



# Local Plan Partial Review – Submission Policy Formulation Report – May 2017 Waste



THE ROYAL BOROUGH OF  
KENSINGTON  
AND CHELSEA

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# 1. INTRODUCTION

## 1.1 LOCAL PLAN PARTIAL REVIEW

- 1.1.1 The Council is undertaking a Partial Review of its existing Local Plan to ensure it is up-to-date and fit-for-purpose.
- 1.1.2 The Local Plan Partial Review covers the topics which have not already been subject to recent reviews since the existing Local Plan was adopted by the Council in 2010 (then known as the Core Strategy). As part of this the policy relating to **waste** needs reviewing.
- 1.1.3 This Policy Formulation Report has been written to explain the reasoning behind **Policy CE3: Waste** of the Publication Policies with Proposed Modifications.

## 1.2 POLICY CE3: WASTE

- 1.2.1 This topic of the Local Plan Partial Review relates primarily to the following chapters and policies of the existing Local Plan:

**Chapter 36: Respecting Environmental Limits**  
**Policy CE3: Waste**

- 1.2.2 The issues which the Council considers the Local Plan Partial Review needs to address are set out in the following sections:
- **Issue 1:** Waste arisings, apportionment and site supply
  - **Issue 2:** Bin storage and management in new development

## 2. ISSUE 1: WASTE ARISING, APPORTIONMENT AND SITE SUPPLY

### 2.1 INTRODUCTION

- 2.1.1 This section considers strategic waste management arisings, apportionment and site supply (i.e. land allocation for waste management facilities).
- 2.1.2 The Council, as well as being a Local Planning Authority (LPA), is a Waste Planning Authority (WPA). WPAs are responsible for determining all waste development planning applications and have a statutory duty to prepare a local waste plan, either individually or as part of a wider Local Plan.

### 2.2 LEGISLATION, POLICY AND GUIDANCE CONTEXT

#### EUROPEAN

##### WASTE FRAMEWORK DIRECTIVE (2008/98/EC)

- 2.2.1 The Waste Framework Directive (2008/98/EC) (“the Directive”) provides an overarching legislative framework for the management of waste across Europe. Its transposition in England is now largely through the Waste (England and Wales) Regulations 2011, which came into force on 29 March 2011.
- 2.2.2 Article 16 of the Directive is particularly relevant to the issue of apportionments because it covers ‘Principles of Self Sufficiency and Proximity’. In meeting the requirement of the proximity principle, there is no expectation that each WPA will deal solely with its own waste. For instance, there are clearly some waste streams which are produced in small quantities for which it would be uneconomic to have a facility in each local authority. There could also be significant economies of scale for local authorities working together to assist with the development of a network of waste management facilities to enable waste to be handled effectively.

#### NATIONAL

##### WASTE (ENGLAND AND WALES) REGULATIONS 2011

- 2.2.3 Part 6 of the Regulations is relevant to planning authorities. Within this Part, Regulation 18 particularly requires the Council to have regard to specific articles of the European Waste Framework Directive (including Article 16) in exercising its planning functions, which includes Local Plan making.

##### NATIONAL PLANNING POLICY FRAMEWORK

- 2.2.4 The National Planning Policy Framework (NPPF) does not contain specific policies on waste, but Councils “preparing waste plans and taking decisions on waste applications should have regard to policies in [the] Framework so far as relevant” (paragraph 5).

- 2.2.5 Paragraph 156 of the NPPF states that Councils should set out the “strategic priorities” for their area in the Local Plan, which includes delivering “waste management” infrastructure (see also paragraph 162).

#### NATIONAL PLANNING POLICY FOR WASTE (NPPW)

- 2.2.6 The National Planning Policy for Waste (NPPW) contains the latest Government planning policy on waste. The NPPW states that WPAs should (paragraphs 2-3):

work jointly and collaboratively with other planning authorities to collect and share data on waste arisings...

...

identify the tonnages and percentage of municipal, and commercial and industrial, waste requiring different types of management in their area over the period of the plan (In London, WPAs should have regard to their apportionments set out in the London Plan when preparing their plans

...

work collaboratively in groups with other WPAs... through the statutory duty to cooperate, to provide a suitable network of facilities to deliver sustainable waste management

#### NATIONAL PLANNING PRACTICE GUIDANCE (NPPG): WASTE

- 2.2.7 The NPPG on Waste provides guidance to complement the NPPW. In particular, the NPPG advises that in London, “WPAs should have regard to the apportionments set out in the London Plan when developing their policies. The Local Waste Plan will need to be in general conformity with the London Plan” (paragraph 42).

- 2.2.8 Paragraph 13 of the NPPG on Waste states “Waste planning authorities should plan for the sustainable management of waste including:

- Municipal/household
- Commercial/industrial
- Construction/demolition
- Low Level Radioactive
- Agricultural
- Hazardous
- Waste water”

#### WASTE MANAGEMENT PLAN FOR ENGLAND

- 2.2.9 The Waste Management Plan for England, states that “All local planning authorities should have regard to both the waste management plan for England and the national waste planning policy when discharging their responsibilities to the extent that they are appropriate to waste management. WPAs remain responsible for developing local authority waste plans as part of their wider strategic planning responsibilities, in support of the Waste Management Plan for England” (page 30).

- 2.2.10 The Waste Management Plan for England satisfies the Government's requirement to produce a waste management plan covering all of its territory (page 2). The Plan also reiterates the 'waste hierarchy' prioritising different waste stream cycles: prevention, preparing for re-use, recycling, other recovery and disposal (page 11).
- 2.2.11 Regulation 10 of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) requires Local Plans to have regard to the national waste management plan – i.e. the Waste Management Plan for England.

## REGIONAL

### THE LONDON PLAN

- 2.2.12 The London Plan apportions waste arisings to each London Borough for them each to allocate sufficient land to deal with the apportioned amount of waste per year. This is to work towards net self-sufficiency of waste management in London by 2026. The London Plan states:

The Mayor will work with London boroughs and waste authorities... to... manage as much of London's waste within London as practicable, working towards managing the equivalent of 100 per cent of London's waste within London by 2026

(Policy 5.16 Waste Net Self-Sufficiency – subsection A)

Boroughs must allocate sufficient land and identify waste management facilities to provide capacity to manage the tonnages of waste apportioned in this Plan. Boroughs may wish to collaborate by pooling their apportionment requirements

(Policy 5.17 Waste Capacity – subsection F)

Land to manage borough waste apportionments should be brought forward through... safeguarding wharves... with an existing or future potential for waste management

(Policy 5.17 Waste Capacity – subsection G)

If, for any reason, an existing waste management site is lost to non-waste use, an additional compensatory site provision will be required that normally meets the maximum throughput that the site could have achieved

(Policy 5.17 Waste Capacity – subsection H)

Waste is deemed to be managed in London if: it is used in London for energy recovery; it related to materials sorted or bulked in London facilities for reuse, reprocessing or recycling; [or] it is materials reused, recycled or reprocessed in London...

(paragraph 5.79)

Boroughs may collaborate by pooling their apportionment requirements. Provided the aggregated total apportionment figure is met, it is not necessary for boroughs

to meet both the municipal and commercial/industrial waste apportionment figures individually

(paragraph 5.80)

- 2.2.13 Table 5.3 of the London Plan sets out each London Borough’s apportionment of waste to be managed. For this Council, the apportionment is 198,000 tonnes per annum to 2036. The apportionment includes household and commercial & industrial waste, but not other waste streams.

	<b>Apportionment (tonnes per annum)</b>				
	<b>2016</b>	<b>2021</b>	<b>2026</b>	<b>2031</b>	<b>2036</b>
<b>RBKC</b>	138,000	160,000	190,000	194,000	198,000
<b>WPAs in the WRWA</b>	683,000	790,000	944,000	961,000	981,000

*London Plan Waste Apportionment target for RBKC and the WPAs in the WRWA area.*

- 2.2.14 The London Plan is currently being reviewed. As part of this the GLA is considering waste apportionments. The London Plan Review may therefore revise the waste apportionments, apportion waste for other waste streams and set apportionments for Mayoral Development Corporations.

#### **LAND FOR INDUSTRY AND TRANSPORT SUPPLEMENTARY PLANNING GUIDANCE (SPG)**

- 2.2.15 Chapter 6 of the Land for Industry and Transport Supplementary Planning Guidance (SPG) covers waste management and recycling. Paragraph 6.5 suggests that “waste transfer” operations “are not accounted for in the London Plan apportionment”. Paragraph 6.7 states that “Boroughs should assess how they will accommodate new waste management facilities. These assessments should cover local quantitative and qualitative appraisals of vacant and occupied industrial land”.
- 2.2.16 Implementation point 6 of the SPG states that Boroughs should “have regard to the indicative land requirements for additional waste management and recycling facilities 2011-2031 set out in Annex 2”. Annex 2 of the SPG sets out the Council’s previous London Plan waste apportionment to 2031 of 284,000 tonnes per annum (since revised down in 2015 to 194,000 by 2031) and suggests this equates to a Net Additional Indicative Land Requirement for Waste of 3.6 hectares (so roughly equivalent to 80,000 tonnes per annum per hectare).

#### **SAFEGUARDED WHARVES**

- 2.2.17 The Safeguarded Wharves Review provides evidence supporting a number of wharves which the Mayor recommends are ‘safeguarded’ for wharf uses. The only wharf which lies in the Borough, Cremorne Wharf, is recommended to be retained for safeguarding. The Review states that Cremorne Wharf “may be required... for

the Thames Tideway Tunnel for the medium term, following that it should be able to contribute to the shortfall in wharf capacity in West London” (Table 7.1).

## THE VISION FOR THE TIDAL THAMES

- 2.2.18 The vision sets out to “see more goods and materials routinely moved between wharves on the river”. The document also states “The Thames and its wharves (cargo-handling facilities) are critical to the river borne supply and movement of construction materials, spoil, household refuse and vegetable oils” (page 14). The document goes on to state “it is more important than ever to protect viable wharves and to bring into use those currently vacant wharves. These will serve the needs of the construction industry and other sectors” (page 15).

## LONDON'S WASTED RESOURCE: THE MAYOR'S MUNICIPAL WASTE MANAGEMENT STRATEGY

- 2.2.19 The Mayor's Municipal Waste Management Strategy is not a planning document but sets out an overarching strategy for the Mayor to manage London's municipal waste more effectively and efficiently. Of particular relevance, Policy 2 seeks to reduce the climate change impact of London's municipal waste management and Policy 5 seeks to stimulate the development of new municipal waste management infrastructure.

## LONDON INFRASTRUCTURE PLAN 2050 UPDATE

- 2.2.20 The London Infrastructure Plan sets out the overall infrastructure needs of the capital up to 2050 regarding transport, green infrastructure, digital connectivity, energy, ‘a circular economy’, water, housing and social infrastructure. Chapter 16 sets out an infrastructure requirement of “Around 40 facilities for reuse, remanufacturing, recycling and waste management” in London.

## LOCAL

### EXISTING LOCAL PLAN POLICY

- 2.2.21 The existing Local Plan policy relating to waste arisings, apportionment and site supply is set out below.
- 2.2.22 Subsection ‘a’ deals with the issue of strategic waste management ‘apportionment’. The Council's commitment in this subsection to prepare a specific waste ‘Development Plan Document’ (DPD) is now being followed up as part of this Local Plan Partial Review: rather than have a separate waste ‘DPD’, the Council has updated the waste apportionment evidence base and policy as part of the Local Plan Partial Review.

### **Policy CE3: Waste**

The Council will meet the waste apportionment figure as set out in the London Plan and will ensure that waste is managed in accordance with the waste hierarchy, which is to reduce, reuse or recycle waste as close as possible to where it is produced.

To deliver this the Council will:

a. Prepare a specific waste DPD to show how the waste apportionment figure of 309,000 tonnes per annum by 2010 required by the London Plan will be met. This will include:

- identifying suitable sites for the purpose of managing the waste;
- identifying which boroughs the Council will be working with and how much the pooled apportionment of those boroughs will be so that the apportionment figure can be met;
- working in partnership with the GLA and neighbouring boroughs to meet the apportionment figure;
- safeguarding the existing waste management sites along with Cremorne Wharf, maximising its use for waste management, water transport and cargo handling purposes;

## LONDON BOROUGH OF HAMMERSMITH AND FULHAM

2.2.23 It is also appropriate to reference LBHF's existing Core Strategy (October 2011)<sup>1</sup> policy on waste which states:

### **Borough Wide Strategic Policy CC3 Waste Management**

To pursue sustainable waste management, including... planning to manage 348,000 tonnes per annum of waste in H&F by 2031...

2.2.24 The supporting text for Policy CC3 of LBHF's Core Strategy states:

8.102 Neighbouring boroughs have indicated a desire to work in partnership with Hammersmith and Fulham to assist in meeting their waste apportionment targets. The Royal Borough of Kensington and Chelsea has an anticipated capacity shortfall of 200,000 tonnes of waste to 2031. Spare waste management capacity of up to 220,000 tonnes has been identified within Hammersmith & Fulham. This spare capacity could accommodate the needs of the Royal Borough of Kensington and Chelsea and be utilised for that purpose.

2.2.25 Surplus capacity, which has previously been committed to assist RBKC in the LBHF Core Strategy, has effectively been taken away from RBKC with the formation of the OPDC. LBHF published a Proposed Submission<sup>2</sup> Local Plan for consultation in September 2016 to ultimately supersede its existing Core Strategy. This was submitted to the Secretary of State for examination in February 2017 and was supported by a background paper on waste which replicated the tables and conclusions of the joint Waste Technical Paper (section 2.3). In the Proposed Submission Local Plan, LBHF proposed to replace Strategic Policy CC3 (above) with a new Policy CC6 Strategic Waste Management as well as deletion of the above paragraph 8.102. The Royal Borough responded to this and the previous Draft Local Plan consultation, objecting to the deletion of the paragraph and

<sup>1</sup>[www.lbhf.gov.uk/Directory/Environment\\_and\\_Planning/Planning/Planning\\_policy/164525\\_Core\\_Strategy.asp](http://www.lbhf.gov.uk/Directory/Environment_and_Planning/Planning/Planning_policy/164525_Core_Strategy.asp)

<sup>2</sup> [www.lbhf.gov.uk/planning/planning-policy/local-plan](http://www.lbhf.gov.uk/planning/planning-policy/local-plan)

requesting its reinstatement, in light of the Duty to Cooperate in relation to meeting the London Plan waste apportionment. The Council acknowledges that LBHF's two strategic waste sites (Powerday & EMR) now fall within the boundary of OPDC, therefore LBHF has less control over these waste sites than previously. The OPDC's Draft Waste Strategy identifies that the Powerday Old Oak Sidings site should be safeguarded. The EMR metals recovery site, however, is not safeguarded, assuming it is available for re-development. It is not yet known if OPDC will be providing replacement capacity for this loss in accordance with London Plan Policy 5.17 (subsection G). The LBHF proposed submission policy CC6 with proposed modifications states:

### Policy CC6 - Strategic Waste Management

The council will pursue sustainable waste management, including:

- a. planning to manage 247,000 tonnes per annum of waste in LBHF by 2036;
- b. promoting sustainable waste behaviour and maximum use of the WRWA Smuggler's Way facility; and
- c. seeking, where possible, the movement of waste and recyclable materials by sustainable means of transport, maximizing the use of the River Thames where possible.

### SUMMARY

Date	Document	Organisation
Jun 2000	<a href="#">Cremorne Safeguarded Wharf Direction</a>	DETR / Mayor of London
Nov 2008	<a href="#">Waste Framework Directive (2008/98/EC)</a>	EU
Mar 2011	<a href="#">The Waste (England and Wales) Regulations 2011</a>	HM Government
Nov 2011	<a href="#">London's Wasted Resource: The Mayor's Municipal Waste Management Strategy</a>	Mayor of London
Mar 2012	<a href="#">National Planning Policy Framework (NPPF)</a>	DCLG
Sep 2012	<a href="#">Land for Industry and Transport SPG</a>	Mayor of London
Mar 2013	<a href="#">Safeguarded Wharves Review – Final Recommendation</a>	Mayor of London
Dec 2013	<a href="#">Waste Management Plan for England</a>	DEFRA
Oct 2014	<a href="#">National Planning Policy for Waste (NPPW)</a>	DCLG
Oct 2014	<a href="#">National Planning Practice Guidance (NPPG): Waste</a>	DCLG
Mar 2015	<a href="#">London Infrastructure Plan 2050 Update</a>	Mayor of London
May 2015	<a href="#">Building Regulations 2010 Part H Drainage and Waste Disposal Approved Document</a>	HM Government
Mar 2016	<a href="#">London Plan</a>	Mayor of London

## 2.3 EVIDENCE BASE

### THE BOROUGH AND CREMORNE WHARF

- 2.3.1 The Council collected approximately 77,613 tonnes of Local Authority Collected Waste<sup>3</sup> in 2016 to 2017<sup>4</sup>. As set out in section 3, the London Plan's apportionment figure for the Borough is 198,000 tonnes per annum by 2036 which, assuming approximately 80,000 tonnes per annum capacity per hectare, requires 2.48<sup>5</sup> hectares of land to manage this waste.
- 2.3.2 A combination of a stretching housing target, need to protect employment land, the constrained nature of the borough and competing land uses limits the Council's ability to allocate sufficient land to be able to meet its apportionment.
- 2.3.3 The Council's existing Local Plan Policy CE3(a) safeguards Cremorne Wharf for waste management purposes. However, Cremorne Wharf is not currently operational as a waste management facility and is being utilised on a temporary basis for development of the Thames Tideway Tunnel and part of the site will need to be permanently retained for ongoing maintenance access to the tunnel. The Secretary of State granted the Thames Tideway Tunnel Development Consent Order (DCO) in September 2014 which is programmed for completion in 2022. The building and structures at Cremorne Wharf are due to be demolished. The DCO includes the construction and replacement of buildings and structures at Cremorne Wharf to replace those being demolished. The DCO includes the construction and replacement of buildings and structures at Cremorne Wharf to replace those being demolished.
- 2.3.4 An application for the Counters Creek Storm Relief Sewer scheme is expected to be submitted later this year and will also utilise Cremorne Wharf during construction. Construction phases will overlap with Thames Tideway Tunnel and is also expected to be completed by 2022.
- 2.3.5 When the Thames Tideway Tunnel and the Counters Creek Storm Relief Sewer Scheme projects are complete it is proposed that Cremorne Wharf will be brought back into waste use but it is currently not known whether this will be purely for waste transfer or also include treatment or sorting operations. Therefore, the proportion of the waste throughput which can be counted towards meeting the GLA's apportionment target is currently unknown. Because of this and the definitions in London Plan paragraph 5.79 and the Land for Industry and Transport SPG paragraph 6.5 (see above section 3), it is not currently considered that Cremorne Wharf is able to contribute towards the Borough's apportionment at this point in time. Even if it was capable, it would be unlikely to have such a capacity to fully address the Borough's apportionment as the site itself is 0.39ha, the equivalent to a processing capacity of 31,200tpa using the Babbie formula.

<sup>3</sup> Household, commercial & industrial waste collected by the Council

<sup>4</sup> RBKC 2015

<sup>5</sup> Using the Jacobs Babbie Formula:  $198,000 / 80,000 = 2.475$

## WESTERN RIVERSIDE WASTE AUTHORITY (WRWA) WPAS

- 2.3.6 The Council has been working collaboratively with other WRWA WPAs in respect of waste planning matters and will continue to do so. The Council will need to rely on the Duty to Cooperate for other WRWA WPAs, including OPDC, to allocate and safeguard sites in their boroughs, and the Council has taken a proactive, leading and coordinating role in this regard. The Western Riverside Waste Authority (WRWA)<sup>6</sup> is the statutory body, or local authority, responsible for the management of the waste delivered to it by the Royal Borough of Kensington and Chelsea (RBKC), the London Borough of Hammersmith and Fulham (LBHF), the London Borough of Wandsworth (LBW) and the London Borough of Lambeth (LBL).
- 2.3.7 These Councils are also Waste Planning Authorities in their own right and the Council has been working closely with these 'WRWA WPAs' to prepare a joint evidence base regarding waste apportionments.



Figure 2.1 London's Unitary Waste Authorities

- 2.3.8 More recently, the Old Oak Park Royal Development Corporation (OPDC) has been established (April 2015) within parts of the jurisdiction of LBHF, and the London Boroughs of Brent and Ealing (LBB and LBE). The OPDC is a WPA in its own right. Whilst the OPDC's waste apportionment and sites within the jurisdictions of LBB and LBE fall within the adopted (2015) West London Waste Plan's remit, the OPDC's waste apportionment and sites within the jurisdiction of LBHF currently only fall within the remit of LBHF's existing Core Strategy (2011) in terms of a

<sup>6</sup> [www.wrwa.gov.uk](http://www.wrwa.gov.uk)

<sup>7</sup> From Figure 3 of the Mayor's Municipal Waste Management Strategy (Nov 2011)

'waste plan'. Because this latter part of the OPDC's jurisdiction falls within the area covered by the WRWA, the OPDC has been included in the joint waste evidence base work with the other WRWA WPAs – but only concerning its land and waste management facilities within LBHF.

- 2.3.9 The joint waste evidence base work (Waste Technical Paper, 2017) establishes that, when pooling apportionments and capacity, the WRWA WPAs are able to jointly meet their London Plan waste apportionment as a single entity, with a surplus of approximately 346,000 tonnes of waste per annum. The Waste Technical Paper provides an update on capacity within the borough and WRWA area.
- 2.3.10 In April 2015, the WRWA WPAs (excluding OPDC which had only just been established at the time) sent a letter to other London WPAs (i.e. Boroughs) setting out the emerging joint evidence base work and asking whether or not they could share any 'spare' waste capacity. An 'Engagement Statement' which includes the letter, the evidence base tables, the key issues raised by London WPAs in their responses and the WRWA WPAs' joint responses has been published.

#### **WASTE TECHNICAL PAPER FOR WASTE PLANNING AUTHORITIES IN THE WRWA AREA**

- 2.3.11 A technical paper has been prepared by RBKC jointly with the Waste Planning Authorities in the WRWA area to ensure that the evidence base is up to date and comprehensive. It considers the arisings of all waste streams set out in the NPPG and the London Plan within the WRWA area and establishes the capacity gap to meet the London Plan Apportionment. The council has taken a leading, proactive and collaborative role in coordinating a joint Waste Technical Paper to inform local plan preparation of planning authorities in the WRWA area. This has been achieved by securing involvement from each of the WRWA WPAs and the OPDC. The findings are summarised below.

##### RBKC London Plan Waste Apportionment

- 2.3.12 The Waste Technical Paper identifies that there is limited capacity within the borough to meet its apportionment. There is no existing permitted waste management capacity in the borough which counts towards meeting the London Plan apportionment target. The available waste treatment capacity is from waste sites with exemptions (i.e. those which report their operations to the Environment Agency, but do not require a full permit). The capacity from exempt sites is 30,660 tpa.
- 2.3.13 The resultant borough apportionment gap in the table below shows that there is a waste management capacity shortfall of 107ktpa in 2016 and that this will increase to a shortfall of 167ktpa by 2036. The increase in capacity shortfall from 2016 to 2036 is a result of the increasing London Plan apportionment target over the period.

	2016	2021	2026	2031	2036
<b>RBKC London Plan Apportionment</b>	138,000	160,000	190,000	194,000	198,000
<b>RBKC Apportionment Gap Total</b>	<b>-107,340</b>	<b>-129,340</b>	<b>-159,340</b>	<b>-163,340</b>	<b>-167,340</b>

*Figure 2.2 Waste Apportionment capacity gap /surplus for RBKC and the WPAs in the WRWA area, Waste Technical Paper (January 2017)*

- 2.3.14 Using the Babbie formula, the 2036 shortfall would be equivalent to 2.1ha<sup>8</sup> of waste management allocated land. However, examining the 2036 shortfall in terms of the land take required to develop the required capacity shortfall by waste treatment type, estimates the likely land required to develop enough capacity to meet the 2036 apportionment shortfall is approximately 3.74ha. The Waste Technical Paper further confirms that due to the constrained nature of the Borough and competing land use demands there are currently no opportunities to allocate waste sites of a combined size able to produce this level of capacity development within the borough.
- 2.3.15 Therefore, the Council needs to identify suitable land elsewhere outside of the borough under the Duty to Cooperate to assist with its apportionment shortfall. The Council will need to work with the other WRWA WPAs including OPDC and if necessary other London Boroughs.
- 2.3.16 The Waste Technical Paper identifies the movements of waste from the borough.

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<sup>8</sup> 167,340/80,000= 2.09ha

Recipient WPA / Facility Type	Household and C&I (LACW) waste generated in Kensington & Chelsea	
	2015	2014
<b>Wandsworth WPA</b>		
Material Recycling Facility	12,600	3,437
<b>Havering WPA</b>		
Non Hazardous LF	65	
Physical Treatment	14	
<b>Newham WPA</b>		
Non-Haz Waste Transfer / Treatment		141
Physical Treatment	4	
Physical-Chemical Treatment		81
<b>Slough WPA</b>		
Non-Haz Waste Transfer	370	
<b>Sutton WPA</b>		
Mechanical Biological Treatment		4,674
Material Recycling Facility		9
<b>Greenwich WPA</b>		
Physical Treatment		117
<b>Slough WPA</b>		
Non-Hazardous Waste Transfer		414
<b>Total</b>	<b>4,200</b>	<b>13,053</b>
<b>Total outside WRWA</b>	<b>763</b>	<b>453</b>

Fig. 2.3 External destinations of household and C&I waste generated in Kensington and Chelsea (>1,000tpa) in 2015 and 2014 (tonnes)

Source: Tables 7&8, Waste Technical Paper (January 2017): Environment Agency's WDI 2015 and 2014. \* are sourced from Defra's WDF, for 2015 data these have been estimated by factoring up one quarter worth of data (i.e. January – April 2015). These are also only reported by WRWA and not by the constituent WPAs.

Recipient WPA	Inert / C&D waste generated in Kensington & Chelsea	
	2015	2014
<b>Surrey WPA</b>	96,645	28,207
Non-Haz Waste Transfer	653	630
Inert LF	94,854	27,274
Physical Treatment	1,138	304
<b>Ealing WPA</b>	28,460	14,314
Non-Haz Waste Transfer	1,294	432
Inert Waste Transfer	27,166	13,882
<b>Thurrock WPA</b>	102,320	100,967

Recipient WPA	Inert / C&D waste generated in Kensington & Chelsea	
	2015	2014
<i>Inert Waste Transfer</i>	2,516	20,887
<i>Deposit of waste to land (recovery)</i>	74,800	80,080
<i>Inert LF</i>	25,004	
<b>Greenwich WPA</b>	7,211	7,350
<i>Physical Treatment</i>	7,211	7,350
<b>Havering WPA</b>	3,959	13,890
<i>Non-Haz Waste Transfer</i>	1,422	963
<i>Physical Treatment</i>	30	12,702
<i>Non Hazardous LF</i>	2,508	225
<b>Hillingdon WPA</b>	8,985	24,418
<i>Inert LF</i>	8,985	24,418
<b>Newham WPA</b>	2,610	2,028
<i>Physical Treatment</i>	2,610	
<i>Non-Haz Waste Transfer / Treatment</i>		1,936
<i>Physical-Chemical Treatment</i>		92
<b>Brent WPA</b>	7,851	10,336
<i>Non-Haz Waste Transfer</i>	7,851	10,336
<b>Merton WPA</b>	6,462	6,822
<i>Non-Haz Waste Transfer / Treatment</i>	6,462	6,822
<b>Milton Keynes WPA</b>	102	
<i>Non Haz (SNRHW) LF</i>	102	
<b>Wandsworth WPA</b>	2,007	4,450
<i>Material Recycling Facility</i>	2,007	4,450
<b>Essex WPA</b>	3,034	6,167
<i>Non-Haz Waste Transfer</i>	17	21
<i>Non Hazardous LF</i>	18	58
<i>Inert LF</i>	2,998	6,089
<b>Buckinghamshire WPA</b>	524	1,614
<i>Non Hazardous LF</i>	524	975
<i>Inert LF</i>		639
<b>Barnet WPA</b>	6,237	6,675
<i>Non-Haz Waste Transfer</i>	6,237	6,675
<b>Slough WPA</b>	622	4,641
<i>Non-Haz Waste Transfer</i>	2	1
<i>Inert Waste Transfer</i>	125	575
<i>Inert LF</i>	495	4,065
<b>Hertfordshire WPA</b>	2,737	
<i>Deposit of waste to land (recovery)</i>	374	

Recipient WPA	Inert / C&D waste generated in Kensington & Chelsea	
	2015	2014
<i>Inert LF</i>	2,363	
<b>Kent WPA</b>	69	1
<i>Material Recycling Facility</i>	69	1
<i>Dorset WPA</i>		7,146
<i>Inert LF</i>		7,146
<b>Total</b>	279,834	<b>239,029</b>

*Fig. 2.4 External destinations of Inert / C&D waste generated in Kensington and Chelsea (>5,000tpa) in 2015 and 2014 (tonnes)*

Source: Tables 41&42, Waste Technical Paper (January 2017): Environment Agency's WDI 2015 and 2014.

2.3.17 Table 45 of the Waste Technical Paper identifies the WPAs which receive Hazardous waste from the WRWA WPA area. This shows that in 2015 the Hazardous waste exports totalled 32tpa.

#### WRWA WPAs Pooled London Plan Waste Apportionment

2.3.18 As explained in paragraph 2.2.12 above, the London Plan allows the pooling of contributions. The Waste Technical Paper establishes that as a group of WPAs in the WRWA area the apportionment is being met with an apportionment capacity surplus of 346ktpa in 2016, and that the apportionment will continue to be met to 2036 with a surplus of 48ktpa.

	2016	2021	2026	2031	2036
<b>WRWA WPAs London Plan Pooled Apportionment</b>	683,000	790,000	944,000	961,000	981,000
<b>Total Pooled Apportionment Gap for WPAs in WRWA area</b>	<b>+345,919</b>	<b>+238,920</b>	<b>+84,919</b>	<b>+67,920</b>	<b>+47,920</b>

*Figure 2.3 Pooled Waste Apportionment capacity gap /surplus for the WPAs in the WRWA area, Waste Technical Paper (January 2017)*

2.3.19 Whilst the London Plan only requires Local Authorities to address the overall apportionment figure, the Waste Technical Paper provides a finer grained understanding of waste management capacity by splitting the apportionment target into key waste types. Separating capacity requirement per process type shows an increasing shortfall in recycle capacity from a surplus of 120ktpa in 2016 to a shortfall of 167ktpa in 2036, caused by an assumed increase in recycling rates. This is intensified by the assumed closure of the EMR facility in OPDC.

2.3.20 This is the equivalent to 0.84ha of land for the organic waste capacity shortfall and 4.5ha for recycle capacity. However, actual land-take of active facilities within the WRWA area (e.g. Smugglers Way waste MRF 129kt/ha, EMR Pensbury Place 101kt/ha) demonstrate that it is possible to deliver recycling capacity with land

efficiency greater than the published average<sup>9</sup>. In addition, increases in recycle segregation can be delivered by increasing recycling rates at existing waste transfer stations, where space and access allows.

- 2.3.21 There is a considerable surplus of residual waste treatment capacity amounting to 228ktpa reducing to 242ktpa in 2036. This is based upon capacity at a single site (Powerday, Old Oak Sidings) and the assumption that this facility can produce RDF which meets the requirements of the Renewable Obligation Order. Discussions between Powerday and the WTP consultants have confirmed that the throughput factored in for Powerday is achievable if the market demands it.

Data from the Environment Agency (2015) shows that of the waste generated within the WRWA WPAs, around 28% is managed within the WRWA area (68.1kt), with the remainder exported to other London Boroughs (Bexley 60%, 146kt; Havering 5%, 11kt; Newham 2%, 5kt) with other smaller quantities exported further afield to destinations such as West Sussex, Hampshire and Slough.

#### Construction, demolition and excavation waste (CD&E)

- 2.3.22 CD&E waste is currently not apportioned in the London Plan. However, the GLA is considering whether this could be incorporated. Therefore the WTP undertook investigations into this waste stream. The overall waste arisings have been based on a baseline year of 2015 and forecast using anticipated housing and commercial development for each borough up to 2036. However this does not include CD&E waste from London wide strategic infrastructure which the GLA will be investigating as part of the London Plan Review.
- 2.3.23 In the borough there is an estimated increase of CD&E Waste arisings from 121,036 tonnes in 2016 to 175,980 tonnes in 2036. Currently there is no capacity within the borough to meet this CD&E arising.
- 2.3.24 In total, the estimated combined CD&E arisings for the WPAs in the WRWA area is 763,814 tonnes in 2016, peaking at 1,081,492 tonnes in 2021 before gradually reducing to 507,464 tonnes in 2036. There is a capacity of 1.1m tonnes within the WRWA area suggesting that there is a surplus of CD&E capacity of 371ktpa in 2016 increasing to approximately 627ktpa in 2036. The surplus is expected to be the lowest in 2021, at 53ktpa, as this coincides with a peak in the arisings.
- 2.3.25 It has been assumed that all transfer capacity is available for the transfer of CD&E waste, whereas in reality facilities are likely to receive a mixture of LACW, C&I and CD&E waste. What this split of material sources will actually be for a given year, will depend upon market forces at that time and cannot be adequately forecast. With this in mind, some of the CD&E capacity is also included in the capacity calculations for LACW and C&I waste. This amount totals to 33,127 tonnes. If this capacity were used exclusively for LACW and C&I waste, the total transfer capacity available for CD&E wastes would reduce by the equivalent. As a result, the capacity surplus would be approximately 338ktpa in 2016 and 594ktpa by 2036. This would still be sufficient to meet the maximum estimated annual CD&E waste arisings over

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<sup>9</sup> Averages sourced from Office of the Deputy Prime Minister, "Planning for Waste Management Facilities", August 2004, with average figures calculated by Anthesis

the plan period.

- 2.3.26 The Waste Technical Paper also sought to identify the destinations of the CD&E waste arising in the WRWA area. A threshold of the 5,000tpa was used and the WPAs are listed in table 41 of the Waste Technical Paper. Despite capacity within the WRWA area 97% of the CD&E waste arisings in the WRWA area is exported. This could be due to existing contracts for disposal. The main destinations are Surrey, Ealing, Thurrock, Havering, Greenwich and Hillingdon.

#### Low Level Radioactive Waste

- 2.3.27 The primary categories of this waste stream which are relevant to the borough and WRWA area are Low level waste and very low level waste. This is waste consisting largely of paper, plastics and scrap metal items that have used in hospitals, research establishments and the nuclear industry. There are currently no facilities within the WRWA area for the processing of low level radioactive waste.
- 2.3.28 The latest data available for this this type of waste is the Pollution Inventory Dataset from 2013 which reports that over 8.6 million MBq was identified to be disposed of by the WPAs in the WRWA area, of which 2.8mbq arose from RBKC.
- 2.3.29 All the waste identified as being generated in the WRWA area was reported to be disposed of either to air or to waste water and therefore places no requirement on waste management infrastructure. Therefore, this places no requirement on relevant waste management facilities of this waste stream.

#### Agricultural

- 2.3.30 In the 2006 Waste Management Regulations agricultural waste was defined as waste from premises used for agriculture within the meaning of the Agriculture Act 1947. The Chartered Institute of Wastes Management (CIWM) refers to it as waste that has been produced on a farm in the course of 'farming'. Due to the urban nature of the boroughs, no waste from agricultural sources has been reported in the WRWA area to the latest EA datasets. Therefore there are no requirements on waste management infrastructure from this waste stream.

#### Hazardous

- 2.3.31 Quantifying the amount of Hazardous waste is complicated as not all hazardous waste is recorded in the same way. Hazardous waste requires a range of specialist facilities for treatment and disposal, and so often this waste may travel further than types of non-hazardous waste
- 2.3.32 This waste stream forecast is based on GLA's waste arisings figures. Estimates of hazardous waste were collated from the EA's WDI (2015). Currently, in the WRWA area, 6.6k tpa of hazardous waste is being produced which peaks in 2031 at 6.7ktpa. The Hazardous waste arising in the borough is 205 tonnes per annum between 2016 to 2026 increasing to 209 tonnes per annum by 2036.
- 2.3.33 These arising figures are included in the household, C&I and CD&E estimates and therefore are addressed.

- 2.3.34 The WPAs in the WRWA area export Hazardous waste to the three main WPAS, these are Enfield WPA (609ktpa in 2015), Medway WPA (2,790ktpa in 2015) and Wokingham WPA (534ktpa in 2015). In addition the WRWA area received 17ktpa of hazardous waste in 2015 of which approximately 95% was received by LBHF.
- 2.3.35 The EA Active Sites Listing 2015 identifies around 90ktpa of permitted hazardous waste capacity within the WRWA area. This capacity is greater than the waste arisings forecast therefore there are no requirements on waste management infrastructure from this waste stream.
- 2.3.36 It is important to note, that the treatment and disposal of hazardous wastes is complex and dedicated facilities are often required for specific hazardous waste types. For this reason, the final destination of particular hazardous waste type can be outside of the WRWA area even though there is capacity available.

#### Waste Water

- 2.3.37 Thames Water Limited is responsible for wastewater and sewage sludge treatment in London, and manages sewerage infrastructure as well as sewage treatment works
- 2.3.38 The WRWA area's wastewater is treated at the Beckton sewage treatment works (STW) in Beckton, in the London Borough of Newham, which is the largest in Europe, and also treats the waste of other boroughs such as Newham, Hackney & Tower Hamlets too, serving a total population of 3.5 million people. Based on population, the anticipated mass of dried sludge that the WRWA area produced in 2014 was 25,000 tonnes of dry solids.
- 2.3.39 Thames Water is undertaking an upgrade and expansion of the Beckton Sewage Treatment Works facility to both treat sewage to a higher standard, and increase the capacity to a population equivalent of 3.9 million. This will build sufficient sludge processing plant to account for population growth in the STW catchment area up to 2035, and therefore no additional facilities are required.

#### Safeguarded sites

- 2.3.40 The Waste Technical Paper addresses safeguarded sites within the WRWA area by indicating the potential capacity that could be available from them to meet the London Plan apportionment. This is undertaken at a borough level but has not been included in the overall apportionment capacity calculations as it is unknown what type of facilities or waste will be managed on these sites. There are no existing operational waste sites within Kensington & Chelsea. The Council has therefore safeguarded Cremorne Wharf for future waste management use. It is the only future opportunity for additional waste management capacity but neither the type nor scale of facility is currently known. For this reason, it is currently limited in its ability to contribute to the apportionment target. An estimated potential processing capacity for the site is 31,200tpa. The Council will need to rely on other WRWA WPAs to allocate and safeguard sites in their boroughs to meet the London Plan apportionment as part of the Duty to Cooperate.
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### Powerday Capacity

- 2.3.41 The Powerday waste management facility is located within Hammersmith and Fulham and the OPDC is the responsible planning authority for it. Both LBHF and OPDC have undertaken background work in respect of available capacity at the facility. The Waste Technical Paper has drawn on this existing work for consistency and the assumed capacity was agreed by both OPDC and LBHF. Further to this, confirmation was received from the facility operators that the assumption to be appropriate. The capacity assumed for Powerday is established by LBHF in its Submission Local Plan review background paper on waste. The figure has been derived using the 2014 EA returns data to establish the percentage of Municipal Solid Waste and Commercial & Industrial waste of the total facility throughput for that year. This percentage has then been applied to the total licenced capacity giving 681ktpa as potential capacity. The details of this are set out in LBHF's supporting documents to its Submission Local Plan, which also replicates relevant tables of the Waste Technical Paper.
- 2.3.42 The GLA has suggested that the capacity at Powerday be further investigated. Therefore OPDC and LBHF are further investigating the capacity of the facility as part of their Local Plan processes on behalf of the WRWA WPAs. As part of this they are working with the facility operators and the GLA in respect of the scope of maximising waste management operations and on site energy generation at the facility.
- 2.3.43 If it is established that the capacity is different to that set out in LBHF's waste background paper and the Waste Technical Paper, then the Council will continue to work with the WRWA WPAs and if necessary other London boroughs as set out in Proposed Publication Policy CE3.

### **JOINT WORKING ARRANGEMENTS AND DRAFT MEMORANDUM OF UNDERSTANDING**

- 2.3.44 Officers of the WRWA WPAs had agreed to continue working jointly to meet the pooled London Plan apportionment as a group of WPAs in January 2017 (see appendix 1), subject to a Memorandum of Understanding. The joint working arrangements will extend to monitoring pooled arisings, apportionment, available capacity, shortfall and/or surplus capacity for all waste streams. A Draft Memorandum of Understanding has been prepared and circulated to the WRWA WPAs in March 2017, however due to further investigating capacity at Powerday and internal governance reporting timescales the WPAs are still working towards agreeing this formally.
- 2.3.45 To ensure that an agreed position on waste management is reached the Council has also prepared a Joint Working Arrangements: Officer Agreement document for each of the WRWA WPAs to agree. This sets out how the WRWA WPAs will continue to work together at officer level and a timetable for sign off of joint working arrangements by senior management and officials<sup>10</sup>. The WRWA WPAs have discussed both documents and agreed at this stage to continue working towards agreeing an MoU. Email confirmations of commitment to ongoing joint working

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<sup>10</sup> Heads of Service and/or Cabinet Members

have been received from Lambeth, Wandsworth, Hammersmith and Fulham and OPDC (see appendix 2).

## **ACTUAL WRWA WASTE MANAGEMENT ARRANGEMENTS**

- 2.3.46 The Council is statutorily required to deliver its municipal waste to places as directed by WRWA. Currently all of the municipal waste goes to WRWA facilities in Wandsworth for transfer and treatment (Western Riverside Transfer Station near Wandsworth Bridge and Cringle Dock Transfer Station next to Battersea Power Station). Since 2011, recyclables go to a Materials Recycling Facility at Smugglers Way in Wandsworth and residuals are barged down river to the Riverside Resource Recovery Limited (RRRL)'s facility at Belvedere, in the London Borough of Bexley where the waste is incinerated to generate electricity. It is the largest Energy from Waste (EfW) facility in the UK and one of the largest in Europe, which will eventually generate up to 72MW of power. This is confirmed by the WRWA's Waste Policy Statement (July 2013) which also states that the facility can handle 670,000 tonnes of waste per year although the WRWA supplies around 300,000 tonnes of residual waste to it (paragraphs 11-12).
- 2.3.47 This contract is understood to run until 2031 meaning that, in reality, waste arisings from the Borough and the other WRWA WPAs are dealt with in Bexley. The Council, with the WRWA WPAs, will engage with South East London Waste Planning Group (SELWPG) to manage any shortfall if this cannot be addressed within the WRWA area.
- 2.3.48 It should be noted that the Cringle Dock transfer station has been subject to a recent planning permission. Planning permissions was granted for redevelopment of the waste transfer station in July for redeveloping the area to provide a modern waste transfer station and 422 flats. The proposal will not result in a reduction in waste transfer capacity.

## **DUTY TO COOPERATE**

- 2.3.49 The joint working of the WRWA WPAs on the waste evidence base and the dialogue with other London WPAs is a reflection of the duty to cooperate.
- 2.3.50 Section 110 of the Localism Act 2011 inserted section 33A into the Planning and Compulsory Purchase Act 2004 which requires Councils to cooperate with other prescribed bodies. The duty requires, in particular, a duty to "engage constructively, actively and on an ongoing basis" in relation to "maximising the effectiveness" of, and having "regard to", activities concerned with supporting or preparing planning policies "so far as relating to a strategic matter".
- 2.3.51 A strategic matter is defined as "sustainable development or use of land that has or would have a significant impact on at least two planning areas including... in connection with infrastructure that is strategic" (section 33A(4)). Clearly, waste management is a strategic matter for the purposes of the duty.
- 2.3.52 The Council has taken a leading, proactive and collaborative approach in respect of the Duty to Cooperate on waste as part of the WRWA WPA grouping.

- 2.3.53 In April 2015, the Council with WRWA WPAs wrote to other London WPAs requesting, under the duty to cooperate, consideration regarding any spare waste capacity they might be able to share with the WRWA WPAs. The letter also set out the evidence base at that time from the WRWA WPAs in terms of waste apportionment and shortfall figures. A response was received from all London Boroughs.
- 2.3.54 In addition to the letter, the Council arranged a meeting between with the South East London Waste Planning Group (SELWPG) and WRWA WPAs. In response to the responses received to the April 2015 engagement activities and the meeting with SELWPG, the WRWA WPAs prepared the Waste Technical Paper (summarised above) to enhance the evidence base and support ongoing engagement and Local Plan preparation.
- 2.3.55 The Council, as part of the Draft Policies (Regulation 18) stage of the LPPR, wrote to Waste Planning Authorities who were identified in the draft Waste Technical Paper as importing and exporting waste from the WRWA area in respect of waste planning. The letter was also sent to Waste Planning Authorities who attend the London Waste Planning Forum. Further to this Waste Planning Authorities were also consulted at the Publication Policies stage when they were invited to comment on the waste policy approach, the letter also notified them of the Waste Technical Paper. This correspondence detailed that further engagement would be undertaken together with the other WRWA WPAs as part of ongoing joint work. Details of the consultation are included in the Consultation Statement supporting the Publication Policies (Regulation 19) and Submission.
- 2.3.56 The Council and all other London WPAs are members of the London Waste Planning Forum (LWPF). In February 2017 the Council, on behalf of the WRWA WPAs and OPDC, presented the Waste Technical Paper findings to the LWPF (see appendix 3). The presentation also set out that the WRWA WPAs would continue to work together in respect of pooling apportionments and agreeing a Memorandum of Understanding. In addition to London WPAs, there were representatives from the GLA, Environment Agency and the Western Riverside Waste Authority (the disposal authority) at the meeting.
- 2.3.57 Further details of Duty to Cooperate actions are set out in table 3.1 below.

## SUMMARY

Date	Document	Organisation
Jul 2013	<a href="#">Waste Policy Statement</a>	WRWA
Apr 2015	Duty to Cooperate Letter and Joint Evidence Base (within the Waste Engagement Statement)	WRWA WPAs
Sep 2015	<a href="#">Waste Engagement Statement</a>	WRWA WPAs
Jan 2017	<a href="#">Waste Technical Paper for WPAs in the WRWA Area</a>	WRWA WPAs / Anthesis

## 2.4 OPTIONS, CONSULTATION AND INTEGRATED IMPACT ASSESSMENT (IIA)

2.4.1 Alternative options were consulted on as part of the Issues and Options (December 2015) and Draft Policies (October 2016) consultation documents. The Consultation Schedules and Consultation Summaries for these are set out in the Consultation Statement published alongside the Publication Policies (February 2017) consultation document and as part of the Submission (May 2017) documents. The options considered through the consultations and as part of the Integrated Impact Assessment (IIA) are summarised below.

2.4.2 The Council has considered the options particularly in light of the ‘tests of soundness’ which are set out in the NPPF:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.  
(paragraph 182)

2.4.1 The options and alternatives considered are:

Option	Status	Reason	
1	The Council should identify a site or sites within the Borough to address its apportionment shortfall entirely within the Borough.	<b>Not a reasonable alternative</b>	This option is not realistic as there are no sites available within the Borough to meet the Borough’s waste arisings and apportionment.
2	The Council should continue to work with the other WRWA WPAs to jointly identify a site or sites within the WRWA area to address their collective apportionment shortfall entirely within the	<b>Preferred option for Publication Policies with Proposed Modifications</b>	<b>Positively prepared</b> This option is positively prepared as: -it based on evidence undertaken with the WRWA Waste Planning Authorities. - a joint approach to meeting the WRWA waste apportionment.

Option	Status	Reason
WRWA area.		<p><b>Justified</b> This option is justified as it:</p> <ul style="list-style-type: none"> <li>- is based on the conclusions of the joint WRWA WPA Waste Technical Paper.</li> <li>- ensures that the waste apportionment of the WRWA Waste Planning Authorities is met.</li> </ul> <p><b>Effective</b> This option is effective as it is based on effective joint working on cross-boundary strategic priorities.</p> <p><b>Consistent with national policy</b> This option is consistent with regulations, national and regional policy and guidance.</p>
3 The Council should continue to work with the other WRWA WPAs and collectively secure spare apportionment capacity outside of the WRWA area, but within London, to address the WRWA WPAs' collective apportionment shortfall.	Preferred option for Publication Policies with Proposed Modifications	<p><b>Positively prepared</b> This option is positively prepared as:</p> <ul style="list-style-type: none"> <li>-it based on evidence undertaken with the WRWA Waste Planning Authorities.</li> <li>- a joint approach to meeting the WRWA waste apportionment.</li> </ul> <p><b>Justified</b> This option is justified as it:</p> <ul style="list-style-type: none"> <li>- is based on the conclusions of the joint WRWA WPAs Waste Technical Paper.</li> <li>-ensures that the waste apportionment of the WRWA Waste Planning Authorities is met.</li> </ul> <p><b>Effective</b> This option is effective as it is based on effective joint working on cross-boundary strategic priorities.</p>

Option	Status	Reason	
		<p><b>Consistent with national policy</b> This option is consistent with regulations, national and regional policy and guidance.</p>	
4	Continue to safeguard Cremorne Wharf for waste management, water transport and cargo handling purposes	Preferred option for Publication Policies with Proposed Modifications	This approach is in accordance with London Plan policy on safeguarding wharves.
5	Not continue to safeguard Cremorne Wharf for waste management, water transport and cargo handling purposes	Reasonable alternative	This approach is not in accordance with London Plan policy on safeguarding wharves.

## 2.5 PUBLICATION POLICY WITH PROPOSED MODIFICATIONS

- 2.5.1 Following consideration of the above options and reasonable alternatives, the existing Local Plan policy is proposed to be amended as follows (red = Draft Policies and blue = Publication Policies and green = Submission Proposed Modifications):

### Policy CE3 Waste

The Council will plan for the sustainable management of waste streams, including meeting the waste apportionment figure as set out in the London Plan and will ensure that waste is managed in accordance with the waste hierarchy, which is to reduce, reuse or recycle waste as close as possible to where it is produced.

To deliver this the Council will:

- a. ~~prepare a specific waste DPD to show how the waste apportionment figure of 309,000 tonnes per annum by 2020 required by the London Plan will be met. This will include:~~
  - i. ~~identifying suitable sites for the purpose of managing the waste;~~
  - ii. ~~identifying which boroughs the Council will be working with the WRWA Waste Planning Authorities (WPAs) and other London boroughs and to establish~~ continue to monitor the pooled arisings, apportionment, available capacity, shortfall and/or surplus capacity for all waste streams how much the pooled apportionment of those boroughs will be so that the apportionment figure can be met;

- iii**b**. working in partnership with the GLA and neighbouring other London boroughs to manage any shortfall to meet the apportionment figure;
- iii**iv**~~c~~. safeguarding ~~the existing waste management sites along with~~ Cremorne Wharf, maximising its use for waste management, water transport and cargo handling purposes;
- ...
- ef**g**. require that development proposals make use of the rail and the waterway network for the transportation of construction waste and other waste;
- ef**h**. require applicants for major developments to prepare and implement Site Waste Management Plans for demolition and construction waste.

**KEY DIAGRAM AND PROPOSAL MAP**

2.5.2 No changes are required to be made to the Key Diagram or the Proposals Map.

**2.6 DUTY TO COOPERATE AND STRATEGIC ISSUES**

2.6.1 The legal obligation of the ‘duty to cooperate’ requires the Council to “engage constructively, actively and on an ongoing basis” and have “regard to activities” (i.e. strategies, plans, policies) of other bodies in the preparation of Local Plans “so far as relating to a strategic matter”. This includes “considering whether to consult on and prepare... agreements or joint approaches”<sup>11</sup>.

2.6.2 A “strategic matter” relates to “sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular)... in connection with infrastructure that is strategic”<sup>12</sup>. Strategic matters are further defined in paragraph 156 of the NPPF<sup>13</sup> and paragraph 013 of the NPPG on the duty to cooperate<sup>14</sup>.

2.6.3 Figure 3.1 shows the actions the Council has taken with regard to the duty and the relevant prescribed bodies.

Prescribed body/ies / LPAs <sup>15</sup>	Action(s)	Date(s)
All	The Council has had regard to all relevant strategies, plans and policies of the relevant prescribed bodies in preparing the policies – as set out in Legislation, Policy and Guidance sections of Policy Formulation Reports (PFRs)	Ongoing

<sup>11</sup> Section 33A of the Planning and Compulsory Purchase Act 2004, as inserted by Section 110 of the Localism Act 2010

<sup>12</sup> Section 33A(4) of the Planning and Compulsory Purchase Act 2004, as inserted by Section 110 of the Localism Act 2010

<sup>13</sup> <http://planningguidance.communities.gov.uk/blog/policy/>

<sup>14</sup> <http://planningguidance.communities.gov.uk/blog/guidance/duty-to-cooperate/>

<sup>15</sup> Regulation 4 of The Town and Country Planning (Local Planning) (England) Regulations 2012

Prescribed body/ies / LPAs <sup>15</sup>	Action(s)	Date(s)
All	Local Plan Partial Review Issues and Options consultation – see Consultation Schedule	Dec 2015 – Feb 2016
All	Local Plan Partial Review Draft Policies Regulation 18 consultation – see Consultation Schedule	Oct – Dec 2016
Mayor of London	<p>Liaison meeting with GLA officers on the LPPR and emerging London Plan / SPGs</p> <p>Input and advice on Waste Technical Paper Brief in respect of determining maximum capacity at existing waste management sites, determining waste management capacity gap and application of the GLA kilo tonnes per hectare. GLA advised that it was up to the plan maker to establish an approach to these issues.</p> <p>London Plan Review Waste Apportionment Methodology Workshop</p>	<p>Feb + Nov 2016 and Mar 2017</p> <p>July + Aug 2016</p> <p>Mar 2017</p>
Mayor of London; WRWA WPAs: LBHF; LBW; LBL; OPDC	Meeting with the GLA to present / discuss Waste Technical Paper findings and sharing of RBKC Publication Policies approach	Feb 2017
Environment Agency	Providing advice and input into the Waste Technical Paper via appointed consultants	August to November 2016
WRWA WPAs: LBHF; LBW; LBL; OPDC	<p>Joint WRWA WPAs Waste Technical Paper Meetings; discuss and agree methodology; approach and conclusions to joint waste evidence base; agree continued joint working arrangements to manage pooled waste apportionment shortfall in the WRWA area.</p> <p>Circulation of Draft import/export engagement letter for comment</p> <p>Circulation of Draft Memorandum of Understanding</p> <p>Circulation of Joint Working Arrangements: Officer Level Agreement</p> <p>Discussing Joint Working Arrangements: Officer agreement, Memorandum of Understanding, Import/Export engagement letter.</p> <p>Email confirmations of ongoing joint working arrangements (see appendix 2)</p>	June 2016 to April 2017
London	Quarterly London Waste Planning Forum	January

Prescribed body/ies / LPAs <sup>15</sup>	Action(s)	Date(s)
LPAs; other south east LPAs; Mayor of London; Environment Agency	(LWPF) Meetings; contribution to London Waste Map, sharing of waste planning issues/information/experience/best practice; evidence base work and plan making progress. Presenting Waste Technical Paper findings and clarifying continued joint working arrangements (see appendix 3)	2015 to December 2016 and January 2017 to April 2017
Westminster City Council	RBKC response to City Plan Revision Strategic Policies; request that Westminster City Council reviews its waste apportionment evidence base as soon as practicable; welcome a DtC dialogue between Westminster and WRWA WPAs.	Apr 2015
LBHF	RBKC/LBHF Planning Policy Liaison meetings; approach to joint working on waste evidence base	Quarterly
LBHF	RBKC response to LBHF Regulation 18 Draft Local Plan: Policy CC5 Strategic Waste Management – objection to removal of existing LBHF Core Strategy text which indicates spare capacity could assist RBKC.	Jan 2015
LBHF	RBKC response to LBHF Regulation 19 Proposed Submission Local Plan: Policy CC6 Strategic Waste Management - objection to removal of existing LBHF Core Strategy text which indicates spare capacity could assist RBKC; policy and justification should reflect OPDC overlap and OPDC waste evidence; policy will need to consider the WTP findings when complete.	Oct 2016
LB Wandsworth	<p>RBKC response to LBW Local Plan Employment and Industry Review; essential that the existing waste management facilities are not prejudiced by the release of existing employment or industrial land to other uses</p> <p>RBKC consultation response to Cringle Dock Planning Application; supportive in principle subject to confirmation that no waste management capacity within the WRWA area will be lost.</p> <p>RBKC response to LBW Local Plan Employment and Industry Review; acknowledge that the waste management policy is not being reviewed but that this should be picked up in the forthcoming Full Local Plan Review to reflect WRWA joint working.</p>	Jan 2016, Feb 2017 and April 2017

Prescribed body/ies / LPAs <sup>15</sup>	Action(s)	Date(s)
City of London	RBKC response to City of London Issues and Options; encourage engagement with authorities waste is exported to; encourage application of the waste hierarchy;	December 2016
Essex and Southend on Sea	RBKC response to Replacement Local Plan – Cross Border Movements; provision of waste exports from WDI 2014	December 2015
Essex and Southend on Sea	RBKC response to Essex and Southend on Sea Replacement Waste Local Plan Inspectors matters, issues and questions; no issues raised	August 2016
North London Waste Plan	Consultation on North London Waste Plan; waste movements; thresholds for the purpose of DtC; Cross boundary impacts	August 2014
North London Waste Plan	Consultation on North London Waste Plan; waste movements;	January 2015
North London Waste Plan	WRWA response to Regulation 18 Draft North London Waste Plan; support for aspects of the Draft Plan	October 2015
Oxfordshire County Council	Duty to Cooperate on the Oxfordshire Minerals and Waste Local Plan; waste movements.	October 2014
South East London Authorities	WRWA WPAs meeting with the South East London Waste Planning Group	November 2015
ELWA, NLWP, SEWPG, SLWP, WCC	WRWA boroughs' waste apportionment letter; formal request whether the spare capacity can be shared with WRWA.	April 2015
Surrey County Council	RBKC response to Regulation 18 Surrey Waste Local Plan; waste exports to WRWA; WRWA Waste evidence base	November 2016
London Borough of Tower Hamlets	RBKC response to Regulation 18 LBTH Draft Local Plan and Statement of Community Involvement refresh: Policy ES8: Waste Management; WRWA waste evidence base	November 2016
OPDC / LBHF / LB Ealing / LB Brent	Regular OPDC Project Team Meetings – attendance when necessary	Fortnightly
OPDC	RBKC/OPDC Planning Policy Liaison Meetings	May +

Prescribed body/ies / LPAs <sup>15</sup>	Action(s)	Date(s)
		Sep 2015; Jan + Apr 2016
OPDC	RBKC response to Regulation 18 Draft Local Plan	Mar 2016
Suffolk County Council	RBKC response to Suffolk Minerals and Waste Local Plan Issues and Options consultation; highlighting Waste Technical Paper; imports / export thresholds; RBKC Publication Policies consultation	Feb 2017

## 3. ISSUE 2: BIN STORAGE AND MANAGEMENT IN NEW DEVELOPMENTS

### 3.1 INTRODUCTION

3.1.1 This section considers bin storage and management in new development.

### 3.2 LEGISLATION, POLICY AND GUIDANCE CONTEXT

3.2.1 Most of the legislative, national, regional and local policy context has been set out in the previous section of this document and will not be duplicated here.

#### **NATIONAL**

##### **BUILDING REGULATIONS 2010 PART H DRAINAGE AND WASTE DISPOSAL APPROVED DOCUMENT**

3.2.2 Regarding the issue of on-site waste management as part of new developments (i.e. bin storage), it should be noted that the provision of “storage of solid waste” and “adequate means of access” is a standard Building Regulations requirement.

#### **LOCAL**

##### **EXISTING LOCAL PLAN POLICY**

3.2.3 The existing Local Plan policy relating to bin storage and management in new developments is set out below.

3.2.4 Subsections ‘b’ to ‘e’ largely deal with site-specific issues regarding on-site waste storage and management as part of new development proposals. This Local Plan Partial Review considers the issues regarding this too to inform the Publication Policy with Proposed Modifications.

#### **Policy CE3: Waste**

The Council will meet the waste apportionment figure as set out in the London Plan and will ensure that waste is managed in accordance with the waste hierarchy, which is to reduce, reuse or recycle waste as close as possible to where it is produced.

To deliver this the Council will:

b. require on-site waste management facilities as part of development at Kensal and Earl’s Court to handle waste arising from the new uses on the site (this could include facilities such as recycling facilities and anaerobic digestion);

c. require provision of adequate refuse and recycling storage space which allows for ease of collection in all developments;

d. require that development proposals make use of the rail and the waterway network for the transportation of construction waste and other waste;

b. require applicants for major developments to prepare and implement Site Waste Management Plans for demolition and construction waste.

### 3.3 EVIDENCE BASE

3.3.1 Existing Local Plan Policy CE3(c) requires provision of adequate refuse and recycling storage space which allows for ease of collection in all developments. When a proposal is considered likely to give rise to additional waste management demand the Council requires it be demonstrated that this be planned for and designed into the scheme. This is normally secured by a pre-commencement condition requiring details of the refuse storage areas be submitted for approval.

3.3.2 Bin blight<sup>16</sup> continues to be an issue across the country, and is particularly visible in the dense urban context of Kensington and Chelsea. When a development involves conversions of older properties into multiple units, their very nature can lead to difficulties with provision of waste storage space and can give rise to significant issues relating to waste storage and management. The London Environment Director's Network (LEDNET) and London Waste and Recycling Board (LWARB) have published a template planning policy for recycling and waste in flatted developments<sup>17</sup> to help address these issues.

3.3.3 Tonnages for recycling and residual waste in the Borough have recently been heading in the wrong direction and have been lower than forecast, in common with some other local authorities. Between 2013/14 and 2014/15 overall waste (municipal waste) tonnages rose by 0.29%. General waste (municipal residual waste) increased by 0.72% and recycling tonnages decreased by 1.37%. Given that residual waste treatment is more expensive than recycling, shifting waste from the residual waste stream to the recycling stream will not only save money, it will also improve recycling rates<sup>18</sup>.

### 3.4 OPTIONS, CONSULTATION AND INTEGRATED IMPACT ASSESSMENT (IIA)

3.4.1 Alternative options were consulted on as part of the Issues and Options (December 2015) and Draft Policies (October 2016) consultation documents. The Consultation Schedules and Consultation Summaries for these are set out in the Consultation Statement published alongside the Publication Policies (February 2017) consultation document and as part of the Submission (May 2017) documents. The options considered through the consultations and as part of the Integrated Impact Assessment (IIA) are summarised below.

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<sup>16</sup> [www.gov.uk/government/news/government-action-to-take-on-town-hall-bin-blight](http://www.gov.uk/government/news/government-action-to-take-on-town-hall-bin-blight)

<sup>17</sup> London Environment Directors' Network (LEDNET) and the London Waste and Recycling Board (LWARB) Template Planning Policy for recycling and waste in flatted developments: For new build flats in London (January 2015) [www.lwarb.gov.uk/what-we-do/london-waste-authority-support/successes-todate/efficiencies-programme-outputs/](http://www.lwarb.gov.uk/what-we-do/london-waste-authority-support/successes-todate/efficiencies-programme-outputs/)

<sup>18</sup> RBKC 2015

3.4.2 The Council has considered the options particularly in light of the ‘tests of soundness’ which are set out in the NPPF:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.  
(paragraph 182)

3.4.3 The options and alternatives considered are:

Option	Status	Reason
1	Keep existing Local Plan Policy CE3 (b), (c) and (e) structured and worded as it is.	<p><b>Preferred option for Publication Policies with Proposed Modifications</b></p> <p><b>Positively prepared</b> N/A</p> <p><b>Justified, Effective</b> This option is justified and effective as major development in Kensal and Earl’s Court will increase the production of waste. It is important that waste management is taken into account in all development to handle waste arisings from the new uses. This option is in line with the waste hierarchy.</p> <p><b>Consistent with national policy</b> This option is consistent with regulations, national and regional policy and guidance.</p>
2	Amend existing Local Plan Policy CE3 (b), (c) and (e) to consider issues such as:	<p><b>Preferred option for Publication Policies with Proposed Modifications</b></p> <p><b>Positively prepared</b> N/A</p> <p><b>Justified, Effective</b> This option is justified and</p>

Option	Status	Reason
<ul style="list-style-type: none"> <li>• Temporary storage space within each flat/apartment allowing for the separate storage of recyclable materials</li> <li>• Communal storage for waste, including separate recyclables, pending its collection</li> <li>• Design, quality and access of storage and collection systems (e.g. dedicated rooms, storage areas and chutes or underground waste collection systems)</li> <li>• Managing, to acceptable levels, impacts on amenity including those that may be caused by odour, noise, and dust</li> <li>• On-site treatment of waste</li> <li>• Adequate contingency measures to manage any mechanical breakdowns<sup>19</sup></li> </ul>		<p>effective as major development in Kensal and Earl's Court will increase the production of waste. It is important that waste management is taken into account in all development to handle waste arisings from the new uses. This option is in line with the waste hierarchy.</p> <p><b>Consistent with national policy</b> This option is consistent with regulations, national and regional policy and guidance.</p>

### 3.5 PUBLICATION POLICY WITH PROPOSED MODIFICATIONS

3.5.1 Following consideration of the above options and reasonable alternatives, the existing Local Plan policy is proposed to be amended as follows (red = Draft Policies and blue = Publication Policies and green = Submission Proposed Modifications).

#### **Policy CE3 Waste**

The Council will plan for the sustainable management of waste streams, including meeting the waste apportionment figure as set out in the London Plan and will

<sup>19</sup> List adapted from the London Environment Directors' Network (LEDNET) and the London Waste and Recycling Board (LWARB) Template Planning Policy for recycling and waste in flatted developments: For new build flats in London (January 2015) [www.lwarb.gov.uk/what-we-do/london-waste-authority-support/successes-to-date/efficiencies-programme-outputs/](http://www.lwarb.gov.uk/what-we-do/london-waste-authority-support/successes-to-date/efficiencies-programme-outputs/)

ensure that waste is managed in accordance with the waste hierarchy, which is to reduce, reuse or recycle waste as close as possible to where it is produced.

To deliver this the Council will:

~~bd.~~ require on-site waste management facilities as part of development at Kensal and Earl's Court to handle waste arising from the new uses on the site (this could include facilities such as recycling facilities, ~~and~~ anaerobic digestion and other innovative waste management facilities which are fully enclosed where practicable);

~~e.~~ seek the potential for other small scale and innovative waste management facilities on residential, commercial or mixed use developments where practicable;

~~ef.~~ require all new development to provide ~~desion of adequate~~ innovative well designed, functional and accessible refuse and recycling storage space which allows for ease of collection in all developments, such facilities must;

i. be within each flat to allow for temporary short term separate storage of recyclable materials

ii. include communal storage for waste, including for separated recyclables, pending its collection

iii. manage impacts on amenity including those caused by odour, noise and dust

iv. set out adequate contingency measures to manage any failure of such facilities in a waste management strategy<sup>20</sup> for the development.

~~dfg.~~ require that development proposals make use of the rail and the waterway network for the transportation of construction waste and other waste;

~~egh.~~ require applicants for major developments to prepare and implement Site Waste Management Plans for demolition and construction waste.

## KEY DIAGRAM AND PROPOSAL MAP

3.5.2 No changes are required to be made to the Key Diagram or the Proposals Map.

## 3.6 DUTY TO COOPERATE AND STRATEGIC ISSUES

3.6.1 The legal obligation of the 'duty to cooperate' requires the Council to "engage constructively, actively and on an ongoing basis" and have "regard to activities" (i.e. strategies, plans, policies) of other bodies in the preparation of Local Plans "so far as relating to a strategic matter". This includes "considering whether to consult on and prepare... agreements or joint approaches"<sup>21</sup>. A "strategic matter" relates to "sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular)... in connection with infrastructure that is strategic"<sup>22</sup>. Strategic matters are further defined in paragraph 156 of the NPPF<sup>23</sup> and paragraph 013 of the NPPG on the duty to cooperate<sup>24</sup>.

<sup>20</sup> See [www.lwarb.gov.uk/wp-content/uploads/2015/05/Template-waste-management-strategy-new-build-flats-FINAL.pdf](http://www.lwarb.gov.uk/wp-content/uploads/2015/05/Template-waste-management-strategy-new-build-flats-FINAL.pdf) for a template recycling and waste management strategy for new build flats.

<sup>21</sup> Section 33A of the Planning and Compulsory Purchase Act 2004, as inserted by Section 110 of the Localism Act 2010

<sup>22</sup> Section 33A(4) of the Planning and Compulsory Purchase Act 2004, as inserted by Section 110 of the Localism Act 2010

<sup>23</sup> <http://planningguidance.communities.gov.uk/blog/policy/>

<sup>24</sup> <http://planningguidance.communities.gov.uk/blog/guidance/duty-to-cooperate/>

3.6.2 Although bin storage is not considered a strategic issue for the Duty to Cooperate, the below table shows the actions the Council has taken with regard to the duty and the relevant prescribed bodies.

Prescribed body/ies / LPAs <sup>25</sup>	Action(s)	Date(s)
All	The Council has had regard to all relevant strategies, plans and policies of the relevant prescribed bodies in preparing the policies – as set out in Legislation, Policy and Guidance sections of Policy Formulation Reports (PFRs)	Ongoing
All	Local Plan Partial Review Issues and Options consultation – see Consultation Schedule	Dec 2015 – Feb 2016
All	Local Plan Partial Review Draft Policies Regulation 18 consultation – see Consultation Schedule	Oct – Dec 2016

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<sup>25</sup> Regulation 4 of The Town and Country Planning (Local Planning) (England) Regulations 2012

# APPENDIX 1: WRWA WPAS MEETING NOTES, JANUARY 2017

## WRWA Waste Planning Authorities Waste Technical Paper Next Steps

Kensington Town Hall, Hornton Street, W8 7NX

Tuesday 17 January 2017, 16:00-17:00

Attendees	
Rob Krzyszowski	RBKC
Manpreet Kanda	RBKC
Catherine Carpenter	LBL
Victoria Manning	LBL
Beth Lester	LBHF
Adam Hutchings	LBW
Tom Cardis	OPDC

### 1. Final discussions on the conclusions of the WTP

- All agree WTP conclusions
- Some items need altering in the LBL section
  - Clarification needed on if sites in Lambeth receive CD&E waste as well as municipal/ C&I– possible implications for capacity figures. In particular:
    - Powerday WTS, Belinda Rd is recorded as taking municipal and C&I only but CD&E capacity has been included at this site
    - Brixton WTS, Shakespeare Rd is recorded as taking C&I and municipal waste but included for CD&E capacity
  - Error in name of site / operator – Brixton WTS should be Suez not Sita

It was also noted that boroughs are not required to meet the specific gaps in capacity for waste types identified in the WTP (eg organics, dry recycling, residual) as the London Plan (5.16a) requires boroughs to work towards managing “the equivalent of 100% of London’s waste within London by 2026”, ie net self-sufficiency which allows for waste moving across administrative boundaries to the most suitable facility. The WTP does say this but it is somewhat hidden.

#### **Action**

LBL/VM to liaise directly with Anthesis on amendments required. If there is a cost, LBL to pay for costs of amends, via RBKC invoices. Amendments and implications would need agreement from all WRWA WPAs.

RBKC will publish WTP for Reg 19 consultation, an errata sheet could be published following LBL amendments.

### 2. General joint working going forward

- All agree to pool apportionments, arisings and available capacity for all waste streams
- Undertake DtC on a joint basis (engagement with import/export WPAs)
- DtC needs to take place at Member level as well as officer level, for example signing off the MoU and general approach to DtC.
- Joint meeting with GLA – including reassuring GLA on different status and progress of each borough's Local Plan
- Possible joint resource to lead on waste planning
- Joint updates to WTP in the future

### **Actions**

OPDC to raise joint WTP with GLA and arrange meeting, ideally with Doug Simpson and Peter Heath, or another representative from Richard Linton's team.

### **3. Contacting the other WPAs that import/export waste**

- All agree to engage all import / export WPAs on a joint basis
- Share WTP and conclusions
- Questions to include agreement of thresholds in the WTP, movements of waste, details of new sites / closing sites, likely future capacity
- Correspondence should also inform WPAs of the approach to waste planning being taken by the WRWA boroughs, for example pooling capacity and arisings, and the implications of this approach for those WPAs.

### **Actions**

Lambeth (VM) to circulate NLWP DtC letter

LBHF to draft DtC letter with questions discussed and conclusions of WTP. Letter to be sent end Jan / early Feb.

All to share WPA contacts of WPAs we are already in contact with (provide to LBHF) (LWPF [Knowledge Hub](#) has many contacts listed)

### **4. Sharing the WTP with GLA and LWPF**

- Agree to share WTP with GLA, LWPF (25 Jan) and WRWA.

### **Actions**

RBKC to provide presentation slides to VM on WTP findings by 24 Jan. Focus to be on WRWA conclusions, agreement to pool arisings and capacity to meet apportionment and indication of continued joint working arrangements.

Lambeth (VM) to add to LWPF agenda and circulate WTP.

### **5. Memorandum of Understanding between the WRWA WPAs**

- LBHF submitting Local Plan at end of February
- RBKC submitting Local Plan Partial Review in March/April
- All agreed to signing up to a MoU, subject to member confirmation and signoff
- MoU to include:

- Boroughs to plan for waste on the basis of pooled apportionment, arisings and capacity
- Applies to all waste streams
- Time limit and/or commitment to monitoring and review/updating of WTP as and when necessary (e.g. changes to waste sites, in response to London Plan review, new data)
- Cater for scenario of a WPA 'dropping out'
- DtC / engagement arrangements
- Commitment to contributing resources (officer/financial) as and when necessary, within reason, along the lines of joint working to date. There will be no absolute financial figure quoted.
- Details of how WPAs will continue to work jointly if circumstances change e.g. OPDC is given an apportionment in London Plan
- Circumstances of the OPDC i.e. lying in both WRWA and WLWA – this MOU would only deal with the land in WRWA/LBHF
- WRWA will not be signatory, Members not part of WRWA board to sign
- Possible legal advice required on draft MoU
- There will be no lead WPA, the agreement is on an equal basis

### **Actions**

Lambeth (VM) to circulate NLWP MoU.

LBHF / RBKC to begin drafting MoU with inclusion of above details. Draft to be circulated for comment Feb. Possible legal advice to be sought on MoU. Could use SE London MoU as template.

### **6. Any other business**

- GLA letter response
- London Plan - reviewing how the apportionment is set, likely to be based on the ability to deal with waste; could include CD&E apportionment.
- RBKC to circulate draft Local Plan Partial Review Reg 19 publication policy

## APPENDIX 2: JOINT WORKING COMMITMENT EMAILS

### Kanda, Manpreet: CP-Plan: RBKC

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**Subject:** FW: WRWA WPA Meeting April 2017

**From:** Carpenter, Catherine [mailto:CCarpenter@lambeth.gov.uk]

**Sent:** 20 April 2017 15:53

**To:** Kanda, Manpreet: CP-Plan: RBKC <Manpreet.Kanda@rbkc.gov.uk>; Lauren Laviniere <Lauren.Laviniere@opdc.london.gov.uk>; Gawthorpe David: H&F <DAVID.GAWTHORPE@lbhf.gov.uk>; 'Victoria Manning' <Victoria@vitaka.co.uk>; Lester Bethany: H&F <Bethany.Lester@lbhf.gov.uk>; 'ahutchings@wandsworth.gov.uk' <ahutchings@wandsworth.gov.uk>

**Cc:** Tom Cardis <tom.cardis@opdc.london.gov.uk>; Krzyszowski, Robert: CP-Plan: RBKC <Robert.Krzyszowski@rbkc.gov.uk>; Black1,Doug <DBlack1@lambeth.gov.uk>

**Subject:** RE: WRWA WPA Meeting April 2017

Dear all,

Further to yesterday's meeting, I can confirm that Lambeth is happy to continue with the current joint officer working arrangements between the waste planning authorities within the WRWA grouping. Lambeth will work with the other authorities towards the agreement of a memorandum of understanding (MoU) between the authorities, setting out the parameters for joint working on waste planning matters. In Lambeth's case, this will need to be agreed at Cabinet member level. Once a revised draft MoU has been received, and subject to legal comments, Lambeth officers aim to brief members and seek Cabinet member agreement by early June 2017. This position has been discussed and agreed with Doug Black, Interim Assistant Director Planning, Transport and Development.

Kind regards

Catherine Carpenter BAMA MRTPI  
Delivery Lead Planning Strategy and Policy  
Planning, Transport and Development  
Neighbourhoods and Growth  
London Borough of Lambeth  
Phoenix House 1st Floor  
10 Wandsworth Road  
London SW8 2LL

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**Lambeth - the cooperative council**



## Kanda, Manpreet: CP-Plan: RBKC

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**Subject:** FW: WRWA WPA Meeting April 2017

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**From:** Hutchings, Adam [mailto:ahutchings@wandsworth.gov.uk]

**Sent:** 20 April 2017 17:12

**To:** Kanda, Manpreet: CP-Plan: RBKC <Manpreet.Kanda@rbkc.gov.uk>; Lauren Laviniere <Lauren.Laviniere@opdc.london.gov.uk>; Gawthorpe David: H&F <DAVID.GAWTHORPE@lbhf.gov.uk>; 'Victoria Manning' <Victoria@vitaka.co.uk>; Lester Bethany: H&F <Bethany.Lester@lbhf.gov.uk>; Carpenter, Catherine <CCarpenter@lambeth.gov.uk>

**Cc:** Tom Cardis <tom.cardis@opdc.london.gov.uk>; Krzyszowski, Robert: CP-Plan: RBKC <Robert.Krzyszowski@rbkc.gov.uk>

**Subject:** RE: WRWA WPA Meeting April 2017

Dear all,

Further to yesterday's meeting, I can confirm that Wandsworth is happy to continue with the current joint officer working arrangements between the waste planning authorities within the WRWA grouping. Wandsworth will work with the other authorities towards the agreement of a Memorandum of Understanding (MoU) between the authorities, setting out the parameters for joint working on waste planning matters. In Wandsworth's case this will need to be agreed at Cabinet member level via our internal non committee process (known as SO83). Once a revised draft MoU has been received, and subject to legal comments, Wandsworth officers aim to brief members and seek Cabinet member agreement by mid July. This timetable reflects the anticipated 'purdah' period for the run up to the election which would prevent cabinet member decision making until after the general election of the 8<sup>th</sup> June. This position has been discussed and agreed with John Stone, Head of Planning and Transport Strategy.

Kind regards,

Adam Hutchings

Principal Planning Officer - Policy  
Serving Richmond and Wandsworth Councils

T: 020 8871 6650    E: [ahutchings@wandsworth.gov.uk](mailto:ahutchings@wandsworth.gov.uk)

[www.richmond.gov.uk](http://www.richmond.gov.uk) / [www.wandsworth.gov.uk](http://www.wandsworth.gov.uk)

## Kanda, Manpreet: CP-Plan: RBKC

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**Subject:** WRWA WPA Meeting April 2017

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**From:** Lauren Laviniere [mailto:Lauren.Laviniere@opdc.london.gov.uk]

**Sent:** 27 April 2017 17:18

**To:** Kanda, Manpreet: CP-Plan: RBKC <Manpreet.Kanda@rbkc.gov.uk>; Lester Bethany: H&F <Bethany.Lester@lbhf.gov.uk>

**Cc:** Lester Bethany: H&F <Bethany.Lester@lbhf.gov.uk>; Tom Cardis <tom.cardis@opdc.london.gov.uk>

**Subject:** RE: WRWA WPA Meeting April 2017

Dear all,

I can confirm that OPDC is happy to continue with the current joint officer working arrangements between the waste planning authorities within the WRWA grouping. OPDC will work with the other authorities towards the objective of agreeing a Memorandum of Understanding (MoU) between the authorities, setting out the parameters for joint working on waste planning matters. In OPDC's case, without the benefit of legal comments on the appropriate governance route, it is anticipated that this would need to be decided by way of Planning Committee consideration and OPDC Board approval in consultation with GLA. Once a revised MoU has been received, and subject to legal comments, OPDC officers will aim to brief members and seek a formal decision in an expeditious manner. This position has been discussed and agreed with Tom Cardis, Head of Planning Policy.

Kind regards,

**Lauren Laviniere**

**Senior Planning Officer**

**Old Oak and Park Royal Development Corporation**

Mailing address: City Hall, The Queen's Walk, More London Riverside, London SE1 2AA

Office address: 169 Union Street, London, SE1 0LL

T: 020 7983 6595 | M: 0759 0454487 | General Enquiries: 020 7983 5732

[www.london.gov.uk/opdc](http://www.london.gov.uk/opdc) | [@OldOakParkRoyal](https://twitter.com/OldOakParkRoyal) | [www.facebook.com/OldOakParkRoyal](https://www.facebook.com/OldOakParkRoyal)

## **Kanda, Manpreet: CP-Plan: RBKC**

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**Subject:** WRWA WPA Meeting April 2017

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**From:** Lester Bethany: H&F

**Sent:** 27 April 2017 17:14

**To:** Kanda, Manpreet: CP-Plan: RBKC <Manpreet.Kanda@rbkc.gov.uk>; Lauren Laviniere <Lauren.Laviniere@opdc.london.gov.uk>; Carpenter, Catherine <CCarpenter@lambeth.gov.uk>; 'Victoria Manning' <Victoria@vitaka.co.uk>; 'ahutchings@wandsworth.gov.uk' <ahutchings@wandsworth.gov.uk>

**Cc:** Gawthorpe David: H&F <DAVID.GAWTHORPE@lbhf.gov.uk>; Butler Matt: H&F <Matt.Butler@lbhf.gov.uk>; Tom Cardis <tom.cardis@opdc.london.gov.uk>; Krzyszowski, Robert: CP-Plan: RBKC <Robert.Krzyszowski@rbkc.gov.uk>

**Subject:** WRWA WPA Meeting April 2017

Dear all,

Further to the meeting on Wednesday 18<sup>th</sup> April, I can confirm that Hammersmith and Fulham Council is happy to continue with the current joint officer working arrangements between the waste planning authorities within the WRWA grouping. Hammersmith and Fulham will work with the other authorities towards the objective of agreeing a Memorandum of Understanding (MoU) between the authorities, setting out the parameters for joint working on waste planning matters. In Hammersmith and Fulham's case, it is anticipated that this would need to be decided by way of Cabinet Member approval (Cllr Harcourt- Cabinet Member for Environment, Transport & Residents Services). Once a revised MoU has been received, and subject to legal comments, Hammersmith and Fulham officers will aim to brief members and seek a formal decision in July 2017. This position has been discussed and agreed with Matt Butler, Head of Policy & Spatial Planning.

Kind regards,

Bethany Lester

Bethany Lester

Planning Policy | Regeneration, Planning & Housing

London Borough of Hammersmith & Fulham

Tel: 020 8753 2534 | Email: [bethany.lester@lbhf.gov.uk](mailto:bethany.lester@lbhf.gov.uk) | Web: [www.lbhf.gov.uk](http://www.lbhf.gov.uk)

Regeneration, Planning & Housing Services Lead Director: Jo Rowlands

# APPENDIX 3: EXTRACT OF LWPF MINUTES JANUARY 2017 - AGENDA ITEMS 1, 4 & 10

## LONDON WASTE PLANNING FORUM

### DRAFT Minutes of the London WPF meeting of 25<sup>th</sup> January 2017

Held at London Councils, Southwark

#### Present:

Archie Onslow (AO)	North London Waste Plan (chair)
Victoria Manning (VM)	North London Waste Plan (secretary)
Russ Snashall (RS)	Environment Agency
Manpreet Kanda (MK)	RB Kensington and Chelsea
Janet Laban (JL)	City of London
Bethany Lester (BL)	LB Hammersmith & Fulham
Deborah Sacks (DS)	SEWPAG & EoEWTAB
Caroline Steenberg (CS)	LB Richmond
Catherine Carpenter (CC)	LB Lambeth
Joanna Turner (JT)	LB Haringey
Luke Dickson (LD)	LB Lewisham
Ian Weake (IW)	LB Ealing
Caroline Steenberg (CS)	LB Richmond
Tom Campbell (TC)	LB Hillingdon
Richard Linton (RL)	GLA
Mark Broxup (MB)	Western Riverside Waste Authority (WRWA)
Mike Carless (MC)	LB Barnet

#### 1. Introductions and Apologies

Introductions were made. Apologies from:

- Tom McCarthy, Havering
- David Elphick, EA (Russ Snashall attending instead)
- Clare Loops, Bexley
- Adam Hutchings, Wandsworth
- Catherine McCrory, Greenwich
- Jon Hastings, Newham
- Rob Krzyszowski, RBKC
- Ceridwen John, City of Westminster
- Katherine Pelton, Enfield

**ACTION:** AO noted that East London and South London aren't represented at this meeting and will contact these boroughs about this.

#### 4. Presentation on the WRWA Boroughs' Waste Technical Paper

MK presented the key finding from the WRWA boroughs' waste technical paper. The WTP

has data on each authority as well as collectively. Jointly, the boroughs can meet their waste apportionment targets and CD&E waste arisings within the area. No additional capacity is required for other waste streams.

For DtC, import/export thresholds have been used of 5,000tpa for CD&E and 1,000 for HIC waste streams.

There is a consensus at officer level to pool apportionment and plan for waste together. The next steps will be drafting an MoU for joint working, engagement with export/import WPAs and with key stakeholders.

The WTP has been circulated to all boroughs via LWPF and the boroughs will also be writing formally to invite comments on the WTP.

### **10. Duty to Co-operate (standing item)**

The WRWA boroughs will be doing DtC engagement and will be in touch with WPAs who are affected by imports/exports in early February.

VM reminded the group that DtC contacts are available on Knowledge Hub.

It was noted that for DtC you need to contact WPAs who receive significant amounts of waste from your area. If facilities are due to close during the plan period, or there is another planning reason that exports cannot continue, it is necessary to make sure alternative capacity is available. This relates to the deliverability of your plan.



THE ROYAL BOROUGH OF  
KENSINGTON  
AND CHELSEA

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