liaison mechanism between the participating authorities, ensure that appropriate decision making process are carried out and oversee the production of the Joint Waste DPD. The Steering Group would consist of a representative from each of the participating Authorities
- in the event that consensus could not be reached by the Steering Group, any dispute would be resolved thorough an extra ordinary meeting convened with Members of each participating authority.

In addition, Council authorised the Director of Planning to enter into a service level agreement to be agreed.

Mouchell were appointed as lead consultants in April 2008 and, since that time, have been working with the Steering Group to assimilate a robust evidence base to support the DPD, and prepare an initial Issues and Options report.

Current situation

The West London Waste Plan

The West London Waste Plan (WLWP), as the JWDPD will be known, will provide the means for delivering London Plan waste targets for the participating authorities over the period until 2025, and is being prepared in the context of European and national policy guidance to minimise the amount of waste produced and, in particular, to divert waste from landfill. The Plan will form part of each participating authority's Local Development Framework, and the broad timetable for its preparation is included in the Council's revised Local Development Scheme, considered elsewhere on this agenda.

The WLWP differs from the Waste London Waste Strategy, in that it will deal with all waste - household, industrial, construction, demolition and hazardous - and not just municipal waste. Priority will be given to waste reduction, recycling and composting, and the type of facilities required over West London will be considered. A critical objective of the WLWP will be to identify and safeguard sites across West London that are suitable for the development of potential waste management facilities. Policies to support the sustainable management of waste produced within the area of each participating authority will also be prepared.

A copy of the Executive Summary of the draft Issues and Options report is attached.

Draft Issues and Options

Although no longer a statutory requirement, following amendments to the Town and Country Planning (Local Development)(England) Regulations 2004 and changes to PPS 12, both of which came into force in June 2008, the Steering Group decided to prepare an Initial Issues and Options report, to raise awareness of the process and begin to engage with the community and waste management industry.

The Issues and Options stage sets out the broad parameters that the WLWP must address, and sets out what West London's position is with respect to:

- managing its own waste and provision of sites for the processing of waste;
- enabling West London to provide for the apportionment of waste as set out in the London Plan; and
- outlining the key issue and options that are critical to the development of the WLWP and how the WLWP is finalised.

Informal public consultation on the draft Issues and Options report will be carried out between 29th October 2008 and 30th January 2009 and includes a public meeting in each participating authority. The Harrow meeting took place on 2nd December, at the Civic Centre, attended by approximately 25 people. All residents, amenity groups and other bodies on the Council's consultation database were notified of the meeting and also advised how they can access the report and the way in which they can comment. A separate "call for sites" invitation will also be sent to landowners and current providers to identify suitable sites for waste management facilities.

As well as the Issues and Options paper, additional background documents are available including the Evidence Base for the Issues and Options paper and the Sustainability Appraisal. All of these reports can be found on the dedicated WLWP website and copies will be available in local libraries and Council offices.

Next Steps

The WLWP is expected to take a further two and a half years to complete with adoption planned in late 2011. Preferred options will be considered during the first part of 2009, taking account of the results of the current consultation exercise and the call for sites. The outcome will be subject to ratification by each participating authority prior to formal consultation on the draft Waste Plan in December 2009. The final Plan will then be submitted to the Secretary of the State in October 2010.

Legal Implications

See part II appendix. Attached for Members' information only.

Financial Implications

The costs of preparing the WLWP are shared equally between the participating authorities and have been capped at £36,000 p.a from each authority over the next three years. This will be contained within the approved Planning Services budgets.

Performance Issues

The Issues and Options report recognises the need to establish a robust monitoring framework system that will ensure that information about waste arising in the WLWP area is fully available to the participating authorities. To achieve this objective, it is proposed to use the following indicators, taken from the LDF Core Output Indicators (Update 2/2008) published by the Department for Communities and Local Government in July 2008.

- W1: Capacity of new waste management facilities by waste planning authorities: and
- W2: Amount of municipal waste arising and managed by management type by waste planning authority.

Indicator W2 will overlap, in part, with National Indicator 192 "Household waste recycled and composted (also part of the adopted LAA) and NI 193 "Municipal waste landfilled".

NI 192	Benchmark	2008/09	2009/10	2010/11
Household waste recycled and composted	38%	42%	47%	50%

Although local in nature, and applicable only to Harrow, the two National Indicators will contribute positively to the wider objectives of the WLWP, that is to minimise landfill, increase re-cycling and provide sufficient sites to ensure the treatment of all waste produced within the West London area.

The WLWP will, in addition, help the Council to deliver the set of Corporate Priorities under the banner “Better Streets” and, in taking forward Harrow’s waste agenda, will have a positive impact on:

- KLOE 3.2.”the organisation manages its assets effectively and sustainably to help deliver its strategic priorities and service needs under the Use of Resources assessment”; and
- the Value for Money profiles and Direction of Travel that will form part of the CAA process.

Risk Management Implications

There are no short term risks associated with the preparation of the draft Issues and Options report. All participating authorities will need to ratify the Joint Plan, and subsequent formal public consultation will provide further opportunities for the local community to engage in the process.

In the longer terms, the following risks could arise:

1. Participating authorities fail to reach consensus on the content of the Plan – The Memorandum of Understanding provides a mechanism for resolving disputes through an extra ordinary meeting convened with Members of each Authority.
2. Insufficient sites are identified to meet waste management targets - The production of a sub regional plan for the whole of West London will maximise opportunities for site selection. New facilities will also be subject to planning consent
3. Additional costs arise in preparing the Plan - Costs have been capped over the next three years and contained in approved Planning Service budgets. Agreement from all participating authorities is required at each stage of the plan preparation process, which will enable them to minimise and control the costs involved.
4. The Waste Plan is found “unsound” - The production of a sound plan is more likely to be achieved through the production of a joint plan based on a robust evidence base. A single borough plan is likely to be subject to challenge by GOL and the Mayor of London.

Risk included on Directorate risk register?

No

Separate risk register in place?

No

Section 3 - Statutory Officer Clearance

Name: .Sheela Thakrar	<input checked="" type="checkbox"/>	on behalf of the* Chief Financial Officer
Date: 26 th November 2008		

Name Abiodun Kolawole on behalf of the*
Monitoring Officer
Date: ... 26th November 2008

Section 4 – Performance Officer Clearance

Name Anu Singh on behalf of the*
Divisional Director
(Strategy and Improvement)
Date: 18th November 2008 .

Section 5 - Contact Details and Background Papers

Contact: Phil Greenwood. Senior Professional Major Projects. 020 424 1166

Background Papers: None